



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

October 31, 2019

COMMITTEE ACTION

The Committee on Homeland Security met, pursuant to notice, in open markup session, a quorum being present, on Wednesday, October 23, 2019, in 310 of the Cannon House Office Building and considered the following measures:

H.R. 2932, (Mr. Payne) The “Homeland Security for Children Act”;

H.R. 3469, (Mr. Cummings) The “Covert Testing and Risk Mitigation Improvement Act of 2019”;

H.R. 3787, (Mr. Perry) The “DHS Countering Unmanned Aircraft Systems Coordinator Act”;

H.R. 4237, (Mr. Ratcliffe) The “Advancing Cybersecurity Diagnostics and Mitigation Act”;

H.R. 4402, (Mrs. Lesko) The “Inland Waters Security Review Act”;

H.R. 4713, (Mr. Green of Texas) The “Department of Homeland Security Office of Civil Rights and Civil Liberties Authorization Act”;

H.R. 4727, (Mr. McEachin) The “Department of Homeland Security Mentor Protégé Program Act of 2019”;

H.R. 4737, (Ms. Clarke) The “Department of Homeland Security Climate Change Research Act”;

H.R. 4739, (Ms. Clarke) The “Synthetic Opioid Exposure Prevention and Training Act”;

H.R. 4753, (Mr. Crenshaw) The “Drone Origin Security Enhancement Act”;

H.R. 4761, (Mr. Higgins) The “DHS Opioid Detection Resilience Act of 2019”;

H.R. 4782, (Mr. Thompson) The “National Commission on Online Platforms and Homeland Security Act”.

The Committee took the following actions:

A unanimous consent request by the Chairman that H.R. 3787; H.R. 4237; H.R. 4713; H.R. 4737; and H.R. 4782 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. 3787, as amended, by unanimous consent.

The following amendments were offered:

An amendment offered by Ms. Jackson Lee.

Page 2, line 12, insert “, including the Office for Civil Rights and Civil Liberties and the Privacy Office,” after “components”.

An amendment offered by Ms. Lesko.

Page 2, line 12, insert “and other relevant Federal agencies, as appropriate,” after “components”

Page 3, line 6 insert “and other relevant Federal agencies, as appropriate,” after “components and offices”

The Committee adopted H.R.4237, as amended, by unanimous consent.

The following amendment was offered:

An amendment offered by Ms. Jackson Lee.

Page 7, line 2, insert “, effectiveness, scope,” after “impacts”.

The Committee adopted H.R.4713, as amended, by unanimous consent.

The following amendments was offered:

An amendment offered by Mr. Rogers.

Page 2, line 21, insert “protections” after “civil liberties”.

Page 2, line 25, insert “, procedures,” after “policies”.

Page 2, line 26, insert “relating to civil rights and civil liberties” after “Department”.

Page 3, line 2, insert “relating to civil rights and civil liberties” after “technical assistance”.

Page 3, line 8, insert “at the Department” after “civil liberties”.

Page 3, line 12, insert “inspections,” after “assessments,”.

Page 3, line 14, insert “relating to civil rights and civil liberties” after “Department”.

Page 4, line 18, insert “report and” before “redress”.

Page 4, after line 22, insert the Following:

“(c) COORDINATION WITH INSPECTOR GENERAL

Page 4, line 23, strike “(c)” and insert “(d)”.

Page 5, line 11, strike “Office or” and insert “Office,”.

Page 5, line 12, insert “, or any other action taken” before the period.

Page 5, line 20, strike “and”.

Page 5, after line 20, insert the following:

(C) shall not include any personally identifiable information related to any individual involved in such investigation; and

Page 5, line 21, strike “(C)” and insert “(D)”.

Page 5, line 24, strike “COMPOENENTS” and insert

“COMPONENTS”.

Page 6, after line 2, insert the following:

(4) REPORTS TO CONGRESS.

Page 6, line 3, strike “(d)” and insert “(e)”.

Page 6, line 10, strike “report” and insert “coordinate with and provide information”.

Page 6, line 11, insert “on matters related to civil rights and civil liberties within the components”.

Page 6, line 12, strike “(e)” and insert “(f)”.

Page 6, line 13, strike “shall”.

Page 6, line 14, insert “shall” before “have access”.

Page 6, line 18, insert “and” after the semicolon.

