

Amendments to H.R. 4349

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 4349
OFFERED BY MR. GREEN OF TEXAS**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Department of Home-
3 land Security Office for Civil Rights and Civil Liberties
4 Authorization Act”.

5 SEC. 2. OFFICER FOR CIVIL RIGHTS AND CIVIL LIBERTIES.

6 (a) IN GENERAL.—Section 705 of the Homeland Se-
7 curity Act of 2002 (6 U.S.C. 345) is amended—

8 (1) in the section heading, by striking “**ESTAB-**
9 **LISHMENT OF**”; and

10 (2) by striking subsections (a) and (b) and in-
11 serting the following new subsections:

12 “(a) ESTABLISHMENT.—

13 “(1) IN GENERAL.—There is established within
14 the Department an Office for Civil Rights and Civil
15 Liberties (referred to in this section as the ‘Office’).
16 The head of the Office is the Officer for Civil Rights
17 and Civil Liberties (referred to in this section as the
18 ‘Officer’), who shall report directly to the Secretary.

1 “(2) DUTIES.—The Secretary and the head of
2 each component shall—

3 “(A) ensure that the Officer for Civil
4 Rights and Civil Liberties of the Department
5 and the Officer for Civil Rights and Civil Lib-
6 erties of such component—

7 “(i) have the information, materials,
8 and resources necessary to carry out the
9 functions of the Office;

10 “(ii) are consulted in advance of new
11 or proposed changes to policies, programs,
12 initiatives, and activities impacting civil
13 rights and civil liberties; and

14 “(iii) are given full and complete ac-
15 cess to all materials and personnel nec-
16 essary to carry out the functions of the Of-
17 fice; and

18 “(B) consider advice and recommendations
19 from the Officer for Civil Rights and Civil Lib-
20 erties of the Department in the development
21 and implementation of policies, programs, ini-
22 tiatives, and activities impacting civil rights and
23 civil liberties.

24 “(b) RESPONSIBILITIES.—The Officer shall carry out
25 the following responsibilities:

1 “(1) Oversee compliance with constitutional,
2 statutory, regulatory, policy, and other requirements
3 relating to the civil rights and civil liberties of indi-
4 viduals affected by the policies, programs, initiatives,
5 and activities of the Department.

6 “(2) Review and assess information concerning
7 abuses of civil rights and civil liberties, and profiling
8 on the basis of race, ethnicity, or religion, by em-
9 ployees and officials of the Department.

10 “(3) Integrate civil rights and civil liberties pro-
11 tections into all policies, programs, initiatives, and
12 activities of the Department.

13 “(4) Conduct civil rights and civil liberties im-
14 pact assessments, as appropriate, including such as-
15 sessments prior to the implementation of new De-
16 partment regulations, policies, programs, initiatives,
17 and activities.

18 “(5) Conduct periodic reviews and assessments
19 of policies, programs, initiatives, and activities of the
20 Department relating to civil rights and civil liberties,
21 including reviews and assessments initiated by the
22 Officer.

23 “(6) Provide policy advice, recommendations,
24 and other technical assistance relating to civil rights
25 and civil liberties to the Secretary, and the heads of

1 components, and other personnel within the Depart-
2 ment.

3 “(7) Review, assess, and investigate complaints,
4 including complaints filed by members of the public,
5 and information indicating possible abuses of civil
6 rights or civil liberties at the Department, unless the
7 Inspector General of the Department determines
8 that any such complaint should be investigated by
9 the Inspector General.

10 “(8) Initiate reviews, investigations, and assess-
11 ments of the administration of the policies, pro-
12 grams, initiatives, and activities of the Department
13 relating to civil rights and civil liberties.

14 “(9) Coordinate with the Privacy Officer to en-
15 sure that—

16 “(A) policies, programs, initiatives, and ac-
17 tivities involving civil rights, civil liberties, and
18 privacy considerations are addressed in an inte-
19 grated and comprehensive manner; and

20 “(B) Congress receives appropriate reports
21 regarding such policies, programs, initiatives,
22 and activities.

23 “(10) Lead the equal employment opportunity
24 programs of the Department, including complaint

1 management and adjudication, workforce diversity,
2 and promotion of the merit system principles.

3 “(11) Make publicly available through acces-
4 sible communications channels, including the website
5 of the Department—

6 “(A) information on the responsibilities
7 and functions of, and how to contact, the Of-
8 fice;

9 “(B) summaries of the investigations car-
10 ried out pursuant to paragraphs (7) and (8)
11 that result in recommendations; and

12 “(C) summaries of impact assessments and
13 periodic reviews and assessments carried out
14 pursuant to paragraphs (4) and (5), respec-
15 tively, that are issued by the Officer.

