



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

May 3, 2017

COMMITTEE ACTION

The Committee on Homeland Security met, pursuant to notice, in open markup session, a quorum being present, on Wednesday, May 3, 2017, in 210 of the House Visitors Center to consider the following measures:

- H.R. 625, (Mr. Aguilar) To provide for joint reports by relevant Federal agencies to Congress regarding incidents of terrorism, and for other purposes. The “Reporting Efficiently to Proper Officials in Response to Terrorism Act of 2017”.
- H.R. 1351, (Mr. Perry) To amend title 49, United States Code, to direct the Administrator of the Transportation Security Administration (TSA) to make certain improvements in managing TSA’s employee misconduct, and for other purposes. The “Strengthening Oversight of TSA Employee Misconduct Act”.
- H.R. 2131, (Mr. Higgins of Louisiana) To amend the Homeland Security Act of 2002 to direct the Chief Human Capital Officer of the Department of Homeland Security to improve consistency regarding discipline and adverse actions in the Department’s workforce, and for other purposes. The “Fixing Internal Response to Misconduct Act”.
- H.R. 2132, (Mr. Katko) To require the implementation of a redress process and review of the Transportation Security Administration’s intelligence-based screening rules for aviation security, and for other purposes. The “Traveler Redress Improvement Act of 2017”.
- H.R. 2169, (Mr. Katko) To amend the Homeland Security Act of 2002 to enhance information sharing in the Department of Homeland Security State, Local, and Regional Fusion Center Initiative, and for other purposes. The “Improving Fusion Centers’ Access to Information Act”.
- H.R. 2188, (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. 2190, (Mr. Rutherford) To amend the Homeland Security Act of 2002 to direct the Under Secretary for Management of the Department of Homeland Security to make certain improvements in managing the Department's real property portfolio, and for other purposes. The "Streamlining DHS Overhead Act".

H.R. 2213, (Ms. McSally) To amend the Anti-Border Corruption Act of 2010 to authorize certain polygraph waiver authority, and for other purposes. The "Anti-Border Corruption Reauthorization Act of 2017".

H.R. 2281, (Mr. Vela) To amend the Homeland Security Act of 2002 to reauthorize the Border Enforcement Security Task Force program within the Department of Homeland Security, and for other purposes. The "Border Enforcement Security Task Force Reauthorization Act of 2017".

H.R. 2283, (Mr. Thompson of Mississippi) To amend the Homeland Security Act of 2002 to improve morale within the Department of Homeland Security workforce by conferring new responsibilities to the Chief Human Capital Officer, establishing an employee engagement steering committee, requiring action plans, and authorizing an annual employee award program, and for other purposes. The "Department of Homeland Security Morale, Recognition, Learning and Engagement Act of 2017".

The Committee took the following actions:

H.R. 2188, 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 Committee agreed to H.R. 2188, as amended, by voice vote.

The following amendments were offered:

An amendment offered by Mr. Fitzpatrick (#1); In section 2(a), in the proposed section 2009 of the Homeland Security Act of 2002, in subsection (a)(1), strike the second period.

In section 2(a), in the proposed section 2009 of the Homeland Security Act of 2002, redesignate subsection (e) as subsection (f).

In section 2(a), in the proposed section 2009 of the Homeland Security Act of 2002, insert after subsection (d) a new subsection entitled "(e) Information Sharing."; was AGREED TO, by voice vote.

An amendment offered by Mr. Payne (#2); Page 4, line 3, strike "and" after the semicolon.

Page 4, strike lines 4 and 5 and insert the following:

"(3) conduct training to address such identified capability gaps; and

“(4) conduct exercises, including at locations such as mass gathering venues, places of worship, or educational institutions, as appropriate, to validate capabilities.”.; was AGREED TO, by voice vote.

Without objection, staff were authorized to make technical and conforming corrections.

H.R. 2283, To amend the Homeland Security Act of 2002 to improve morale within the Department of Homeland Security workforce by conferring new responsibilities to the Chief Human Capital Officer, establishing an employee engagement steering committee, requiring action plans, and authorizing an annual employee award 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 Committee agreed to H.R. 2283, as amended, by voice vote.

The following amendments were offered:

An en bloc amendment offered by Mr. Higgins (#1); consisting of the following amendments;

An amendment offered by Mr. Higgins:

In section 3(a), in the proposed section 710 of the Homeland Security Act of 2002, in subsection (a), in the matter preceding paragraph (1), strike “components and headquarters” and inserting “components, headquarters, and field personnel”.

In section 3(a), in the proposed section 710 of the Homeland Security Act of 2002, in subsection (b)(2), strike subparagraph (A) and redesignate subparagraphs (B) through (D) as subparagraphs (A) through (C), respectively, and in subparagraph (C) (as so redesignated) strike “monthly” and insert “quarterly”.

