



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

July 17, 2019

COMMITTEE ACTION

The Committee on Homeland Security met, pursuant to notice, in open markup session, a quorum being present, on Wednesday, July 17, 2019, in 310 of the Cannon House Office Building and considered the following measures:

H.R. 2203, (Ms. Escobar) To increase transparency, accountability, and community engagement within the Department of Homeland Security, provide independent oversight of border security activities, improve training for agents and officers of U.S. Customs and Border Protection and U.S. Immigration and Customs Enforcement, and for other purposes. The “Homeland Security Improvement Act”;

H.R. 3106, (Mr. Thompson) To require a joint domestic terrorism report, establish within the Department of Homeland Security a National Center for the Study of Domestic Terrorism, authorize research within the Department of Homeland Security on current trends in domestic terrorism, and for other purposes. The “Domestic Terrorism DATA Act”;

H.R. 3246, (Mr. Taylor) To require GAO review of certain TSA screening protocols, and for other purposes. The “Traveling Parents Screening Consistency Act of 2019”;

H.R. 3318, (Mr. Joyce) To require the Transportation Security Administration to establish a task force to conduct an analysis of emerging and potential future threats to transportation security, and for other purposes. The “Emerging Transportation Security Threats Act of 2019”;

H.R. 3320, (Mr. King) To amend the Homeland Security Act of 2002 to authorize the Secretary of Homeland Security to implement certain requirements for information relating to supply chain risk, and for other purposes. The “Securing the Homeland Security Supply Chain Act of 2019”;

H.R. 3356, (Mr. Gosar) To provide PreCheck to certain severely injured or disabled veterans, and for other purposes. The “Veterans Expedited TSA Screening Safe Travel Act”;

H.R. 3413, (Mr. Crenshaw) To amend the Homeland Security Act of 2002 to provide for certain acquisition authorities for the Under Secretary of Management of the Department of Homeland Security, and for other purposes. The “DHS Acquisition Reform Act of 2019”;

H.R. 3525, (Ms. Underwood) To amend the Homeland Security Act of 2002 to direct the Commissioner of U.S. Customs and Border Protection to establish uniform processes for medical screening of individuals interdicted between ports of entry, and for other purposes. The “U.S. Border Patrol Medical Screening Standards Act”;

H.R. 3526, (Ms. Underwood) To authorize certain counter terrorist networks activities of U.S. Customs and Border Protection, and for other purposes. The “Counter Terrorist Network Act”;

H.R. 3669, (Ms. Slotkin) To require the Secretary of Homeland Security to conduct a collective response to a terrorism exercise that includes the management of cascading effects on critical infrastructure during times of extreme cold weather, and for other purposes. The “Weatherizing Infrastructure in the North and Terrorism Emergency Readiness Act of 2019” or “WINTER Act”;

H.R. 3670, (Ms. Slotkin) To amend the Homeland Security Act of 2002 to ensure access to appropriate temporary shelter, food, and water for individuals apprehended by U.S. Customs and Border Protection, and for other purposes. The “Short-term Detention Act”;

H.R. 3675, (Mr. Katko) To require a review of Department of Homeland Security trusted traveler programs, and for other purposes. The “Trusted Traveler Reconsideration and Restoration Act of 2019”;

H.R. 3691, (Ms. Titus) To require the TSA to develop a plan to ensure that TSA material disseminated in major airports can be better understood by more people accessing such airports, and for other purposes. The “TSA Reaching Across Nationalities, Societies, and Languages to Advance Traveler Education Act” or “TRANSLATE Act”;

H.R. 3694, (Mrs. Lesko) To require the Transportation Security Administration to implement training for frontline Administration personnel regarding the screening of pregnant women and families with young children at passenger screening checkpoints, and for other purposes. The “Helping Families Fly Act of 2019”;