16 “(12) Engage with individuals, stakeholders,
17 and communities the civil rights and civil liberties of
18 which may be affected by the policies, programs, ini-
19 tiatives, and activities of the Department, including
20 by—

21 “(A) informing such individuals, stake-
22 holders, and communities concerning such poli-
23 cies, programs, initiatives, and activities;

24 “(B) providing information for how to re-
25 port and access redress processes; and

1 “(C) providing Department leadership and
2 other personnel within the Department feed-
3 back from such individuals, stakeholders, and
4 communities on the civil rights and civil lib-
5 erties impacts of such policies, programs, initia-
6 tives, and activities, and working with State,
7 local, Tribal, and territorial homeland security
8 partners to enhance the Department’s policy-
9 making and program implementation.

10 “(13) Lead a language access program for the
11 Department to ensure the Department effectively
12 communicates with all individuals impacted by pro-
13 grams and activities of the Department, including
14 those with limited English proficiency.

15 “(14) Participate in the hiring or designation of
16 a civil rights and civil liberties officer within each
17 component and participate in the performance re-
18 view process for such officer.

19 “(c) AUTHORITY TO INVESTIGATE.—

20 “(1) IN GENERAL.—For the purposes of sub-
21 section (b), the Officer shall—

22 “(A) have access to all materials and per-
23 sonnel necessary to carry out the functions of
24 the Office under this subsection;

1 “(B) make such investigations and reports
2 relating to the administration of the programs
3 and operations of the Department as are nec-
4 essary or appropriate;

5 “(C) subject to the approval of the Sec-
6 retary, require by subpoena the production, by
7 any person other than a Federal agency, of all
8 materials and personnel necessary to the per-
9 formance of the responsibilities of the Officer
10 under this section; and

11 “(D) administer to or take from any per-
12 son an oath, affirmation, or affidavit, whenever
13 necessary to performance of the responsibilities
14 of the Officer under this section.

15 “(2) ENFORCEMENT OF SUBPOENAS.—Any sub-
16 poena issued under paragraph (1)(C) shall, in the
17 case of contumacy or refusal to obey, be enforceable
18 by order of any appropriate United States district
19 court.

20 “(3) EFFECT OF OATHS.—Any oath, affirma-
21 tion, or affidavit administered or taken pursuant to
22 paragraph (1)(D) by or before an employee of the
23 Office designated for that purpose by the Officer
24 shall have the same force and effect as if adminis-

1 tered or taken by or before an officer having a seal
2 of office.

3 “(d) NOTIFICATION REQUIREMENT.—In the case of
4 a complaint made concerning allegations of abuses of civil
5 rights and civil liberties under paragraph (7) of subsection
6 (b), the Officer shall—

7 “(1) provide to the individual who made the
8 complaint notice of the receipt of such complaint
9 within 30 days of receiving the complaint; and

10 “(2) inform the complainant of the determina-
11 tion of the Office regarding—

12 “(A) the initiation of a review, assessment,
13 or investigation by the Office;

14 “(B) a referral to the Inspector General of
15 the Department; or

16 “(C) any other action taken.

17 “(e) COORDINATION WITH INSPECTOR GENERAL.—

18 “(1) IN GENERAL.—

19 “(A) REFERRAL.—Before initiating an in-
20 vestigation initiated by the Officer pursuant to
21 paragraph (7) or (8) of subsection (b), the Offi-
22 cer shall refer the matter at issue to the Inspec-
23 tor General of the Department.

24 “(B) DETERMINATIONS AND NOTIFICA-
25 TIONS BY INSPECTOR GENERAL.—Not later

1 than seven days after the receipt of a matter at
2 issue under subparagraph (A), the Inspector
3 General shall—

4 “(i) make a determination regarding
5 whether the Inspector General intends to
6 initiate an investigation of such matter;
7 and

8 “(ii) notify the Officer of such deter-
9 mination.

10 “(C) INVESTIGATIONS.—If the Secretary
11 determines that a complaint warrants both the
12 Officer and the Inspector General conducting
13 investigations concurrently, jointly, or in some
14 other manner, the Secretary may authorize the
15 Officer to conduct an investigation in such
16 manner as the Secretary directs.

17 “(D) NOTIFICATION BY THE OFFICER.—If
18 the Officer does not receive notification of a de-
19 termination pursuant to subparagraph (B)(ii),
20 the Officer shall notify the Inspector General of
21 whether the Officer intends to initiate an inves-
22 tigation into the matter at issue.

23 “(f) RECOMMENDATIONS; RESPONSE.—

24 “(1) IN GENERAL.—In the case of an investiga-
25 tion initiated by the Officer pursuant to paragraph

1 (7) or (8) of subsection (b), if such an investigation
2 results in the issuance of recommendations, the Offi-
3 cer shall produce a report that—

4 “(A) includes the final findings and rec-
5 ommendations of the Officer;

6 “(B) is made publicly available in sum-
7 mary form;

8 “(C) does not include any personally iden-
9 tifiable information; and

10 “(D) may include a classified annex.

