



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

September 13, 2016

COMMITTEE ACTION

The Committee on Homeland Security met, pursuant to notice, in open markup session, a quorum being present, on Tuesday, September 13, 2016, in 311 Cannon House Office Building to consider the following measures:

- H.R. 5065, (Ms. Herrera Beutler) To direct the Secretary of Homeland Security to notify air carriers and security screening personnel of the Transportation Security Administration of such Administration's guidelines regarding permitting baby formula, breast milk, and juice on airplanes, and for other purposes. The "Bottles and Breastfeeding Equipment Screening Act".
- H.R. 5346, (Mr. Young of Iowa) To amend the Homeland Security Act of 2002 to make the Assistant Secretary of Homeland Security for Health Affairs responsible for coordinating the efforts of the Department of Homeland Security related to food, agriculture, and veterinary defense against terrorism, and for other purposes. The "Securing our Agriculture and Food Act".
- H.R. 5459, (Mr. Donovan) To amend the Homeland Security Act of 2002 to enhance preparedness and response capabilities for cyber attacks, bolster the dissemination of homeland security information related to cyber threats, and for other purposes. The "Cyber Preparedness Act of 2016".
- H.R. 5460, (Mr. Payne) To amend the Homeland Security Act of 2002 to establish a review process to review applications for certain grants to purchase equipment or systems that do not meet or exceed any applicable national voluntary consensus standards, and for other purposes. The "First Responder Access to Innovative Technologies Act".
- H.R. 5728, (Mr. Katko) To prohibit scheduled passenger air transportation between the United States and Cuba until a study has been completed regarding security measures and equipment at Cuba's airports, to amend title 49, United States Code, to clarify the role of the Secretary of Homeland Security regarding security standards at foreign airports, and for other purposes. The "Cuban Airport Security Act of 2016".

H.R. 5843, (Mr. Langevin) To establish a grant program at the Department of Homeland Security to promote cooperative research and development between the United States and Israel on cybersecurity. The “United States-Israel Cybersecurity Cooperation Enhancement Act of 2016”.

H.R. 5859, (Mr. McCaul) To amend the Homeland Security Act of 2002 to establish the major metropolitan area counterterrorism training and exercise grant program, and for other purposes. The “Community Counterterrorism Preparedness Act”.

H.R. 5877, (Mr. Ratcliffe) To amend the Homeland Security Act of 2002 and the United States-Israel Strategic Partnership Act of 2014 to promote cooperative homeland security research and antiterrorism programs relating to cybersecurity, and for other purposes. The “United States-Israel Advanced Research Partnership Act of 2016”.

H.R. 5943, (Mr. Donovan) To amend the Implementing Recommendations of the 9/11 Commission Act of 2007 to clarify certain allowable uses of funds for public transportation security assistance grants and establish periods of performance for such grants, and for other purposes. The “Transit Security Grant Program Flexibility Act”.

The Committee took the following actions:

H.R. 5728, To prohibit scheduled passenger air transportation between the United States and Cuba until a study has been completed regarding security measures and equipment at Cuba’s airports, to amend title 49, United States Code, to clarify the role of the Secretary of Homeland Security regarding security standards at foreign airports, 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 the Subcommittee on Transportation Security from further consideration.

The following amendments were offered:

An Amendment in the Nature of a Substitute offered by Mr. Katko (#1); was AGREED TO, as amended, by a recorded vote of 14 yeas and 10 nays (Roll Call Vote No. 23). The vote was as follows:

Roll No. 23	
Yeas	Nays
Mr. McCaul	Mr. Thompson of Mississippi
Mr. King of New York	Ms. Loretta Sanchez of California
Mrs. Miller of Michigan	Ms. Jackson Lee
Mr. Duncan of South Carolina	Mr. Langevin
Mr. Marino	Mr. Richmond
Mr. Barletta	Mr. Keating

Mr. Perry Mr Katko Mr. Hurd of Texas Mr. Carter of Georgia Mr. Walker Mr. Loudermilk Mr. Ratcliffe Mr. Donovan	Mr. Vela Mrs. Watson Coleman Miss Rice of New York Mrs. Torres
Total	14
	10

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Thompson of Mississippi (#1A); Redesignate sections 2 and 3 as sections 3 and 4 respectively.