H.R. 3699, (Mr. Cleaver) To codify the Transportation Security Administration's responsibility relating to securing pipelines against cybersecurity threats, acts of terrorism, and other nefarious acts that jeopardize the physical security or cybersecurity of pipelines, and for other purposes. The “Pipeline Security Act”;

H.R. 3710, (Ms. Jackson Lee) To amend the Homeland Security Act of 2002 to provide for the remediation of cybersecurity vulnerabilities, and for other purposes. The “Cybersecurity Vulnerability Remediation Act”;

H.R. 3722, (Mr. Langevin) To amend the Homeland Security Act of 2002 to authorize a Joint Task Force to enhance integration of the Department of Homeland Security's border security operations to detect, interdict, disrupt, and prevent narcotics, such as fentanyl and other synthetic opioids, from entering the United States, and for other purposes. The “Joint Task Force to Combat Opioid Trafficking Act of 2019”.

The Committee took the following actions:

Mr. Rogers made a point of order that the Amendment in the Nature of a Substitute was not noticed in conformance to Committee Rule 5(2)(b). The Chair sustained the point of order.

The Chair moved that the Committee meet pursuant to Rule 11, Clause 2(g)(3)(B)(ii).

A Roll Call vote was requested by Mr. Rogers.

The vote was as follows:

Roll No. 4	
Yeas	Nays
Mr. Thompson of Mississippi	Mr. Rogers of Alabama
Ms. Jackson Lee	Mr. King of New York
Mr. Langevin	Mr. Katko
Mr. Payne	Mr. Walker
Miss Rice	Mr. Higgins of Louisiana
Mr. Correa	Mrs. Lesko
Ms. Torres Small of New Mexico	Mr. Green of Tennessee
Mr. Rose of New York	Mr. Taylor
Ms. Underwood	Mr. Joyce
Ms. Slotkin	Mr. Crenshaw
Mr. Green of Texas	Mr. Guest
Ms. Clarke of New York	
Ms. Titus	
Mrs. Watson Coleman	
Ms. Barragán	
Mrs. Demings	
Total	
16	11

H.R. 2203 was AGREED TO and ordered to be reported with a favorable recommendation, with amendment by a recorded vote of 16 yeas and 13 nays (Roll no. 10).

The vote was as follows:

Roll No. 10	
Yeas	Nays
Mr. Thompson of Mississippi	Mr. Rogers of Alabama
Mr. Langevin	Mr. King of New York

Mr. Richmond	Mr. McCaul
Mr. Payne	Mr. Katko
Miss Rice	Mr. Ratcliffe
Mr. Correa	Mr. Walker
Ms. Torres Small of New Mexico	Mr. Higgins of Louisiana
Mr. Rose of New York	Mrs. Lesko
Ms. Underwood	Mr. Green of Tennessee
Ms. Slotkin	Mr. Taylor
Mr. Green of Texas	Mr. Crenshaw
Ms. Clarke of New York	Mr. Guest
Ms. Titus	
Mrs. Watson Coleman	
Ms. Barragán	
Mrs. Demings	
Total	16
	13

The Following Amendments were offered:

An Amendment in the Nature of a Substitute offered by Mr. Thompson was AGREED TO by a recorded vote of 16 yeas and 12 nays (Roll no. 9).

The vote was as follows:

Roll No. 9	
Yeas	Nays
Mr. Thompson of Mississippi	Mr. Rogers of Alabama
Mr. Langevin	Mr. King of New York
Mr. Richmond	Mr. Katko
Mr. Payne	Mr. Ratcliffe
Miss Rice	Mr. Walker
Mr. Correa	Mr. Higgins of Louisiana
Ms. Torres Small of New Mexico	Mrs. Lesko
Mr. Rose of New York	Mr. Green of Tennessee
Ms. Underwood	Mr. Joyce
Ms. Slotkin	Mr. Taylor
Mr. Green of Texas	Mr. Crenshaw
Ms. Clarke of New York	Mr. Guest
Ms. Titus	
Mrs. Watson Coleman	
Ms. Barragán	
Mrs. Demings	
Total	12
16	12

An amendment to the Amendment in the Nature of a Substitute offered by Mrs. Lesko was NOT AGREED TO by a recorded vote of 11 yeas and 16 nays (Roll no. 5).