11 “(2) TRANSMISSION.—The Officer shall trans-
12 mit to the Secretary and the head of the relevant
13 component a copy of each report under paragraph
14 (1).

15 “(3) RESPONSE.—

16 “(A) IN GENERAL.—Not later than 45
17 days after the date on which the Officer trans-
18 mits to the head of a component a copy of a re-
19 port pursuant to paragraph (2), such head shall
20 submit to the Secretary and the Officer a re-
21 sponse to such report.

22 “(B) RULE OF CONSTRUCTION.—In the re-
23 sponse submitted pursuant to subparagraph
24 (A), each recommendation contained in the re-
25 port transmitted pursuant to paragraph (2)

1 with which the head of the component at issue
2 concurs shall be deemed an accepted rec-
3 ommendation of the Department.

4 “(C) NONCONCURRENCE; APPEAL.—If the
5 head of a component does not concur with a
6 recommendation contained in the report trans-
7 mitted pursuant to paragraph (2), or if such
8 head does not respond to a recommendation
9 within 45 days in accordance with subpara-
10 graph (A), the Officer may appeal to the Sec-
11 retary.

12 “(D) RESULT.—If the Officer appeals to
13 the Secretary pursuant to subparagraph (C),
14 the Secretary shall, not later than 60 days after
15 the date on which the Officer appeals—

16 “(i) accept the Officer’s recommenda-
17 tion, which recommendation shall be
18 deemed the accepted recommendation of
19 the Department; or

20 “(ii) accept the nonconcurrence of the
21 head of the component at issue if trans-
22 mitted in accordance with subparagraph
23 (A).

24 “(g) REPORTING.—

1 “(1) IN GENERAL.—In the case of an investiga-
2 tion initiated by the Officer pursuant to paragraph
3 (7) or (8) of subsection (b), if such an investigation
4 resulted in the issuance of recommendations, the Of-
5 ficer shall, on an annual basis, make publicly avail-
6 able through accessible communications channels, in-
7 cluding the website of the Department—

8 “(A) a summary of investigations that are
9 completed, consistent with section 1062(f)(1) of
10 the Intelligence Reform and Terrorism Preven-
11 tion Act of 2004 (42 U.S.C. 2000ee–1(f)(2));

12 “(B) the accepted recommendations of the
13 Department, if any; and

14 “(C) a summary of investigations that re-
15 sult in final recommendations that are issued
16 by the Officer.

17 “(2) PROHIBITION.—Materials made publicly
18 available pursuant to paragraph (1) may not include
19 any personally identifiable information related to any
20 individual involved in the investigation at issue.

21 “(h) COMPONENT CIVIL RIGHTS AND CIVIL LIB-
22 ERTIES OFFICERS.—

23 “(1) IN GENERAL.—Any component that has an
24 Officer for Civil Rights and Civil Liberties of such
25 component shall ensure that such Officer for Civil

1 Rights and Civil Liberties of such component shall
2 coordinate with and provide information to the Offi-
3 cer for Civil Rights and Civil Liberties of the De-
4 partment on matters related to civil rights and civil
5 liberties within each such component.

6 “(2) OFFICERS OF OPERATIONAL COMPO-
7 NENTS.—The head of each operational component,
8 in consultation with the Officer for Civil Rights and
9 Civil Liberties of the Department, shall hire or des-
10 ignate a career appointee (as such term is defined
11 in section 3132 of title 5, United States Code) from
12 such component as the Officer for Civil Rights and
13 Civil Liberties of such operational component.

14 “(3) RESPONSIBILITIES.—Each Officer for Civil
15 Rights and Civil Liberties of each component—

16 “(A) shall have access in a timely manner
17 to the information, materials, and information
18 necessary to carry out the functions of such of-
19 ficer;

20 “(B) shall be consulted in advance of new
21 or proposed changes to component policies, pro-
22 grams, initiatives, and activities impacting civil
23 rights and civil liberties;

24 “(C) shall be given full and complete ac-
25 cess to all component materials and component

1 personnel necessary to carry out the functions
2 of such officer;

3 “(D) may, to the extent the Officer for
4 Civil Rights and Civil Liberties of the Depart-
5 ment determines necessary, and subject to the
6 approval of the Secretary, administer to or take
7 from any person an oath, affirmation, or affi-
8 davit, whenever necessary in the performance of
9 the responsibilities of each such component Of-
10 ficer under this section; and

11 “(E) may administer any oath, affirma-
12 tion, or affidavit, and such oath, affirmation,
13 shall have the same force and effect as if ad-
14 ministered or taken by or before an officer hav-
15 ing a seal of office.

