



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

September 7, 2017

COMMITTEE ACTION

The Committee on Homeland Security met, pursuant to notice, in open markup session, a quorum being present, on Thursday, September 7, 2017, in 210 of the House Visitors Center to consider the following measures:

H.R. 2142, (Ms. Tsongas) To improve the ability of U.S. Customs and Border Protection to interdict fentanyl, other synthetic opioids, and other narcotics and psychoactive substances that are illegally imported into the United States, and for other purposes. The “International Narcotics Trafficking Emergency Response by Detecting Incoming Contraband with Technology Act”.

H.R. 3101, (Mrs. Torres) To enhance cybersecurity information sharing and coordination at ports in the United States, and for other purposes. The “Strengthening Cybersecurity Information Sharing and Coordination in Our Ports Act of 2017”.

H.R. 3551, (Ms. McSally) To amend the Security and Accountability for Every Port Act of 2006 to reauthorize the Customs-Trade Partnership Against Terrorism Program, and for other purposes.

H.R. 3669, (Mr. Estes of Kansas) To improve and streamline security procedures related to general aviation and commercial charter air carrier utilizing risk-based security standards, and for other purposes. The “Securing General Aviation and Commercial Charter Air Carrier Service Act of 2017”.

The Committee took the following actions:

The Chair discharged the Subcommittee on Border and Maritime Security from further consideration of H.R. 3551.

H.R. 3551, To amend the Security and Accountability for Every Port Act of 2006 to reauthorize the Customs-Trade Partnership Against Terrorism 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 adopted H.R. 3551, as amended, by voice vote.

The following amendments were offered:

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

An en bloc amendment to the Amendment in the Nature of a Substitute offered by Ms. Barragán (#1A); consisting of the following amendments:

An amendment:

Page 9, line 17, strike “Agreements” and insert “Arrangements”.

Page 9, line 21, insert “, or successor compliance program” before the period.

Page 12, line 5, strike “Agreements” and insert “Arrangements”.

Page 12, line 14, strike “any of the” and insert “applicable”.

Page 13, line 2, strike “revoked” and insert “withheld”.

Page 15, line 16, insert “, where such component’s inspection regime is harmonized with validation criteria for the C-TPAT program” before the period.

An amendment:

Page 19, beginning line 8, insert the following: “(4) A standardized process for the Executive Assistant Commissioner to receive reports of suspicious activity, including reports regarding potentially compromised cargo or other border or national security concerns. In carrying out this process, the Commissioner shall engage with and provide guidance to C-TPAT program participants and other appropriate stakeholders on submitting such reports.”.

Page 19, line 13, insert the following after the period: “To ensure accuracy and consistency within such record management system, the Commissioner shall develop, disseminate, and require utilization of standardized procedures for agency personnel carrying out certifications, validations, recertifications, and revalidations to report and track information regarding the status of each C-TPAT program participant.”.; was AGREED TO by voice vote.

An en bloc amendment to the Amendment in the Nature of a Substitute offered by Mr. Correa (#1B); consisting of the following amendments:

An amendment:

Page 3, line 22, strike “or” and insert “and”.

Page 4, line 3, strike “or” and insert “and”.

Page 5, line 13, strike “each year” and insert “every two years”.

Page 6, line 13, insert “, where appropriate,” after “and”.

Page 6, line 25, insert before the period the following: “, but not later than 120 days after the issuance of any such waiver, the Commissioner shall announce on the U.S. Customs and Border Protection website and through other appropriate online publication the Commissioner’s intent to either withdraw such waiver or maintain such waiver while commencing efforts to establish minimum security criteria or establish additional or update existing security criteria in accordance with subsection (c) or (d), respectively”.

An amendment:

Page 7, beginning line 5, strike “all such participants” and insert “each such participant”.

Page 7, beginning line 8, strike “to each participant”.

Page 7, line 13, insert “regional and other relevant” before “threats”.

Page 7, beginning line 18, insert the following new subsection entitled “(c) Annual Assessment.”; was AGREED TO by voice vote.

Without objection, staff were authorized to make technical and conforming corrections to H.R. 3551.

H.R. 3669, To improve and streamline security procedures related to general aviation and commercial charter air carrier utilizing risk-based security standards, 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 adopted H.R. 3669, as amended, by voice vote.

The following amendments were offered:

An amendment offered by Mrs. Watson Coleman (#1); Page 3, line 9, insert “, consistent with the requirements of paragraphs (6) and (7) of section 44946(b) of title 49, United States Code,” after “submit”.

Page 3, beginning line 13, strike “the following recommendations adopted by the Aviation Security Advisory Committee” and insert “any of the following recommendations that were adopted by the Aviation Security Advisory Committee and with which the Administrator has concurred before the date of the enactment of this Act”.; was AGREED TO by voice vote.

An amendment offered by Mrs. Watson Coleman (#2); Page 2, strike lines 10 through 22 and insert new subsections “(a) In General.” and “(b) Request.”

Page 2, line 23, strike “(d)” and insert “(c)”.

Page 2, line 23, strike “The Administrator of the Transportation Security Administration shall enter into an agreement with a commercial charter air” and insert “If the Administrator of the Transportation Security Administration elects to provide screening services pursuant to subsection (a), the Administrator shall enter into an agreement with a private charter passenger”.

Page 3, beginning line 1, strike “reasonable costs in addition to” and insert “costs, including”.

Page 3, line 3, insert “, prior to the provision of such screening” before the period.

Page 3, beginning line 4, insert a new subsection entitled “(d) Private Charter Passenger Carrier Defines.”; was WITHDRAWN by unanimous consent.

A unanimous consent by Mrs. Watson Coleman to withdraw her amendment was not objected to.

An amendment offered by Mr. Thompson of Mississippi (#3); Add at the end a new section entitled "Sec. 6. Security Enhancements"; was AGREED TO by voice vote.

Without objection, staff were authorized to make technical and conforming corrections to H.R. 3669.

The Chair discharged the Subcommittee on Border and Maritime Security from further consideration of H.R. 2142.

H.R. 2142, To improve the ability of U.S. Customs and Border Protection to interdict fentanyl, other synthetic opioids, and other narcotics and psychoactive substances that are illegally imported into the United States, and for other purposes.; was ordered to be reported to the House of Representatives with a favorable recommendation, as amended, by voice vote.

The following amendment was offered:

An Amendment in the Nature of a Substitute offered by Mr. Fitzpatrick (#1); was AGREED TO, without amendment, by voice vote.

Without objection, staff were authorized to make technical and conforming corrections to H.R. 3551.

The Chair discharged the Subcommittee on Cybersecurity and Infrastructure Protection from further consideration of H.R. 3101.

H.R. 3101, To enhance cybersecurity information sharing and coordination at ports in the United States, and for other purposes.; was ordered to be reported to the House of Representatives with a favorable recommendation, without amendment, by voice vote.

The Committee adopted H.R. 3101, without amendment, by voice vote.

A motion by Mr. Katko 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. 2142, H.R. 3101, H.R. 3551, and H.R. 3669, 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. 2142, H.R. 3101, H.R. 3551, and H.R. 3669, was NOT OBJECTED TO.