In section 4(a), in the proposed section 711 of the Homeland Security Act of 2002, in subsection (a)(3), strike “components and headquarters” and inserting “components, headquarters, and field personnel”.

An amendment offered by Mr. Higgins:

In section 3, in the proposed section 710 of the Homeland Security Act of 2002, add a new subsection entitled “(c) Termination.”

An amendment offered by Mr. Higgins :

Amend section 5 with a new section 5 entitled “Sec. 5. Independent Investigation and Implementation Plan.”; was AGREED TO, by voice vote.

Without objection, staff were authorized to make technical and conforming corrections.

H.R. 1351, To amend title 49, United States Code, to direct the Administrator of the Transportation Security Administration (TSA) to make certain improvements in managing TSA’s employee misconduct, and for other purposes.; was ordered to be reported to the

House of Representatives with a favorable recommendation, as amended, by a recorded vote of 14 yeas and 10 noes (Roll Call Vote No. 8). The vote was as follows:

Roll No. 8	
Yeas	Nays
Mr. McCaul	Mr. Thompson of Mississippi
Mr. King of New York	Mr. Langevin
Mr. Rogers of Alabama	Mr. Keating
Mr. Duncan of South Carolina	Mr. Payne
Mr. Marino	Mr. Vela
Mr. Barletta	Mrs. Watson Coleman
Mr. Perry	Miss Rice of New York
Mr. Hurd	Mr. Correa
Ms. McSally	Mrs. Demings
Mr. Ratcliffe	Ms. Barragán
Mr. Gallagher	
Mr. Higgins of Louisiana	
Mr. Rutherford	
Mr. Garrett	
Total	10
14	

The Chair discharged the Subcommittee on Transportation and Protective Security from further consideration of H.R. 1351.

The Committee agreed to H.R. 1351, as amended, by voice vote.

The following amendments were offered:

An Amendment in the Nature of a Substitute offered by Mr. Perry (#1); was AGREED TO by a recorded vote of 14 yeas and 10 noes (Roll No. 7). The vote was as follows:

Roll No. 7	
Yeas	Nays
Mr. McCaul	Mr. Thompson of Mississippi
Mr. King of New York	Mr. Langevin
Mr. Rogers of Alabama	Mr. Keating
Mr. Duncan of South Carolina	Mr. Payne
Mr. Marino	Mr. Vela
Mr. Barletta	Mrs. Watson Coleman
Mr. Perry	Miss Rice of New York
Mr. Hurd	Mr. Correa
Ms. McSally	Mrs. Demings
Mr. Ratcliffe	Ms. Barragán
Mr. Gallagher	
Mr. Higgins of Louisiana	

Mr. Rutherford		
Mr. Garrett		
Total	14	10

Without objection, staff were authorized to make technical and conforming corrections.

H.R. 2131, To amend the Homeland Security Act of 2002 to direct the Chief Human Capital Officer of the Department of Homeland Security to improve consistency regarding discipline and adverse actions in the Department’s workforce, 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 agreed to H.R. 2131, as amended, by voice vote.

The following amendments were offered:

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

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Thompson of Mississippi (#1A); Page 2, line 20, strike “and” after the semicolon.

Page 3, line 4, strike the period and insert “; and”.

Page 3, beginning line 5, insert the following: “(D) guidance on how to implement any such Department-wide policy in a manner that promotes greater uniformity and transparency in the administration of such policy across the Department.”.

Page 5, line 4, strike “90” and insert “180”.

Page 7, line 20, strike “30” and insert “60”.; was AGREED TO, by voice vote.

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Thompson of Mississippi listed on the roster as by Ms. Jackson Lee (#1B); Page 2, line 20, strike “and” after the semicolon.

Page 3, line 4, strike the period and insert “; and”.

Page 3, beginning line 5, insert the following: “(D) guidance and appropriate training on prohibited personnel practices, employee rights, and procedures and processes related to such.”.

Page 6, line 2, strike “necessary” and insert “appropriate”.

Page 6, line 14, strike “identify the causes in persistent” and insert “seek to identify any trends in”.

Page 6, line 17, insert “, where appropriate,” before “develop”.

Page 6, line 17, insert “possible” before “alternate”.

Page 6, line 22, strike “implement” and insert “shall consider implementing”.

Page 7, beginning line 5, strike “with respect to which misconduct has been identified under this paragraph” and insert “regarding implementation of working group recommendations”.

Page 6, line 22, strike “implement” and insert “shall consider implementing”.

Page 7, beginning line 5, strike “with respect to which misconduct has been identified under this paragraph” and insert “regarding implementation of working group recommendations”.; was AGREED TO, by voice vote,

Without objection, staff were authorized to make technical and conforming corrections.

H.R. 2190, To amend the Homeland Security Act of 2002 to direct the Under Secretary for Management of the Department of Homeland Security to make certain improvements in managing the Department’s real property portfolio, 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 agreed to H.R. 2190, as amended, by voice vote.

