



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

May 1, 2023

COMMITTEE ACTION

The Committee on Homeland Security met, pursuant to notice, in open markup session, a quorum being present, on Wednesday, April 26, 2023, in 310 Cannon to consider the following measure:

H.R. 2794, (Mr. Green), To secure the international borders of the United States, and for other purposes. The “Border Reinforcement Act of 2023”.

The Committee took the following actions:

A motion by Mr. Green to report H.R. 2794, as amended, to the House with a favorable recommendation; was AGREED TO by a vote of 18 Yeas to 15 Nays. (RC#16) A motion to reconsider was laid on the table.

H.R. 2794, (Mr. Green), To secure the international borders of the United States, and for other purposes. The “Border Reinforcement Act of 2023”.

The following amendments were offered:

An Amendment in the Nature of a Substitute to H.R. 2794 offered by Mr. Green of Tennessee.

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Menendez of New Jersey (02): to strike Section 3; was NOT AGREED TO by a roll call vote of 12 Yeas to 14 Nays. (RC#5)

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Carter of Louisiana (03): to amend Section 4; was NOT AGREED TO by a roll call vote of 14 Yeas to 16 Nays. (RC#6)

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Garcia of California (013): to strike Section 16; was NOT AGREED TO by a roll call vote of 12 Yeas to 15 Nays. (RC#7)

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Goldman of New York (09): to amend Subsection (c) of Section 16; was NOT AGREED TO by a roll call vote of 15 Yeas to 17 Nays. (En Bloc Amendment; RC#15)

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Goldman of New York (014): to replace 16(a) with a Sense of Congress reaffirming commitment to a fair asylum system; was NOT AGREED TO by a roll call vote of 15 Yeas to 17 Nays. (En Bloc Amendment; RC#15)

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Magaziner of Rhode Island (20): to exclude faith-based organizations that provide medical assistance to migrants in the NGO funding restriction section; was NOT AGREED TO by a roll call vote of 15 Yeas to 17 Nays. (En Bloc Amendment; RC#15)

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Magaziner of Rhode Island (21): to exclude faith-based organizations that provide food, shelter, medical assistance, or supportive services to children in the NGO funding restriction section; was NOT AGREED TO by a roll call vote of 15 Yeas to 17 Nays. (En Bloc Amendment; RC#15)

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Magaziner of Rhode Island (22): to exclude faith-based organizations that provide supportive services to pregnant women or women who are survivors of human trafficking, domestic violence, or sexual assault; was NOT AGREED TO by a roll call vote of 15 Yeas to 17 Nays. (En Bloc Amendment; RC#15)

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Thompson of Mississippi (06): to adjust Border Patrol to CBP workforce staffing model; was NOT AGREED TO by a roll call vote of 15 Yeas to 17 Nays. (RC#10)

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Thompson of Mississippi (20): to insert a new section at the end of the bill preserving the rights of CBP employees to unionize; was NOT AGREED TO by a roll call vote of 15 Yeas to 17 Nays. (RC#11)

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Thompson of Mississippi (08): to amend Section 15 and inserts the text of the DHS Suicide Prevention and Resiliency for Law Enforcement Act; was WITHDRAWN.

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Thompson of Mississippi (32): to provide pay parity for CBP officers and Border Patrol agents; was NOT AGREED TO by a roll call vote of 14 Yeas to 17 Nays. (RC#09)

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Swalwell of California (16): to exclude organizations serving Afghan partners from NGO funding restriction; was NOT AGREED TO by a roll call vote of 15 Yeas to 17 Nays. (RC#12)

An amendment to the Amendment in the Nature of a Substitute offered by Mrs. Ramirez of Illinois (73): to ensure total reimbursement of individuals, families, and nongovernmental organizations covered by the Emergency Food and Shelter Program administered by FEMA; was NOT AGREED TO by a roll call vote of 15 Yeas to 17 Nays. (En Bloc Amendment; RC#15)

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Correa of California (18-B): to increase the starting pay of CBP agents from GS-5 to GS-7; Mr. Pfluger of Texas raised a point of order against the amendment; the Chair sustained the point of order; was RULED NON-GERMANE AND OUT OF ORDER.

A substitute amendment to the Amendment in the Nature of a Substitute offered by Mrs. Ramirez of Illinois (07): to strike the text of the Amendment in the Nature of a Substitute and insert the American Dream and Promise Act; Mr. Gimenez of Florida raised a point of order against the amendment; Mrs. Ramirez WITHDREW the amendment.