16 “(i) ANNUAL REPORT.—Not later than March 31 of
17 each year, the Officer shall submit to the Committee on
18 Homeland Security of the House of Representatives, the
19 Committee on Homeland Security and Governmental Af-
20 fairs of the Senate, and any other Committee of the House
21 of Representatives or the Senate, as the case may be, the
22 Officer determines relevant, a report on the implementa-
23 tion of this section during the immediately preceding fiscal
24 year. Each such annual report shall be prepared and sub-
25 mitted for supervisory review and appropriate comment or

1 amendment by the Secretary prior to submission to such
2 committees, and the Officer shall consider and incorporate
3 any comments or amendments as a result of such review.
4 Each such report shall include, for the year covered by
5 such report, the following:

6 “(1) A list of Department regulations, policies,
7 programs, initiatives, and activities for which civil
8 rights and civil liberties impact assessments were
9 conducted, or policy advice, recommendations, or
10 other technical assistance was provided.

11 “(2) An assessment of the efforts of the De-
12 partment to effectively communicate with all individ-
13 uals impacted by programs and activities of the De-
14 partment, including those with limited English pro-
15 ficiency through the language access program re-
16 ferred to in subsection (b)(13).

17 “(3) A summary of recommendations issued
18 pursuant to subsection (f) regarding investigations
19 under paragraph (7) or (8) of subsection (b), to-
20 gether with information on the status of the imple-
21 mentation of such recommendations by the compo-
22 nent at issue.

23 “(4) Information on the diversity and equal em-
24 ployment opportunity activities of the Department,
25 including information on complaint management and

1 adjudication of equal employment opportunity com-
2 plaints, and efforts to ensure compliance throughout
3 the Department with equal employment opportunity
4 requirements.

5 “(5) A description of any efforts, including pub-
6 lic meetings, to engage with individuals, stake-
7 holders, and communities the civil rights and civil
8 liberties of which may be affected by policies, pro-
9 grams, initiatives, and activities of the Department.

10 “(6) Information on total staffing for the Of-
11 fice, including—

12 “(A) the number of full-time, part-time,
13 and contract support personnel; and

14 “(B) information on the number of em-
15 ployees whose primary responsibilities include
16 supporting the Officer in carrying out para-
17 graph (10) of subsection (b).

18 “(7) If required, a classified annex.

19 “(j) DEFINITION.—In this section, the term ‘compo-
20 nent’ means any operational component, non-operational
21 component, directorate, or office of the Department.”.

22 (b) CLERICAL AMENDMENT.—The item relating to
23 section 705 in section 1(b) of the Homeland Security Act
24 of 2002 is amended to read as follows:

“Sec. 705. Officer for Civil Rights and Civil Liberties”.

1 (c) REPORTING TO CONGRESS.—Section
2 1062(f)(1)(A)(i) of the Intelligence Reform and Terrorism
3 Prevention Act of 2004 (42 U.S.C. 2000ee–1(f)(1)(A)(i))
4 is amended by striking “the Committee on Oversight and
5 Government Reform of the House of Representatives” and
6 inserting “the Committee on Homeland Security of the
7 House of Representatives, the Committee on Oversight
8 and Reform of the House of Representatives”.

9 **SEC. 3. COMPTROLLER GENERAL REVIEW.**

10 Not later than two years after the date of the enact-
11 ment of this Act, the Comptroller General of the United
12 States shall submit to Congress a report on the implemen-
13 tation of subsection (b)(12) of section 705 of the Home-
14 land Security Act of 2002 (6 U.S.C. 345), as amended
15 by section 2.



**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 4349
OFFERED BY M . _____**

Page 7, strike lines 5 through 10, and insert the following:

1 “(C) subject to the approval of the Sec-
2 retary, require by subpoena the production, by
3 any person other than a Federal agency, of all
4 information, documents, reports, answers,
5 records, accounts, papers, and other data and
6 documentary evidence necessary to performance
7 of the responsibilities of the Officer under this
8 section; and”.



**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 4349
OFFERED BY M . _____**

Page 8, beginning line 3, insert the following:

1 “(4) CONGRESSIONAL NOTIFICATION.—The Of-
2 ficer shall inform the Committee on Homeland Secu-
3 rity of the House of Representatives and the Com-
4 mittee on Homeland Security and Governmental Af-
5 fairs of the Senate not later than—

6 “(A) 30 days after the Secretary approves
7 or disapproves the Officer’s request for a sub-
8 poena under paragraph (1)(C), or the Secretary
9 substantively modifies the requested subpoena;
10 or

11 “(B) 45 days after the Officer’s request
12 for a subpoena under paragraph (1)(C), if such
13 subpoena has not been approved or disapproved
14 by the Secretary.”.