Insert a new section entitled “Sec. 2. Findings; Sense of Congress.”; was NOT AGREED TO by a recorded vote of 9 yeas and 13 nays (Roll Call Vote No. 20). The vote was as follows:

Roll No. 20	
Yeas	Nays
Mr. Thompson of Mississippi Ms. Loretta Sanchez of California Ms. Jackson Lee Mr. Langevin Mr. Keating Mr. Vela Mrs. Watson Coleman Miss Rice of New York Mrs. Torres	Mr. McCaul Mr. King of New York Mrs. Miller of Michigan Mr. Duncan of South Carolina Mr. Barletta Mr. Perry Mr Katko Mr. Hurd of Texas Mr. Carter of Georgia Mr. Walker Mr. Loudermilk Mr. Ratcliffe Mr. Donovan
Total	9
	13

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Perry (#1B); In section 2(e), redesignate paragraph (2) as paragraph (3).

In Section 2, insert after paragraph (1) a new paragraph entitled “(2) Hiring and Training Requirements.”; was AGREED TO by a recorded vote of 13 yeas and 9 nays (Roll Call Vote No. 21). The vote was as follows:

Roll No. 21	
Yeas	Nays
Mr. McCaul Mr. King of New York Mrs. Miller of Michigan Mr. Duncan of South Carolina	Mr. Thompson of Mississippi Ms. Loretta Sanchez of California Ms. Jackson Lee Mr. Langevin

Mr. Barletta Mr. Perry Mr Katko Mr. Hurd of Texas Mr. Carter of Georgia Mr. Walker Mr. Loudermilk Mr. Ratcliffe Mr. Donovan	Mr. Keating Mr. Vela Mrs. Watson Coleman Miss Rice of New York Mrs. Torres
Total	13
	9

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Duncan of South Carolina (#1C); In section 2(a)(1), insert “, including all Chinesemade equipment” after “screening checkpoints”.

In section 2(a), redesignate paragraph (9) as paragraph (10).

In section 2(a), insert after paragraph (8) the following:

(9) An examination of the impact to United States national security of a Russian company managing Cuba’s air traffic control system.

Strike section 3.; was AGREED TO by a recorded vote of 13 yeas and 9 nays (Roll Call Vote No. 22). The vote was as follows:

Roll No. 22	
Yeas	Nays
Mr. McCaul Mr. King of New York Mrs. Miller of Michigan Mr. Duncan of South Carolina Mr. Barletta Mr. Perry Mr Katko Mr. Hurd of Texas Mr. Carter of Georgia Mr. Walker Mr. Loudermilk Mr. Ratcliffe Mr. Donovan	Mr. Thompson of Mississippi Ms. Loretta Sanchez of California Ms. Jackson Lee Mr. Langevin Mr. Keating Mr. Vela Mrs. Watson Coleman Miss Rice of New York Mrs. Torres
Total	13
	9

Without objection, the Chair authorized staff to make technical and conforming corrections to H.R. 5728.

H.R. 5859, To amend the Homeland Security Act of 2002 to establish the major metropolitan area counterterrorism training and exercise grant program, 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 the Subcommittee on Emergency Preparedness, Response, and Communications from further consideration.

The Committee adopted H.R. 5859, as amended, by voice vote.

The following amendments were offered:

An amendment offered by Mr. Donovan of New York, listed on the roster as Mr. Perry (#1); Page 2, strike lines 17 through 21 and insert a new subsection entitled “(b) Eligible Applicants.”; was AGREED TO by voice vote.

An amendment offered by Ms. Loretta Sanchez of California (#2); Page 2, strike lines 10 through 16 and insert a new subsection entitled “(a) Establishment.”
Page 3, line 2, strike “many” and insert “may”.; was AGREED TO by voice vote.