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Correa of California (16): to direct OPM to establish a special pay rate for Border agents and officers. Mr. Gimenez of Florida raised a point of order against the amendment; the Chair sustained the point of order; was

RULED NON-GERMANE AND OUT OF ORDER.

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Correa of California (74): to establish childcare for CBP; was NOT AGREED TO by a roll call vote of 15 Yeas to 17 Nays. (En Bloc Amendment; RC#15)

An amendment to the Amendment in the Nature of a Substitute offered by Ms. Jackson Lee of Texas (04): to add a body-worn camera plan to Section 7; was NOT AGREED TO by a roll call vote of 15 Yeas to 17 Nays. (En Bloc Amendment; RC#15)

An amendment to the Amendment in the Nature of a Substitute offered by Ms. Jackson Lee of Texas (14): to amend Section 15 to ensure the unity of migrant families; was NOT AGREED TO by a roll call vote of 15 Yeas to 17 Nays. (RC#13)

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Garcia of California (07): to amend the polygraph requirement for CBP agents; was NOT AGREED TO by voice vote.

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Payne of New Jersey (16): to insert a new section at the end of the bill requiring a briefing on challenge coins depicting a Border Patrol incident involving Haitian migrants; was NOT AGREED TO by a roll call vote of 15 Yeas to 17 Nays. (En Bloc Amendment; RC#15)

An amendment to the Amendment in the Nature of a Substitute offered by Ms. Clarke of New York (30): to insert a new section at the end of the bill consisting of the text of the DHS Climate Change Research and Development Act; was NOT AGREED TO by a roll call vote of 15 Yeas to 17 Nays. (En Bloc Amendment; RC#15)

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Thanedar of Michigan (17): to amend Section 3 to use a JTF to combat cartels; was NOT AGREED TO by a roll call vote of 15 Yeas to 17 Nays. (En Bloc Amendment; RC#15)

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Thanedar of Michigan (23): to strike Section 21; was NOT AGREED TO by a roll call vote of 15 Yeas to 17 Nays. (En Bloc Amendment; RC#15)

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Correa of California (22): to strike subsection (c) of Section 12 relating to the missions of Air and Marine Operations of CBP; was NOT AGREED TO by a roll call vote of 15 Yeas to 17 Nays. (En Bloc Amendment; RC#15)

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Correa of California (18-A): to amend Section 3 to combat human smuggling; was NOT AGREED TO by a roll call vote of 15 Yeas to 17 Nays. (En Bloc Amendment; RC#15)

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Correa of California (25): to amend Section 4 to generate a report on innovative and emerging border technology plan; was NOT AGREED TO by a roll call vote of 15 Yeas to 17 Nays. (En Bloc Amendment; RC#15)

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Correa of California (15): to provide economic development and infrastructure investment in communities along the southern border; was NOT AGREED TO by a roll call vote of 15 Yeas to 17 Nays. (En Bloc Amendment; RC#15)

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Goldman of New York

(15-A): to insert a new section at the end of the bill intended to disrupt the smuggling of U.S. sourced firearms across the land border with Mexico; was NOT AGREED TO by a roll call vote of 15 Yeas to 17 Nays. (RC#14)

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Menendez of New Jersey (19): to amend Section 3 to authorize Operation Blue Lotus; was NOT AGREED TO by a roll call vote of 15 Yeas to 17 Nays. (En Bloc Amendment; RC#15)

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Ivey of Maryland (26): to amend Section 4 to give the Secretary of Homeland Security joint processing center authority; was NOT AGREED TO by a roll call vote of 15 Yeas to 17 Nays. (En Bloc Amendment; RC#15)

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Ivey of Maryland (28): to amend Section 19 to ensure the anonymizing and security of data posted publicly by CBP; was NOT AGREED TO by a roll call vote of 15 Yeas to 17 Nays. (En Bloc Amendment; RC#15)

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Magaziner of Rhode Island (19): to add “gun trafficking” explicitly into the section on the Border Patrol’s Strategic Plan; was NOT AGREED TO by a roll call vote of 15 Yeas to 17 Nays. (En Bloc Amendment; RC#15)

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Magaziner of Rhode Island (10): to require background checks for individuals for all sales of firearms within 100 miles of the border; Mr. Guest of Mississippi raised a point of order against the amendment; the Chair sustained the point of order; was RULED NON-GERMANE AND OUT OF ORDER.