**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE H.R. 4349
OFFERED BY Ms .Jackson Lee**

Page 14, line 19, strike “ad” and insert “and”.

Page 15, line 17, insert “investigations under paragraph (7) or (8) of subsection (b) resulting in” before “recommendations”.

Page 15, line 18, strike “regarding investigations under paragraph (7) or (8) of subsection (b)”.



Amendments to H.R. 4476

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 4476
OFFERED BY MR. MEIJER OF MICHIGAN**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “DHS Trade and Eco-
3 nomic Security Council Act of 2021”.

4 SEC. 2. DHS TRADE AND ECONOMIC SECURITY COUNCIL.

5 (a) IN GENERAL.—Subtitle H of title VIII of the
6 Homeland Security Act of 2002 (6 U.S.C. 451 et seq.)
7 is amended by adding at the end the following new section:

8 **“SEC. 890B. DHS TRADE AND ECONOMIC SECURITY COUN-**
9 **CIL.**

10 “(a) ESTABLISHMENT.—There is established in the
11 Department the DHS Trade and Economic Security
12 Council (referred to in this section as the ‘Council’).

13 “(b) DUTIES OF THE COUNCIL.—The Council shall
14 provide to the Secretary advice and recommendations on
15 matters of trade and economic security, including—

16 “(1) identifying concentrated risks for trade
17 and economic security;

1 “(2) setting priorities for securing the Nation’s
2 trade and economic security;

3 “(3) coordinating Department-wide activity on
4 trade and economic security matters;

5 “(4) with respect to the President’s continuity
6 of the economy plan under section 9603 of the Wil-
7 liam M. (Mac) Thornberry National Defense Author-
8 ization Act of Fiscal Year 2021;

9 “(5) proposing statutory and regulatory
10 changes impacting trade and economic security; and

11 “(6) any other matters the Secretary considers
12 appropriate.

13 “(c) MEMBERSHIP.—

14 “(1) IN GENERAL.—The Council shall be com-
15 posed of the following members:

16 “(A) The Assistant Secretary for Trade
17 and Economic Security of the Office of Strat-
18 egy, Policy, and Plans of the Department.

19 “(B) An officer or an employee, selected by
20 the Secretary, from each of the following com-
21 ponents and offices of the Department:

22 “(i) The Cybersecurity and Infra-
23 structure Security Agency.

24 “(ii) The Federal Emergency Manage-
25 ment Agency.

1 “(iii) The Office of Intelligence and
2 Analysis.

3 “(iv) The Science and Technology Di-
4 rectorate.

5 “(v) United States Citizenship and
6 Immigration Services.

7 “(vi) The Coast Guard.

8 “(vii) U.S. Customs and Border Pro-
9 tection.

10 “(viii) U.S. Immigration and Customs
11 Enforcement.

12 “(ix) The Transportation Security Ad-
13 ministration.

14 “(2) CHAIR AND VICE CHAIR.—The Assistant
15 Secretary for Trade and Economic Security shall
16 serve as Chair of the Council. The Assistant Sec-
17 retary for Trade and Economic Security may des-
18 ignate a Council member as a Vice Chair.

19 “(d) MEETINGS.—The Council shall meet not less
20 frequently than quarterly, as well as—

21 “(1) at the call of the Chair; or

22 “(2) at the direction of the Secretary.

23 “(e) BRIEFINGS.—Not later than 180 days after the
24 date of the enactment of this section and every six months
25 thereafter for four years, the Council shall brief the Com-

1 mittee on Homeland Security of the House of Representa-
2 tives and the Committee on Homeland Security and Gov-
3 ernmental Affairs of the Senate on the actions and activi-
4 ties of the Council.

5 “(f) DEFINITION.—In this section, the term ‘eco-
6 nomic security’ means the condition of having secure and
7 resilient domestic production capacity combined with reli-
8 able access to the global resources necessary to maintain
9 an acceptable standard of living and protect core national
10 values.”.

11 (b) CLERICAL AMENDMENT.—The table of contents
12 in section 1(b) of the Homeland Security Act of 2002 is
13 amended by inserting after the item relating to section
14 890A the following new item:

“Sec. 890B. DHS Trade and Economic Security Council.”.

15 **SEC. 3. ASSISTANT SECRETARY FOR TRADE AND ECONOMIC**
16 **SECURITY.**

17 Section 709 of the Homeland Security Act of 2002
18 (6 U.S.C. 349) is amended—

19 (1) by redesignating subsection (g) as sub-
20 section (h); and

21 (2) by inserting after subsection (f) the fol-
22 lowing new subsection:

23 “(g) ASSISTANT SECRETARY FOR TRADE AND ECO-
24 NOMIC SECURITY.—

1 “(1) IN GENERAL.—There is within the Office
2 of Strategy, Policy, and Plans an Assistant Sec-
3 retary for Trade and Economic Security.