The following amendments were offered:

An en bloc amendment offered by Mr. Correa (#1); consisting of the following amendments:

An amendment offered by Mr. Correa:

Page 3, beginning line 15 through page 5, line 11, redesignate paragraphs (1) through (9) as subparagraphs (A) through (I), respectively, and move such subparagraphs, as so redesignated, two ems to the right.

Page 3, line 13, strike “The real property strategies developed in accordance with subsection (a) shall—” and insert a new paragraph entitled “(1) Initial Strategy.”

Page 5, beginning line 12, insert a new paragraph entitled “(2) Second Strategy.”

An amendment offered by Mr. Correa:

Page 9, line 6, strike “and” and insert a comma.

Page 9, line 8, insert “, and the Inspector General of the Department” after “Senate”.

Page 10, line 7, strike the closing quotes and the second period.

At page 10, line 8, insert new paragraph entitled “(5) Office of Inspector General Review.”

An amendment offered by Mr. Correa:

Page 2, line 16, strike “and” after the semicolon.

Page 2, line 21, strike the period and insert “; and”.

Page 2, beginning line 22, insert the following:“(3) provide tactical and transactional services for the Department, including transportation, facility operations, and maintenance.”.

Page 3, line 17, strike “demand for and”.

Page 5, beginning line 21, strike “have investigated all possibilities relating to co-locating, consolidating, or partnering with other components” and insert “have complied with the requirements specified in subsection (b)”.

Page 7, line 21, strike “quarterly” and insert “annually”.; was AGREED TO, by voice vote.

Without objection, staff were authorized to make technical and conforming corrections.

H.R. 2169, To amend the Homeland Security Act of 2002 to enhance information sharing in the Department of Homeland Security State, Local, and Regional Fusion Center Initiative, 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 agreed to H.R. 2169, as amended, by voice vote.

The following amendments were offered:

An amendment offered by Mr. Katko (#1); Page 2, beginning line 18, strike “information systems” and insert “datasets”.

Page 2, line 19, strike “including systems” and insert “including databases and datasets”.

Page 2, line 22, insert “, in accordance with Federal laws and policies, to address any gaps identified pursuant to paragraph (2),” after “appropriate”.

Page 2, line 25, strike “systems” and insert “databases and datasets”.; was AGREED TO, by voice vote.

Without objection, staff were authorized to make technical and conforming corrections.

H.R. 625, To provide for joint reports by relevant Federal agencies to Congress regarding incidents of 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 Chair discharged the Subcommittee on Counterterrorism and Intelligence from further consideration of H.R. 625.

The Committee agreed to H.R. 625, as amended, by voice vote.

The following amendments were offered:

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

Without objection, staff were authorized to make technical and conforming corrections.

H.R. 2132, To require the implementation of a redress process and review of the Transportation Security Administration's intelligence-based screening rules for aviation security, 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 agreed to H.R. 2132, as amended, by voice vote.

The following amendments were offered:

An amendment offered by Mr. Thompson of Mississippi listed on the roster as by Ms. Jackson Lee (#1); Page 6, line 5, strike "180 days" and insert "one year".; was AGREED TO, by voice vote.

Without objection, staff were authorized to make technical and conforming corrections.

H.R. 2213, To amend the Anti-Border Corruption Act of 2010 to authorize certain polygraph waiver authority, 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 agreed to H.R. 2213, as amended, by voice vote.

The following amendments were offered:

An amendment offered by Mr. Thompson of Mississippi (#1); Page 6, line 4, redesignate subsection (b) as subsection (c).
Page 6, beginning line 4, insert a new subsection entitled "(b) Report."
Page 6, line 5, strike "is amended" and insert "as amended by subsection (b) of this section, is further amended".
Page 6, line 7, strike "5" and insert "6".; was AGREED TO, by voice vote.

Without objection, staff were authorized to make technical and conforming corrections.

H.R. 2281, To amend the Homeland Security Act of 2002 to reauthorize the Border Enforcement Security Task Force program within the Department of Homeland Security, 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 agreed to H.R. 2281, as amended, by voice vote.

The following amendments were offered:

An amendment offered by Mr. Rutherford (#1); Page 3, line 3, redesignate subsection (b) as subsection (c).

Page 3, beginning line 3, insert a new subsection entitled “(b) Port Security.”; was AGREED TO, by voice vote.

Without objection, staff were authorized to make technical and conforming corrections.

A motion by Mr. King 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. 625, H.R. 1351, H.R. 2131, H.R. 2132, H.R. 2169, H.R. 2188, H.R. 2190, H.R. 2213, H.R. 2281, H.R. 2283, 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. 625, H.R. 1351, H.R. 2131, H.R. 2132, H.R. 2169, H.R. 2188, H.R. 2190, H.R. 2213, H.R. 2281, and H.R. 2283, was NOT OBJECTED TO.