On page 48, after line 5 insert the following new paragraphs:

“(4) Impact of U.S. Customs and Border Protection rescue operations on migrant deaths.

“(5) Impact of Department of Defense support operations on improving availability and response times of U.S. Customs and Border Protection officers on the border.”;

At the end of title II, insert the following new section:

“Sec. 212 Penalty for Child Smuggling.- Any alien interdicted by U.S. Border Patrol between ports of entry who falsely claims that a child brought to the United States is such alien’s biological child or under the alien’s legal guardianship, shall be fined not more than \$10,000. The Secretary may use rapid DNA testing or other appropriate methods to expeditiously verify relationships.”; and

Strike Section 205.

The vote was as follows:

Roll No. 5	
Yeas	Nays
Mr. Rogers of Alabama	Mr. Thompson of Mississippi
Mr. King of New York	Ms. Jackson Lee
Mr. Katko	Mr. Langevin
Mr. Walker	Mr. Payne
Mr. Higgins of Louisiana	Miss Rice
Mrs. Lesko	Mr. Correa
Mr. Green of Tennessee	Ms. Torres Small of New Mexico
Mr. Taylor	Mr. Rose of New York
Mr. Joyce	Ms. Underwood
Mr. Crenshaw	Ms. Slotkin
Mr. Guest	Mr. Green of Texas
	Ms. Clarke of New York
	Ms. Titus
	Mrs. Watson Coleman
	Ms. Barragán
	Mrs. Demings
Total	11
	16

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Joyce was NOT AGREED TO by a recorded vote of 11 yeas to 16 nays (Roll no. 6)

Strike Title I.

The vote was as follows:

Roll No. 6	
Yeas	Nays
Mr. Rogers of Alabama	Mr. Thompson of Mississippi
Mr. King of New York	Ms. Jackson Lee
Mr. Katko	Mr. Langevin
Mr. Walker	Mr. Payne
Mr. Higgins of Louisiana	Miss Rice
Mrs. Lesko	Mr. Correa
Mr. Green of Tennessee	Ms. Torres Small of New Mexico
Mr. Taylor	Mr. Rose of New York
Mr. Joyce	Ms. Underwood
Mr. Crenshaw	Ms. Slotkin
Mr. Guest	Mr. Green of Texas
	Ms. Clarke of New York
	Ms. Titus
	Mrs. Watson Coleman
	Ms. Barragán
	Mrs. Demings
Total	11
	16

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Higgins was NOT AGREED TO by a recorded vote of 11 yeas to 16 nays (Roll no. 7)

On page 19, after line 19 insert the following new subsection “(f) The filing of a complaint under this section shall not confer immunity in any removal or criminal proceeding against a complainant.”;

On page 23, line 10 insert “border security,” after “law,”;

On page 46, after line 3 insert the following new paragraphs:

“(4) the impact of transnational criminal organizations conducting mass human smuggling operations designed to exploit US immigration laws.”;

Strike Section 206; Strike Section 208; and Strike Section 304.

The vote was as follows:

Roll No. 7	
Yeas	Nays
Mr. Rogers of Alabama	Mr. Thompson of Mississippi
Mr. King of New York	Ms. Jackson Lee
Mr. Katko	Mr. Langevin
Mr. Walker	Mr. Payne
Mr. Higgins of Louisiana	Miss Rice
Mrs. Lesko	Mr. Correa

Mr. Green of Tennessee Mr. Taylor Mr. Joyce Mr. Crenshaw Mr. Guest	Ms. Torres Small of New Mexico Mr. Rose of New York Ms. Underwood Ms. Slotkin Mr. Green of Texas Ms. Clarke of New York Ms. Titus Mrs. Watson Coleman Ms. Barragán Mrs. Demings
Total	11
	16