4 “(2) DUTIES.—The Assistant Secretary for
5 Trade and Economic Security shall be responsible
6 for policy formulation regarding matters relating to
7 economic security and trade, as such matters relate
8 to the mission and the operations of the Depart-
9 ment.

10 “(3) ADDITIONAL RESPONSIBILITIES.—In addi-
11 tion to the duties specified in paragraph (2), the As-
12 sistant Secretary for Trade and Economic Security
13 shall—

14 “(A) oversee—

15 “(i) the activities and enhancements
16 of requirements for supply chain mapping
17 not otherwise assigned by law or by the
18 Secretary to another officer; and

19 “(ii) assessments and reports to Con-
20 gress related to critical economic security
21 domains;

22 “(B) serve as the executive for the Depart-
23 ment on the Committee on Foreign Investment
24 in the United States (CFIUS), the Committee
25 for the Assessment of Foreign Participation in

1 the United States Telecommunications Services
2 Sector, and the Federal Acquisition Security
3 Council (in addition to any position on such
4 Council occupied by a representative of the Cy-
5 bersecurity and Infrastructure Security Agency
6 of the Department);

7 “(C) coordinate with stakeholders in other
8 Federal departments and agencies and non-gov-
9 ernmental entities with trade and economic se-
10 curity interests, authorities, and responsibilities;
11 and

12 “(D) perform such additional duties as the
13 Secretary or the Under Secretary of Strategy,
14 Policy, and Plans may prescribe.

15 “(4) DEFINITIONS.—In this subsection:

16 “(A) CRITICAL ECONOMIC SECURITY DO-
17 MAIN.—The term ‘critical economic security do-
18 main’ means any infrastructure, industry, tech-
19 nology, or intellectual property (or combination
20 thereof) that is essential for the economic secu-
21 rity of the United States.

22 “(B) ECONOMIC SECURITY.—The term
23 ‘economic security’ has the meaning given such
24 term in section 890B.”.

1 **SEC. 4. AUTHORIZATION OF APPROPRIATIONS.**

2 There are authorized to be appropriated to the Sec-
3 retary of Homeland Security \$3,000,000 for each of fiscal
4 years 2022 through 2026 to carry out section 890B and
5 subsection (g) of section 709 of the Homeland Security
6 Act of 2002, as added and inserted, respectively, by sec-
7 tions 2 and 3 of this Act.



Amendments to H.R. 5574

AMENDMENT TO H.R. 5574
OFFERED BY Ms. Jackson Lee

Page 4, beginning line 1, insert the following (and redesignate subsequent paragraphs accordingly):

1 (3) NON-TRAVELING INDIVIDUAL.—The term
2 “non-traveling individual” has the meaning given
3 such term in section 1560.3 of title 49, Code of Fed-
4 eral Regulations.

Page 4, line 6, insert “for use by both traveling and non-traveling individuals” before the period.



Amendments to H.R. 5633

AMENDMENT TO H.R. 5633
OFFERED BY Mr . Meijer

Page 3, line 18, insert “, including any contextual details not relevant to the audit, inspection, or evaluation at issue that may be used by other employees or officers of the Department to determine the identity of a whistleblower complainant,” after “tion”.



AMENDMENT TO H.R. 5633
OFFERED BY Mrs. Miller-Meeks

Page 3, line 25, strike “such” and insert “section”.

Page 5, beginning line 23, insert the following:

1 “(6) Data regarding tips and complaints made
2 to the Inspector General Hotline of the Department
3 or otherwise referred to the Department, including—

4 “(A) the number and type of tips and com-
5 plaints regarding fraud, waste, abuse, corrup-
6 tion, financial crimes, civil rights and civil lib-
7 erty abuse, or other complaints regarding crimi-
8 nal or non-criminal activity associated with
9 fraud, waste, or abuse;

10 “(B) actions taken by the Department to
11 address or resolve each substantiated tip or
12 complaint;

13 “(C) the total amount of time it took the
14 Department to so address or resolve each such
15 substantiated tip or complaint;

16 “(D) the total number of tips and com-
17 plaints that are substantiated compared with

1 the number of tips and complaints that are un-
2 substantiated; and

3 “(E) the percentage of audits, inspections,
4 and evaluations that are initiated as a result of
5 tips and complaints made to the Inspector Gen-
6 eral Hotline.”.