An amendment offered by Mr. Thompson, listed on the roster as Mr. Payne (#3); Page 3, line 14, insert the following (and make necessary conforming changes):
“(C) A description of how the applicant will work with community partners located within the applicant’s jurisdiction, such as schools, places of worship, and businesses, as appropriate, when conducting activities permitted under subsection (d).”.; was AGREED TO by voice vote.

Without objection, the Chair authorized staff to make technical and conforming corrections to H.R. 5859.

H.R. 5460, To amend the Homeland Security Act of 2002 to establish a review process to review applications for certain grants to purchase equipment or systems that do not meet or exceed any applicable national voluntary consensus standards, 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 adopted H.R. 5460, as amended, by voice vote.

The following amendments were offered:

An amendment offered by Mr. Donovan (#1); In subsection (b), in the matter preceding paragraph (1), strike “review process” and insert “the processes”.
Amend paragraph (2) of subsection (b) to read as follows:

(2) The capability gaps identified by applicants and the number of such requests granted or denied.; was AGREED TO by voice vote.

Without objection, the Chair authorized staff to make technical and conforming corrections to H.R. 5460.

H.R. 5459, To amend the Homeland Security Act of 2002 to enhance preparedness and response capabilities for cyber attacks, bolster the dissemination of homeland security information related to cyber threats, 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 the Subcommittee on Cybersecurity, Infrastructure Protection, and Security Technologies from further consideration.

The following amendments were offered:

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

An amendment offered by Mr. Thompson of Mississippi (#1A); Page 1, line 9, insert the following (and make necessary conforming changes):

(i) in paragraph (10), by inserting before the semicolon at the end the following:
“, including, in coordination with the national cybersecurity and communications integration center under section 227, accessing timely technical assistance, risk management support, and incident response capabilities with respect to cyber threat indicators, defensive measures, cybersecurity risks, and incidents (as such terms are defined in such section), which may include attribution, mitigation, and remediation, and the provision of information and recommendations on security and resilience, including implications of cybersecurity risks to equipment and technology related to the electoral process”.; was AGREED TO by voice vote.

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Langevin (#1B); Page 2, line 6, inset the following (and make necessary conforming changes):
(B) in subsection (c)(2)-

(i) by redesignating subparagraphs (C) through (G) as subparagraphs (D) through (H), respectively; and

(ii) by inserting after subparagraph (B) the following new subparagraph:

“(C) The national cybersecurity and communications integration center under section 227.”; was AGREED TO by voice vote.

An amendment to the Amendment in the Nature of a Substitute offered by Ms. Loretta Sanchez of California (#1C); Page 4, line 8, insert “and developing State-wide cyber threat information analysis and dissemination activities” after “incidents”.; was AGREED TO by voice vote.

Without objection, the Chair authorized staff to make technical and conforming corrections to H.R. 5459.

A unanimous consent request by Mr. McCaul that the Committee consider H.R. 5877, H.R. 5843, H.R. 5943, H.R. 5346, and H.R. 5065; and that the amendments listed on the roster be considered enbloc.

The Chair moved that the question on agreeing to the bills, as amended, AGREED TO by voice vote.

The Chair moved the question on reporting the bills, as amended to the House of Representatives with a favorable recommendation; AGREED TO by voice vote.

H.R. 5065, To direct the Secretary of Homeland Security to notify air carriers and security screening personnel of the Transportation Security Administration of such Administration's guidelines regarding permitting baby formula, breast milk, and juice on airplanes, 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 the Subcommittee on Transportation Security from further consideration.

The Committee adopted H.R. 5065, as amended, by voice vote.

The following amendments were offered:

An amendment offered by Ms. Jackson Lee (#1); Page 2, line 2, after "Breast Milk," insert "Purified Deionized Water for Infants,".
Page 2, line 11, after "breast milk," insert "purified deionized water for infants,".; was AGREED TO by voice vote.