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Green of Tennessee was NOT AGREED TO by a recorded vote of 12 yeas to 16 nays (Roll no. 8)
Strike Section 201;

On page 19, insert “and shall keep confidential and protect from public release the personally identifiable information of any U.S. Department of Homeland Security officers or employees, contractors, subcontractors, or cooperating entity personnel included in a complaint“;

Page 28, after line 24 insert the following new paragraph:

”(4) Managing officer and workforce wellness during migrant surges.“;

Page 30, after line 16 insert the following new subparagraphs:

“(D) Innovations in border security technology, including biometric capabilities and advanced sensors, that improve agent effectiveness and apprehension rates.

(E) Advanced self-defense techniques.“; and

On page 47, after line 12 insert the following new paragraph:

“(6) The extent to which natural barriers, border terrain, smuggler abuse, duration of migrant travel, and migrant health conditions on arrival in the United States have contributed to such migrant deaths.“.

The vote was as follows:

Roll No. 8	
Yeas	Nays
Mr. Rogers of Alabama Mr. King of New York Mr. Katko Mr. Ratcliffe	Mr. Thompson of Mississippi Mr. Langevin Mr. Richmond Mr. Payne

Mr. Walker		Miss Rice
Mr. Higgins of Louisiana		Mr. Correa
Mrs. Lesko		Ms. Torres Small of New Mexico
Mr. Green of Tennessee		Mr. Rose of New York
Mr. Taylor		Ms. Underwood
Mr. Joyce		Ms. Slotkin
Mr. Crenshaw		Mr. Green of Texas
Mr. Guest		Ms. Clarke of New York
		Ms. Titus
		Mrs. Watson Coleman
		Ms. Barragán
		Mrs. Demings
Total	12	16

H.R. 3525 was AGREED TO and ordered to be reported with a favorable recommendation, with amendment by a voice vote.

The Following Amendments were offered:

An Amendment in the Nature of a Substitute offered by Ms. Underwood was AGREED TO by voice vote.

An amendment to the Amendment in the Nature of a Substitute offered by Ms. Underwood was AGREED TO by voice vote.

H.R. 3670 was AGREED TO and ordered to be reported with a favorable recommendation, with amendment by a voice vote.

The Following Amendment was offered:

An amendment offered by Mr. Thompson was AGREED TO by voice vote.

At page 2, line 10, strike “Commissioner” and insert “U.S. Customs and Border Protection”

Insert at the end, new section 3.

Sec. 3. AUDIT AND INSPECTIONS OF DETENTION FACILITIES

A unanimous consent request by Mr. Thompson of Mississippi that H.R. 3106; H.R. 3318; H.R.3320; H.R. 3413 and H.R. 3699 be considered, the amendments prefiled and listed on the

roster be adopted; the measures, as amended, be agreed to; the measures as so amended be ordered to be reported to the House with a favorable recommendation; was not objected to.

H.R. 3106, The “Domestic Terrorism DATA Act”

The following amendment was offered and agreed to by unanimous consent:

An amendment in the Nature of a Substitute offered by Mr. King.

H.R. 3318, The “Emerging Transportation Security Threats Act of 2019”

The following amendments was offered and agreed to by unanimous consent:

An amendment offered by Mr. Correa.