AMENDMENT TO H.R. 5633
OFFERED BY Mrs. Harshbarger

Page 5, beginning line 23, insert the following (and redesignate subsequent subsections accordingly):

1 “(d) NOTIFICATION TO CONGRESS.—The Inspector
2 General of the Department shall notify the Committee on
3 Homeland Security of the House of Representatives and
4 the Committee on Homeland Security and Governmental
5 Affairs of the Senate if the head of an office or component
6 of the Department does not provide in a timely manner
7 to the Inspector General information or assistance that
8 is requested by the Inspector General to conduct an audit,
9 inspection, or evaluation.”.



AMENDMENT TO H.R. 5633
OFFERED BY Mr . LaTurner

Add at the end of the bill the following:

1 (c) REPORTS.—

2 (1) INSPECTOR GENERAL OF DHS.—Not later
3 than one year after the date of the enactment of this
4 Act, the Inspector General of the Department of
5 Homeland Security shall submit to the Committee
6 on Homeland Security of the House of Representa-
7 tives, the Committee on Homeland Security and
8 Governmental Affairs of the Senate, and the Comp-
9 troller General of the United States a report on the
10 policies, procedures, and internal controls established
11 that ensure compliance with the Quality Standards
12 for Federal Offices of Inspector General from the
13 Council of Inspectors General on Integrity and Effi-
14 ciency.

15 (2) COMPTROLLER GENERAL.—Not later than
16 one year after receipt of the report required under
17 paragraph (1), the Comptroller General of the
18 United States shall submit to the Committee on
19 Homeland Security of the House of Representatives
20 and the Committee on Homeland Security and Gov-

1 ernmental Affairs of the Senate an evaluation of
2 such report.



Amendments to H.R. 5658

AMENDMENT TO H.R. 5658

OFFERED BY MR. LANGEVIN OF RHODE ISLAND

In section 2(2) strike “very rarely” and insert “only sometimes”.

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

1 (9) Section 9002 of the William M. (Mac)
2 Thornberry National Defense Authorization Act for
3 Fiscal Year 2021 codified the duties of Sector Risk
4 Management Agencies for critical infrastructure sec-
5 tors, laying out the roles and responsibilities they
6 have in coordinating with the Cybersecurity and In-
7 frastructure Security Agency to secure the nation’s
8 critical infrastructure.

In section 2, add at the end the following:

9 (12) Section 1731 of the William M. (Mac)
10 Thornberry National Defense Authorization Act for
11 Fiscal Year 2021 directed the Secretary of Home-
12 land Security to submit a report on the potential for
13 better coordination of Federal cybersecurity efforts

1 at an integrated cybersecurity center within the Cy-
2 bersecurity and Infrastructure Security Agency.



Amendments to H.R. 5683

AMENDMENT TO H.R. 5683
OFFERED BY Ms. Jackson Lee

Page 2, line 18, strike “borders of the United States” and insert “United States land border with Mexico”.

Page 2, line 25, strike “borders” and insert “border”.

Page 5, line 11, insert “(with a total contract value of \$50,000,000 or more, inclusive of contract options)” after “contract”.

Page 5, beginning on line 15, strike “the borders” and all that follows through “security” and insert “the United States land border with Mexico, any service, including related to border security,”.

Amend the title so as to read: “A bill to direct the Under Secretary for Management of the Department of Homeland Security to assess contracts for covered services performed by contractor personnel along the United States land border with Mexico, and for other purposes.”.



Amendments to S. 658

AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO S. 658
OFFERED BY MR. THOMPSON OF
MISSISSIPPI

Strike all after the enacting clause and insert the following:

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “National Cybersecurity
3 Preparedness Consortium Act of 2021”.

4 **SEC. 2. NATIONAL CYBERSECURITY PREPAREDNESS CON-**
5 **SORTIUM.**

6 (a) IN GENERAL.—The Secretary may work with one
7 or more consortia to support efforts to address cybersecu-
8 rity risks and incidents.

9 (b) ASSISTANCE TO DHS.—The Secretary may work
10 with one or more consortia to carry out the Secretary’s
11 responsibility pursuant to section 2202(e)(1)(P) of the
12 Homeland Security Act of 2002 (6 U.S.C. 652(e)(1)(P))
13 to—

14 (1) provide training and education to State,
15 Tribal, and local first responders and officials spe-
16 cifically for preparing for and responding to cyberse-

1 security risks and incidents, in accordance with appli-
2 cable law;

3 (2) develop and update a curriculum utilizing
4 existing training and educational programs and
5 models in accordance with section 2209 of the
6 Homeland Security Act of 2002 (6 U.S.C. 659), for
7 State, Tribal, and local first responders and officials,
8 related to cybersecurity risks and incidents;

9 (3) provide technical assistance services, train-
10 ing, and educational programs to build and sustain
11 capabilities in support of preparedness for and re-
12 sponse to cybersecurity risks and incidents, including
13 threats of acts of terrorism, in accordance with such
14 section 2209;