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Magaziner of Rhode Island (012): to impose stricter civil penalties against those who knowingly sell firearms to certain prohibited individuals and groups; Mr. Guest of Mississippi raised a point of order against the amendment; the Chair sustained the point of order; was RULED NON-GERMANE AND OUT OF ORDER.

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Magaziner of Rhode Island (013): to ban use of assault weapons within 100 miles of the border; Mr. Guest of Mississippi raised a point of order against the amendment; the Chair sustained the point of order; was RULED NON-GERMANE AND OUT OF ORDER.

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Magaziner of Rhode Island (017): to include a Sense of Congress that the FBI is vital to border security and disapproving of calls to defund it; Mr. Guest of Mississippi raised a point of order against the amendment; the Chair sustained the point of order; was RULED NON-GERMANE AND OUT OF ORDER.

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Magaziner of Rhode Island (018): to include a Sense of Congress that the ATF is vital for border security and disapproving of calls to defund it; Mr. Guest of Mississippi raised a point of order against the amendment; the Chair sustained the point of order; was RULED NON-GERMANE AND OUT OF ORDER.

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Goldman of New York (010): to increase authorized funding for the Detention Case Management Pilot Program; was NOT AGREED TO by a roll call vote of 15 Yeas to 17 Nays. (En Bloc Amendment; RC#15)

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Goldman of New York (011): to increase authorized funding for the Immigration Detention Ombudsman; was NOT AGREED TO by a roll call vote of 15 Yeas to 17 Nays. (En Bloc Amendment; RC#15)

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Goldman of New York (012): to increase authorized funding for the Shelter and Services Program; was NOT AGREED TO by a roll call vote of 15 Yeas to 17 Nays. (En Bloc Amendment; RC#15)

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Goldman of New York (015-B): to include a report on child separation; was NOT AGREED TO by a roll call vote of 15 Yeas to 17 Nays. (En Bloc Amendment; RC#15)

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Guest of Mississippi (08): to clarify intent and prohibited services of Section 16; was AGREED TO by a roll call vote of 17 Yeas to 15 Nays. (RC#08)

At the conclusion of debate, a unanimous consent request by Mr. Thompson that the postponed proceedings on the remaining amendments be vacated to the end that they be considered en bloc, and the question on adoption en bloc be put de novo was AGREED TO.

Amendments En Bloc (Mr. Goldman of New York (9), Mr. Goldman of New York (14), Mr. Magaziner of Rhode Island (20), Mr. Magaziner of Rhode Island (21), Mr. Magaziner of Rhode Island (22), Mrs. Ramirez of Illinois (73), Mr. Correa of California (74), Ms. Jackson Lee of Texas (4), Mr. Payne of New Jersey (16), Ms. Clarke of New York (30), Mr. Thanedar of Michigan (17), Mr. Thanedar of Michigan (23), Mr. Correa of California (22), Mr. Correa of California (18-A), Mr. Correa of California (25), Mr. Correa of California (15), Mr. Menendez of New Jersey (19), Mr. Ivey of Maryland (26), Mr. Ivey of Maryland (28), Mr. Magaziner of Rhode Island (19), Mr. Goldman of New York (10), Mr. Goldman of New York (11), Mr. Goldman of New York (12), and Mr. Goldman of New York (15-B); NOT AGREED TO by a roll call vote of 15 Yeas and 17 Nays. (RC#15)

Amendment in the Nature of a Substitute to H.R. 2794 offered by Mr. Green of Tennessee, as amended, AGREED TO by voice vote.

A motion by Mr. Green to report H.R. 2794, as amended, to the House with a favorable recommendation; was AGREED TO by a vote of 18 Yeas to 15 Nays. (RC#16). A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

MS. JACKSON LEE. Mr. Chairman, I was unable to be present to vote due to another committee proceeding. Had I been present, I would have voted “aye” on roll call No. 5, on agreeing to the Menendez Amendment (02).

Without objection, staff is authorized to make technical and conforming changes to all measures to reflect the actions of the Committee; was NOT OBJECTED TO.

Mr. Thompson gave notice that pursuant to Rule XI clause 2(1), Members may have two days in which to file any supplemental, minority, or additional views on H.R. 2794, as amended.