Page 6, beginning on line 19, strike paragraphs (2) and (3) and insert the following:

(2) may, to the extent the Officer determines necessary, and subject to the approval of the Secretary—

Page 7, line 7, strike “(f)” and insert “(g)”.

Page 7, beginning on line 12, strike “without any prior comment or amendment by the Secretary, Deputy Secretary, or any other officer or employee of the Department,”.

An amendment offered by Ms. Jackson Lee.

Add at the end of the bill the following:

SEC. 3. COMPTROLLER GENERAL REVIEW.

The Committee adopted H.R. 4737, as amended, by unanimous consent.

The following amendment was offered:

An amendment offered by Mr. Rogers.

Page 2, line 13, strike “shall”.

Page 2, line 14, strike “research and” and insert “shall”.

Page 3, line 11, insert “, to the extent practicable,” after “shall”.

Page 4, strike the proposed subsection (e).

Add at the end the following:

SEC. 3. REPORT TO CONGRESS.

The Committee adopted H.R. 4782, as amended, by unanimous consent.

The following amendment was offered:

An amendment offered by Mr. Thompson.

Page 4, line 24, insert “constitutional law” after “civil liberties,”.

Page 5, line 12, insert “, and not fewer than one individual shall be an expert in constitutional law”.

Page 7, strike lines 9 through 16, and insert the following:

(2) The ways, if any, that online platforms’ algorithms or other automated decision-making systems may have affected activity on such platforms in furtherance of acts of targeted violence, including domestic terrorism and international terrorism, or covert foreign state influence campaigns.

Page 9, beginning line 5, strike “as the Commission may determine advisable” and insert “but only to the extent necessary to achieve the purposes specified in subsection (b)”.

Page 9, line 11, insert “but only to the extent necessary to achieve the purposes specified in subsection (b)” before the semicolon.

Page 10, line 1, strike “and that”.

Page 10, line 3, insert “for the report and” before “to further”.

Page 11, strike line 19 through page 12, line 2, and insert the following:

(5) OBLIGATION TO PROTECT PROPRIETARY INFORMATION.—Whether or not the Commission receives proprietary information, confidential business information, or a trade secret through the exercise of subpoena authority pursuant to paragraph (1)(B), neither the Commission nor any member of the Commission may publish, disclose, or release such information publicly or to a Federal department or agency, an agency of a State, local, Tribal, or territorial government, any international body, or any individual or organization outside the Commission.

Page 16, line 22, strike “users..” and insert “users and innovation on online platforms.”.

Page 17, line 20, strike “by foreign state actors” and insert “that was carried out by a foreign state actor”.

Page 18, line 14, strike “that offer” and insert “the primary purpose of which is to produce”.

Page 18, line 20, insert “end-to-end” before “encrypted”.

Page 19, line 11, insert “phone number,” before “or biometric”.

Page 19, strike line 15 and all that follows through page 20, line 2, and insert the following:

(6) TARGETED VIOLENCE.—The term “targeted violence” means an incident of violence in which an attacker selected a particular target in order to inflict mass injury or death as part of an act of domestic terrorism or international terrorism or with no discernable political or ideological motivation beyond mass injury or death. Acts of targeted violence include the August 5, 2012, mass shooting at a Sikh temple in Oak Creek, Wisconsin, the June 12, 2016, nightclub mass shooting in Orlando, Florida, the October 1, 2017, attack on concert-goers at a music festival in Las Vegas, Nevada, the October 27, 2018, attack at a synagogue in Pittsburgh, Pennsylvania, and the August 3, 2019, mass shooting at a store in El Paso, Texas.

A unanimous consent request by the Chairman that H.R. 2932; H.R. 3469; H.R. 4402; H.R. 4727; H.R.4739; H.R. 4753; and H.R. 4761 be considered, adopted, and ordered to be reported to the House with a favorable recommendation; was not objected to.

A motion by Ms. Torres Small 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. 2932; H.R. 3469; H.R. 3787 H.R. 4237; H.R. 4402; H.R. 4713; H.R. 4727; H.R. 4737; H.R. 4739; H.R. 4753; H.R. 4761 and H.R. 4782, or any similar measure, was NOT OBJECTED TO.

A motion by Mr. Rogers of Alabama 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. 2932; H.R. 3469; H.R. 3787 H.R. 4237; H.R. 4402; H.R. 4713; H.R. 4727; H.R. 4737; H.R. 4739; H.R. 4753; H.R. 4761and H.R. 4782, was NOT OBJECTED TO.