15 (4) conduct cross-sector cybersecurity training,
16 education, and simulation exercises for entities, in-
17 cluding State and local governments and Tribal or-
18 ganizations, critical infrastructure owners and opera-
19 tors, and private industry, to encourage community-
20 wide coordination in defending against and respond-
21 ing to cybersecurity risks and incidents, in accord-
22 ance with section 2210(c) of the Homeland Security
23 Act of 2002 (6 U.S.C. 660(e));

24 (5) help States, Tribal organizations, and com-
25 munities develop cybersecurity information sharing

1 programs, in accordance with section 2209 of the
2 Homeland Security Act of 2002 (6 U.S.C. 659), for
3 the dissemination of homeland security information
4 related to cybersecurity risks and incidents;

5 (6) help incorporate cybersecurity risk and inci-
6 dent prevention and response into existing State,
7 Tribal, and local emergency plans, including con-
8 tinuity of operations plans; and

9 (7) assist State governments and Tribal organi-
10 zations in developing cybersecurity plans.

11 (c) CONSIDERATIONS REGARDING SELECTION OF A
12 CONSORTIUM.—In selecting a consortium with which to
13 work under this Act, the Secretary shall take into consid-
14 eration the following:

15 (1) Prior experience conducting cybersecurity
16 training, education, and exercises for State and local
17 entities.

18 (2) Geographic diversity of the members of any
19 such consortium so as to maximize coverage of the
20 different regions of the United States.

21 (3) The participation in such consortium of one
22 or more historically Black colleges and universities,
23 Hispanic-serving institutions, Tribal Colleges and
24 Universities, other minority-serving institutions, and
25 community colleges that participate in the National

1 Centers of Excellence in Cybersecurity program, as
2 carried out by the Department of Homeland Secu-
3 rity.

4 (d) METRICS.—If the Secretary works with a consor-
5 tium under subsection (a), the Secretary shall measure the
6 effectiveness of the activities undertaken by the consor-
7 tium under this Act.

8 (e) OUTREACH.—The Secretary shall conduct out-
9 reach to universities and colleges, including, in particular,
10 outreach to historically Black colleges and universities,
11 Hispanic-serving institutions, Tribal Colleges and Univer-
12 sities, other minority-serving institutions, and community
13 colleges, regarding opportunities to support efforts to ad-
14 dress cybersecurity risks and incidents, by working with
15 the Secretary under subsection (a).

16 (f) RULE OF CONSTRUCTION.—Nothing in this sec-
17 tion may be construed to authorize a consortium to control
18 or direct any law enforcement agency in the exercise of
19 the duties of the law enforcement agency.

20 (g) DEFINITIONS.—In this section—

21 (1) the term “community college” has the
22 meaning given the term “junior or community col-
23 lege” in section 312 of the Higher Education Act of
24 1965 (20 U.S.C. 1058);

1 (2) the term “consortium” means a group pri-
2 marily composed of nonprofit entities, including aca-
3 demic institutions, that develop, update, and deliver
4 cybersecurity training and education in support of
5 homeland security;

6 (3) the terms “cybersecurity risk” and “inci-
7 dent” have the meanings given those terms in sec-
8 tion 2209(a) of the Homeland Security Act of 2002
9 (6 U.S.C. 659(a));

10 (4) the term “Department” means the Depart-
11 ment of Homeland Security;

12 (5) the term “Hispanic-serving institution” has
13 the meaning given the term in section 502 of the
14 Higher Education Act of 1965 (20 U.S.C. 1101a);

15 (6) the term “historically Black college and uni-
16 versity” has the meaning given the term “part B in-
17 stitution” in section 322 of the Higher Education
18 Act of 1965 (20 U.S.C. 1061);

19 (7) the term “minority-serving institution”
20 means an institution of higher education described
21 in section 371(a) of the Higher Education Act of
22 1965 (20 U.S.C. 1067q(a));

23 (8) the term “Secretary” means the Secretary
24 of Homeland Security;

1 (9) The term “State” means any State of the
2 United States, the District of Columbia, the Com-
3 monwealth of Puerto Rico, the United States Virgin
4 Islands, Guam, American Samoa, the Common-
5 wealth of the Northern Mariana Islands, and any
6 possession of the United States;

7 (10) the term “Tribal Colleges and Univer-
8 sities” has the meaning given the term in section
9 316 of the Higher Education Act of 1965 (20
10 U.S.C. 1059c); and

11 (11) the term “Tribal organization” has the
12 meaning given the term in section 4(e) of the Indian
13 Self-Determination and Education Assistance Act
14 (25 U.S.C. 5304(e)).