An amendment offered by Miss Rice (#2); Page 2, line 6, strike "Secretary of Homeland Security" and insert "administrator of the Transportation Security Administration".
Page 2, beginning at line 16, strike "all special procedures under the Administration's travel guidelines" and insert "special screening procedures".
Amend the title of the bill so as to read: "A bill to direct the Administrator of the Transportation Security Administration to notify air carriers and security screening personnel of the Transportation Security Administration of such Administration's guidelines regarding permitting baby formula, breast milk, and juice on airplanes, and for other purposes." ; was AGREED TO by voice vote.

An amendment offered by Miss Rice (#3); Page 2, line 10, insert “and personnel of private security companies providing security screening pursuant to section 44920 of title 49, United States Code,” before “of”.

Page 2, line 15, insert “and personnel of private security companies providing security screening pursuant to section 44920 of title 49, United States Code” after “Administration”. ; was AGREED TO by voice vote.

Without objection, the Chair authorized staff to make technical and conforming corrections to H.R. 5065.

H.R. 5346, To amend the Homeland Security Act of 2002 to make the Assistant Secretary of Homeland Security for Health Affairs responsible for coordinating the efforts of the Department of Homeland Security related to food, agriculture, and veterinary defense against terrorism, 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 adopted H.R. 5346, as amended, by voice vote.

The following amendments were offered:

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

Without objection, the Chair authorized staff to make technical and conforming corrections to H.R. 5346.

H.R. 5843, To establish a grant program at the Department of Homeland Security to promote cooperative research and development between the United States and Israel on cybersecurity; 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 Cybersecurity, Infrastructure Protection, and Security Technologies from further consideration.

The Committee adopted H.R. 5843, as amended, by voice vote.

The following amendments were offered:

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

Without objection, the Chair authorized staff to make technical and conforming corrections to H.R. 5843.

H.R. 5877, To amend the Homeland Security Act of 2002 and the United States-Israel Strategic Partnership Act of 2014 to promote cooperative homeland security research and antiterrorism programs relating to cybersecurity, 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 the Subcommittee on Cybersecurity, Infrastructure Protection, and Security Technologies from further consideration.

The Committee adopted H.R. 5877, as amended, by voice vote.

The following amendments were offered:

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

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Richmond (#1A); Page 1, line 10, insert the following (and make necessary conforming changes):

(1) in subsection (e)—

(A) in paragraph (1), by striking “and” after the semicolon; (B) in paragraph (2), by striking the period at the end and inserting “; and”; and (C) by inserting after paragraph (2) the following new paragraphs:

“(3) for international cooperative activities identified in the previous reporting period, a status update on the progress of such activities, including whether goals were realized, explaining any lessons learned, and evaluating overall success; and

“(4) a discussion of obstacles encountered in the course of forming, executing, or implementing agreements for international cooperative activities, including administrative, legal, or diplomatic challenges or resource constraints.”; was AGREED TO by voice vote.

Without objection, the Chair authorized staff to make technical and conforming corrections to H.R. 5877.

H.R. 5943, To amend the Implementing Recommendations of the 9/11 Commission Act of 2007 to clarify certain allowable uses of funds for public transportation security assistance grants and establish periods of performance for such grants, 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 adopted H.R. 5943 as amended, by voice vote.

The following amendments were offered:

An amendment offered by Mr. Payne (#1); Add the end a new section entitled “Sec. 4. GAO Review.”; was AGREED TO by voice vote.

Without objection, the Chair authorized staff to make technical and conforming corrections to H.R. 5943.

A motion by Mr. Donovan of New York 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. 5065, H.R. 5346, H.R. 5459, H.R. 5460, H.R. 5728, H.R. 5859, H.R. 5877, H.R. 5943, or any similar measure, was NOT OBJECTED TO.

A motion by Mr. Thompson of Mississippi that, pursuant to Rule XI clause 2(1), Members may have two days in which to file any supplemental, minority, additional, or dissenting views on H.R. 5065, H.R. 5346, H.R. 5459, H.R. 5460, H.R. 5728, H.R. 5859, H.R. 5877, H.R. 5943, was NOT OBJECTED TO.