At page 2, line 9, insert new subsection (b) reading: “(b) MEMBERSHIP.—The task force established under subsection (a) shall be comprised of employees of the Department of Homeland Security who, in carrying out the analysis required under subsection (a), shall consult with the Director of National Intelligence and the intelligence community (as such term is defined in subsection (a)) and the heads of Federal agencies, as determined appropriate by the Administrator.”;

At page 2, line 9, after the new subsection (b), insert new subsection (c) reading: “(c) DEADLINE.—Not later than 270 days after the Administrator established the task force required under subsection (a), the task force shall submit the analysis required under subsection (a) to the Administrator.”;

Renumber subsection (b) as subsection (d), and following subsections appropriately;

At page 3, line 3, after “systems” insert “, including attacks against Transportation Security Administration employees and other security personnel”;

At page 3, line 4, prior to “inconsistent”, insert “Foreign actors seeking to exploit vulnerabilities posed by the...”;

At page 3, line 17, strike “Not later than 120 days” and insert “Upon submission of the first budget request”;

At page 4, line 20, after “quality”, insert “, timeliness,”; and

At the end of section 2, insert new subsection (f) reading: “(f) NON-APPLICABILITY OF FACA AND PRA.—The Federal Advisory Committee Act (5 U.S.C. App.) and the Paperwork Reduction Act (44 U.S.C. §§ 3501 et seq.) shall not apply to the task force authorized under this section.”.

An amendment offered by Ms. Jackson Lee
Add at end the following:

SEC. 3. COMPTROLLER GENERAL STUDY

H.R. 3320, The “Securing the Homeland Security Supply Chain Act of 2019”

The following amendment was offered and agreed to by unanimous consent:

An amendment offered by Ms. Jackson Lee.

Page 3, line 2, insert “including the national risk management center at the Cybersecurity and Infrastructure Security Agency,” after “tity”.
Add at the end the following:

Sec. 3 REPORT ON THREATS POSED BY FOREIGN STATE OWNED ENTITIES TO DHS INFORMATION TECHNOLOGY AND COMMUNICATIONS SYSTEMS.

H.R. 3413, The “DHS Acquisition Reform Act of 2019”

The following amendment was offered and agreed to by unanimous consent:

An amendment offered by Ms. Torres Small.
Insert after section 4 the following:

SEC. 5. ACQUISITION AUTHORITIES FOR UNDER SECRETARY OF STRATEGY, POLICY, AND PLANS

H.R. 3699, The “Pipeline Security Act”

The following amendment was offered and agreed to by unanimous consent:

An amendment offered by Mrs. Lesko.

Page 4, Line 14 “, consistent with the National Institute of Standards and Technology Framework for Improvement of Critical Infrastructure Cybersecurity and any update to such guidelines pursuant to section 2(c)(15) of the National Institute for Standards and Technology Act (15

U.S.C. 272(c)(15))”

Page 4, Line 14 Insert “voluntary” after “Conducting”

Page 5, Line 6 insert “policies,” after “security”.

Page 5, Strike lines 9 through 15 and insert...

Page 5, line 23 insert

Page 7, line 10 strike “additional”

Add at the end

Sec. 6 STAKEHOLDER ENGAGEMENT

A unanimous consent request by Mr. Thompson of Mississippi that H.R. 3246; H.R. 3356; H.R. 3526; H.R. 3669; H.R.3675; H.R. 3691; H.R. 3694; H.R. 3710 and H.R. 3722 be considered, adopted, and ordered to be reported to the House with a favorable recommendation; was not objected to.

A motion by Ms. Underwood 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. 2203; H.R. 3106; H.R. 3246; H.R. 3318; H.R. 3320; H.R. 3356; H.R. 3413; H.R. 3525; H.R. 3526; H.R. 3669; H.R. 3670; H.R. 3675; H.R. 3691; H.R. 3694; H.R. 3699; H.R. 3710 and H.R. 3722, or any similar measure, was NOT OBJECTED TO.

A motion by Mr. Rogers of Alabama 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. 2203; H.R. 3106; H.R. 3246; H.R. 3318; H.R. 3320; H.R. 3356; H.R. 3413; H.R. 3525; H.R. 3526; H.R. 3669; H.R. 3670; H.R. 3675; H.R. 3691; H.R. 3694; H.R. 3699; H.R. 3710 and H.R. 3722, was NOT OBJECTED TO.