



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

November 4, 2015

COMMITTEE ACTION

The Committee on Homeland Security met, pursuant to notice, in open markup session, a quorum being present, on Wednesday, November 4, 2015, in 311 Cannon House Office Building to consider the following measures:

- H.R. 2285 (Mr. Keating) To improve enforcement against trafficking in cultural property and prevent stolen or illicit cultural property from financing terrorist and criminal networks, and for other purposes. The “Prevent Trafficking in Cultural Property Act”.
- H.R. 2795, (Ms. Jackson Lee) To require the Secretary of Homeland Security to submit a study on the circumstances which may impact the effectiveness and availability of first responders before, during, or after a terrorist threat or event. The “First Responder Identification of Emergency Needs in Disaster Situations” or the “FRIENDS Act”.
- H.R. 3842, (Mr. Carter of Georgia) To improve homeland security, including domestic preparedness and response to terrorism, by reforming Federal Law Enforcement Training Centers to provide training to first responders, and for other purposes. The “Federal Law Enforcement Training Centers Reform and Improvement Act of 2015”.
- H.R. 3859, (Mr. Perry) To make technical corrections to the Homeland Security Act of 2002. The “HSA Technical Corrections Act.”
- H.R. 3869, (Mr. Hurd of Texas) To amend the Homeland Security Act of 2002 to require State and local coordination on cybersecurity with the national cybersecurity and communications integration center, and for other purposes. The “State and Local Cyber Protection Act of 2015”.
- H.R. 3875, (Mr. McCaul) To amend the Homeland Security Act of 2002 to establish within the Department of Homeland Security a Chemical, Biological, Radiological, Nuclear, and Explosives Office, and for other purposes. The “Department of Homeland Security CBRNE Defense Act of 2015”.

H.R. 3878, (Ms. Torres) To enhance cybersecurity information sharing and coordination at ports in the United States, and for other purposes. The “Strengthening Cybersecurity Information Sharing and Coordination in Our Ports Act of 2015”.

The Committee took the following actions:

H.R. 2285, To improve enforcement against trafficking in cultural property and prevent stolen or illicit cultural property from financing terrorist and criminal networks, and for other purposes; was ordered to be reported to the House of Representatives with a favorable recommendation, as amended, by voice vote.

The Chair discharged with Subcommittee on Border and Maritime Security from further consideration of H.R. 2285.

The following amendments were offered:

An Amendment in the Nature of a Substitute offered by Mr. Keating (#1); was AGREED TO by voice vote.

Without objection, the Chair authorized staff to make technical and conforming corrections to H.R. 2285.

H.R. 2795, To require the Secretary of Homeland Security to submit a study on the circumstances which may impact the effectiveness and availability of first responders before, during, or after a terrorist threat or event; was ordered to be reported to the House of Representatives with a favorable recommendation, as amended, by voice vote.

The Chair discharged the Subcommittee on Emergency Preparedness, Response, and Communications from further consideration of H.R. 2795.

The following amendments were offered:

An Amendment in the Nature of a Substitute offered by Ms. Jackson Lee (#1); was AGREED TO, as amended, by voice vote.

An en bloc amendment to the Amendment in the Nature of a Substitute offered by Mr. Higgins (#1A); consisting of the following amendments:

An amendment: Page 1, line 12, insert “and local” after “State”.

Page 1, line 13, insert “, as appropriate,” after “policies”.

Page 2, line 11, insert “and local” after “State”.

An amendment: Page 2, line 4, strike “and”

Page 2, beginning line 5, insert the following (and redesignate subsequent paragraphs accordingly):

(3) the availability of home Medkits for first responders and their families for biological incident response; and; was AGREED TO by voice vote.

A unanimous consent request by Mr. Higgins to consider his amendments en bloc, was not objected to.

Without objection, the Chair authorized staff to make technical and conforming corrections to H.R. 2795.

H.R. 3842, To improve homeland security, including domestic preparedness and response to terrorism, by reforming Federal Law Enforcement Training Centers to provide training to first responders, and for other purposes; was ordered to be reported to the House of Representatives with a favorable recommendation, as amended, by voice vote.

The Committee H.R. 3859, as amended, by voice vote.

The following amendments were offered:

An en bloc amendment offered by Mrs. Watson Coleman (#1); consisting of the following amendments:

An amendment: Page 3, beginning line 14, insert the following (and redesignate subsequent paragraphs accordingly):

"(6) carry out acquisition responsibilities In a manner that-

"(A) fully complies with-

"(i) Federal law;

"(ii) the Federal Acquisition Regulation, including requirements regarding agency obligations to contract only with responsible prospective contractors; and

"(iii) Department acquisition management directives; and

"(B) ensures that a fair proportion of Federal contract and subcontract dollars are rewarded to small businesses, maximizes opportunities for small business participation, and ensures, to the extent practicable, that small businesses which achieve qualified vendor status for security-related technologies have an opportunity to compete for contracts for such technologies;"

An amendment: Page 5, beginning line 5, strike paragraph (4) and insert a new paragraph entitled "(4) Strategic Partnerships."

An amendment: Page 5, begging line 10, insert a new paragraph entitled "(5) FLETC Details to DHS."; was AGREED TO by voice vote.

A unanimous consent request by Mrs. Watson Coleman to consider her amendments en bloc, was not objected to.

An en bloc amendment offered by Mr. Loudermilk (#2); consisting of the following amendments:

An amendment: Page 3, beginning line 1, strike “international, and private sector law enforcement and security agencies” and insert “and international law enforcement and security agencies and private sector security agencies”.

Page 3, beginning line 19, strike “international, and private sector law enforcement and security training activities” and insert “and international law enforcement and security training activities and private sector security agency training activities”.

