



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

January 30, 2020

COMMITTEE ACTION

The Committee on Homeland Security met, pursuant to notice, in open markup session, a quorum being present, on Wednesday, January 29, 2020, in 310 of the Cannon House Office Building and considered the following measures:

H.R. 1140, (Mr. Thompson) The “Rights for Transportation Security Officers Act”;

H.R. 1494, (Mr. Thompson) The “HBCU Homeland Security Partnerships Act”;

H.R. 5273, (Ms. Torres Small) The “Securing America’s Ports Act”;

H.R. 5670, (Mr. Bishop) The “Transportation Security Transparency Improvement Act”;

H.R. 5678, (Mr. Van Drew) The “Privacy Office Enhancement Act”;

H.R. 5679, (Mr. Katko) The “CISA Director Reform Act”;

H.R. 5680, (Mr. Langevin) The “Cybersecurity Vulnerability Identification and Notification Act of 2020”.

The Committee took the following actions:

H.R. 1140 was AGREED TO and ordered to be reported to the House with a favorable recommendation, as amended by a roll call vote of 17 yeas to 9 nays (Roll No. 11).

The following amendment was offered:

An amendment in the nature of a substitute offered by Mr. Thompson. The amendment was agreed to by voice vote.

The roll call vote was as follows:

Roll No. 11	
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	Mrs. Lesko
Mr. Correa	Mr. Green of Tennessee
Ms. Torres Small of New Mexico	Mr. Crenshaw
Mr. Rose of New York	Mr. Guest
Ms. Underwood	Mr. Bishop
Ms. Slotkin	
Mr. Cleaver	
Mr. Green of Texas	
Ms. Clarke of New York	
Ms. Titus	
Mrs. Watson Coleman	
Ms. Barragán	
Mrs. Demings	
Total	9
17	

H.R. 5680 was AGREED TO and ordered to be reported with a favorable recommendation, without amendment by a voice vote.

A unanimous consent request by the Chairman that H.R. 1494; H.R. 5273; H.R. 5670; H.R. 5678; and H.R.5679 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.

The Committee adopted H.R.1494, as amended, by unanimous consent.

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

An amendment in the nature of a substitute offered by Mr. Thompson.

The Committee adopted H.R. 5273, as amended, by unanimous consent.

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

An amendment in the nature of a substitute offered by Ms. Torres Small.

The Committee adopted H.R. 5670, as amended, by unanimous consent.

The following amendment was offered:

An amendment offered by Ms. Jackson Lee.

Page 2, line 22, strike “State and” and insert “Federal, State, and”.

The Committee adopted H.R.5678, as amended, by unanimous consent.

The following amendments were offered:

An amendment offered by Ms. Torres Small.

Page 3, beginning line 23, insert the following:

“(14) issuing guidance to relevant Department component offices to ensure uniform disclosure policies and processes to administer section 552 of title 5, United States Code (commonly referred to as the ‘Freedom of Information Act’);”.

Page 5, line 8, strike the closing quotes and the second period.

Page 5, after line 8, add the following:

“(g) WORKING GROUP.—

“(1) IN GENERAL.—The Chief Privacy Officer, or, if the Secretary determines appropriate, whoever is designated by the Secretary as the Chief FOIA Officer, shall establish and serve as the Chair of a working group comprised of personnel from across the Department who are involved in executing disclosure policies and processes involved in administration of section 552 of title 5, United States Code (commonly referred to as the ‘Freedom of Information Act’).

“(2) PURPOSE.—The working group established in accordance with paragraph (1) shall be a forum—

“(A) for the sharing of information and best practices; and “(B) to develop solutions to challenges relating to disclosure policies and processes referred to in such paragraph encountered within Department component offices.

“(3) RESPONSIBILITIES.—Members of the working group shall meet not less than once every quarter to advise the Chair on matters concerning disclosure policies and

processes involved in the administration of section 552 of title 5, United States Code, including on the following matters:

“(A) The development of guidance for uniform disclosure policies and processes, in accordance with paragraph (14) of subsection (a). “(B) Ways to reduce unnecessary redundancies that may undermine the responsive and efficient processing of requests for information under such section 552.”.

An amendment offered by Ms. Jackson Lee.

Page 5, after line 8, add the following:

(b) GAO REPORT.—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report on whether the Chief Privacy Officer of the Department of Homeland Security has the authorities necessary to ensure that privacy considerations are addressed when planning or updating any program, system, or initiative of the Department, including its components.

The Committee adopted H.R. 5679, as amended, by unanimous consent.

The following amendments were offered:

An amendment offered by Mr. Langevin.

Page 2, line 6, insert “, and may not serve more than two terms” after “years”.

An amendment offered by Mr. Richmond.

Page 2, beginning line 7, insert the following:

(b) QUALIFICATIONS.—Subsection (b) of section 2202 of the Homeland Security Act of 2002 (6 U.S.C. 652) is amended by—

(1) redesignating paragraph (2) as paragraph(3); and (2) inserting after paragraph (1) the following new paragraph:

“(2) QUALIFICATIONS.—

“(A) IN GENERAL.—The Director shall be appointed from among individuals who have—

“(i) extensive knowledge in at least two of the areas specified in subparagraph (B); and “(ii) not fewer than five years of demonstrated experience in efforts to foster coordination and collaboration between the Federal Government, the private sector, and other entities on issues related to cybersecurity, infrastructure security, or security risk management.

“(B) SPECIFIED AREAS.—The areas specified in this subparagraph are the following:

- “(i) Cybersecurity.
- “(ii) Infrastructure security.
- “(iii) Security risk management.”.

An amendment offered by Mr. Katko.

Strike section 2 and insert the following:

SEC. 2. CISA DIRECTOR TERM LIMITATION.

Subsection (b) of section 2202 of the Homeland Security Act of 2002 (6 U.S.C. 652) is amended by—

(1) redesignating paragraph (2) as paragraph (3); and (2) inserting after paragraph (1) the following new paragraph:

“(2) TERM.—Effective with respect to an individual appointed to be the Director by the President, by and with the advice and consent of the Senate, after the date of the enactment of the CISA Director Reform Act, the term of office of such an individual so appointed shall be five years. The term of office of the individual serving as the Director as of such date of enactment shall be five years beginning on January 1, 2021, without need for reappointment.”.

A motion by Miss. Rice 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. 1140; H.R. 1494; H.R. 5273; H.R. 5670; H.R. 5678; H.R. 5679; and H.R. 5680 or any similar measure, was NOT OBJECTED TO.

A motion by Mr. Joyce 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. 1140; H.R. 1494; H.R. 5273; H.R. 5670; H.R. 5678; H.R. 5679; and H.R. 5680 or, was NOT OBJECTED TO.