Page 4, beginning line 17, strike “international and private sector law enforcement and security agencies” and insert “and international law enforcement and security agencies and private sector security agencies”.

An amendment: Page 3, line 23, strike “and”.

Page 3, beginning line 24, insert the following (and redesignate subsequent paragraphs accordingly):

“(8) collaborate with the Secretary and relevant officials at other Federal departments and agencies to improve international instructional development, training, and technical assistance provided by the Federal Government to foreign law enforcement; and”.

An amendment:

Page 11, line 5, strike “and”.

Page 11, line 7, strike the period and insert “; and”.

Page 11, beginning line 8, insert the following: “(7) expend funds each fiscal year to honor and memorialize FLETC graduates who have died in the line of duty.”.; was AGREED TO, by voice vote.

A unanimous consent request by Mr. Loudermilk to consider his amendments en bloc, was not objected to.

Without objection, the Chair authorized staff to make technical and conforming corrections to H.R. 3482.

H.R. 3859, (Mr. Perry) To make technical corrections to the Homeland Security Act of 2002; was ordered to be reported to the House of Representatives with a favorable recommendation, without amendment, by voice vote.

The Committee agreed to H.R. 3859, without amendment, by voice vote.

H.R. 3869, (Mr. Hurd of Texas) To amend the Homeland Security Act of 2002 to require State and local coordination on cybersecurity with the national cybersecurity and communications integration center, and for other purposes; was ordered to be reported to the House of Representatives with a favorable recommendation, without amendment, by voice vote.

The Committee agreed to H.R. 3869, without amendment, by voice vote.

H.R. 3875, (Mr. McCaul) To amend the Homeland Security Act of 2002 to establish within the Department of Homeland Security a Chemical, Biological, Radiological, Nuclear, and Explosives Office, and for other purposes; was ordered to be reported to the House of Representatives with a favorable recommendation, as amended, by voice vote.

The following amendments were offered:

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

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Thompson (#1A); Page 2, line 12, insert after “Division.” the following: “The CBRNE Office may include a Health Division.”.

Page 3, beginning line 17, strike “the Director of the Explosives Division, and the Chief Medical Officer” and insert “and the Director of the Explosives Division”.

Page 4, line 5, strike “Nuclear Division authorized under title XIX” and insert “Domestic Nuclear Detection Office authorized under title XIX as in existence on the date before the date of the enactment of this title (and redesignated as the Nuclear Division)”.

Page 13, line 11, strike “EFFICIENCIES REVIEW” and insert “AFTER ACTION AND EFFICIENCIES REVIEW”.

Page 14, line 6, insert after “Office” the following: “, including expenditures related to the establishment of the CBRNE Office, such as expenditures associated with the utilization of the Secretary’s authority to award retention bonuses pursuant to Federal law;”.

Page 14, beginning line 6, strike “and identifies any potential cost savings and efficiencies for such expenditures and activities of each sub-office; and” and insert the following (and redesignate subsequent paragraphs accordingly): (3) identifies any potential cost savings and efficiencies within the CBRNE Office or its divisions; and

Page 14, line 9, strike “make recommendations for adjustments in the management and administration of the Office” and insert “identifies opportunities to enhance the effectiveness of the management and administration of the CBRNE Office”.

Page 15, line 1, strike “for fiscal year 2020”.

Page 15, line 2, insert “for the fiscal year that follows the issuance of the Comptroller General review required pursuant to subsection (d)” after “United States Code,”.

Page 17, line 5, strike “CONCURRENT”.

Page 17, line 10, insert “organizational structure of the” after “review of the”.

Page 17, line 17, insert “organizational structure for the” before “management”.

Page 17, line 24, insert “organizational structure of the” before “Department’s”.

Page 18, line 3, strike “one year” and insert “two years”.

Page 25, line 9, strike “Maintaining” and insert “Achieving”.

Page 29, strike lines 17 through 22 (and redesignate subsequent subsections accordingly).

Page 31, line 23, strike “PROVISION” and insert “PROVISIONS”.

Page 32, line 2, insert after “United States.” The following: “Nothing in this Act shall alter the responsibility of the Chief Medical Officer of the Department of Homeland Security to serve as the principal advisor to the Secretary of Homeland Security and the Administrator of the Federal Emergency Management Agency on medical and public health issues pursuant to paragraph (1) of section 516(c) of the Homeland Security Act of 2002 (6 U.S.C. 321e(c)).”; was AGREED TO, by voice vote.

Without objection, the Chair authorized staff to make technical and conforming corrections to H.R. 3875.

H.R. 3878, (Ms. Torres) To enhance cybersecurity information sharing and coordination at ports in the United States, and for other purposes; was ordered to be reported to the House of Representatives with a favorable recommendation, as amended, by voice vote.

The following amendments were offered:

An Amendment in the Nature of a Substitute offered by Ms. Torres (#1); was AGREED TO, as amended, by voice vote.

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Donovan (#1A); Add at the end a new section entitled “Sec____. Vulnerability Assessments and Security Plans.”; was AGREED TO by voice vote.

Without objection, the Chair authorized staff to make technical and conforming corrections to H.R. 3878.

A motion by Mr. Katko that, pursuant to Rule XXII, clause 1, the Committee authorizes the Chair to offer such motions as may be necessary in the House to go to conference with the Senate on H.R. 2285, H.R. 2795, H.R. 3842, H.R. 3859, H.R. 3869, H.R. 3875, and H.R. 3878, or any similar measure, was NOT OBJECTED TO.

A motion by Mr. Thompson that, pursuant to Rule XI clause 2(l), Members may have two days in which to file any supplemental, minority, additional, or dissenting views on H.R. 2285, H.R. 2795, H.R. 3842, H.R. 3859, H.R. 3869, H.R. 3875, and H.R. 3878, was NOT OBJECTED TO.

