



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

May 9, 2012

**COMMITTEE ACTION**

The Committee on Homeland Security met, pursuant to notice, in open markup session, a quorum being present, on Wednesday, May 9, 2012, in 311 Cannon House Office Building to consider: H.R. 3857, the “Public Transit Security and Local Law Enforcement Support Act”; H.R. 4005, the “Gauging American Port Security Act” or the “GAPS Act”; H.R. 3173, to direct the Secretary of Homeland Security to reform the process for the enrollment, activation, issuance, and renewal of a Transportation Worker Identification Credential (TWIC) to require, in total, not more than one in-person visit to a designated enrollment center; and H.R. 2356, the “WMD Prevention and Preparedness Act of 2011.”

The Committee took the following actions:

The Chair discharged the Subcommittee on Emergency Preparedness, Response, and Communications and the Subcommittee on Transportation Security from further consideration of H.R. 3857.

H.R. 3857, to amend the Implementing Recommendations of the 9/11 Commission Act of 2007 to require the Secretary of Homeland Security to include as an eligible use the sustainment of specialized operational teams used by local law enforcement under the Transit Security Grant Program, and for other purposes.; was ordered to be reported to the House with a favorable recommendation, amended, by voice vote.

The Committee adopted H.R. 3857, as amended, by voice vote.

The following amendments were offered:

An amendment offered by Ms. Richardson (#1), Page 2, line 12, strike “, as defined” and all that follows through “this section” on line 14.

Page 2, line 17, redesignate subsection (b) as subsection (c).

Page 2, after line 16, insert a new paragraph “(b) Specialized Patrol Teams Defined”; was NOT AGREED TO, by voice vote.

An amendment offered by Mr. Cuellar (#2); Page 2, line 16, after “limitation” insert the following: “, as long as the eligible public transportation agency applying for grant funds to fund a specialized patrol team submits a sustainment plan for maintaining the capability of capacity achieved with the grant funds in future years”.; was AGREED TO, by a recorded vote of 15 yeas and 9 nays (Roll Call Vote No. 53).

The vote was as follows:

**ROLL CALL VOTE NO. 53**

<b>YEAS</b>	<b>NAYS</b>
Mr. Daniel E. Lungren Mrs. Candice S. Miller Mr. Tim Walberg Mr. Chip Cravaack Mr. Joe Walsh Mr. Patrick Meehan Mr. E. Scott Rigell Mr. Blake Farenthold Mr. Bennie G. Thompson Ms. Sheila Jackson Lee Mr. Henry Cuellar Ms. Yvette D. Clarke Ms. Laura Richardson Mr. Danny K. Davis Ms. Janice Hahn	Mr. Peter T. King Mr. Mike Rogers Mr. Michael T. McCaul Mr. Gus M. Bilirakis Mr. Paul C. Broun Mr. Benjamin Quayle Mr. Billy Long Mr. Jeff Duncan Mr. Robert L. Turner
<b>15</b>	<b>9</b>

A unanimous consent request by Mr. King that the amendments offered by Ms. Jackson Lee be adopted, was not objected to.

An amendment offered by Ms. Jackson Lee (#3); Page 2, line 16, strike “or other”.; was AGREED TO, by unanimous consent.

An amendment offered by Ms. Jackson Lee (#4); Page 2, after line 22, insert a new paragraph “(C) Authorization of Appropriations.”; was AGREED TO, by unanimous consent.

Without objection the Chair authorized staff to make technical and conforming corrections to H.R. 3857.

A unanimous consent request by Mr. King that the measures H.R. 4005, H.R. 3173, and H.R. 2356 be adopted with the amendments listed on the roster, as modified where appropriate, was not objected to.

The Chair discharged the Subcommittee on Border and Maritime Security from further consideration of H.R. 4005.

H.R. 4005, to direct the Secretary of Homeland Security to conduct a study and report to Congress on gaps in port security in the United States and a plan to address them.; was ordered to be reported to the House with a favorable recommendation, amended, by voice vote.

The Committee adopted H.R. 4005, as amended, by unanimous consent.

The following amendments were offered:

An Amendment in the Nature of a Substitute offered by Ms. Hahn (#1) was AGREED TO, by unanimous consent.

An amendment to the Amendment in the Nature of a Substitute offered by Ms. Sanchez (#1A); At the end of the bill add a new section entitled “Sec. 3. Information Sharing.”; was AGREED TO, by unanimous consent.

Without objection the Chair authorized staff to make technical and conforming corrections to H.R. 4005.

The Chair discharged the Subcommittee on Border and Maritime Security from further consideration of H.R. 3173.

H.R. 3173, to direct the Secretary of Homeland Security to reform the process for the enrollment, activation, issuance, and renewal of a Transportation Worker Identification Credential (TWIC) to require, in total, not more than one in-person visit to a designated enrollment center.; was ordered to be reported to the House with a favorable recommendation, amended, by voice vote.

The Committee adopted H.R. 3173, as amended, by unanimous consent.

The following amendments were offered:

An amendment offered by Ms. Sanchez (#1); At the end of section 1, add (11) Congress mandated the issuance of a final rule setting forth requirements for TWIC biometric readers no later than two years after the TWIC pilot began, which would have been August 2010; such a final rule has to date not been issued.  
Amend section 2 with a new section entitled “Sec. 2. Sense of Congress.”; was AGREED TO, by unanimous consent.

Without objection the Chair authorized staff to make technical and conforming corrections to H.R. 3173.

The Chair discharged the Subcommittee on Cybersecurity, Infrastructure Protection, and Security Technologies and the Subcommittee on Emergency Preparedness, Response, and Communications from further consideration of H.R. 2356.

H.R. 2356, to enhance homeland security by improving efforts to prevent, protect against, respond to, and recover from an attack with a weapon of mass destruction, and for other

purposes.; was ordered to be reported to the House with a favorable recommendation, amended, by voice vote.

The Committee adopted H.R. 2356, as amended, by unanimous consent.

The following amendments were offered:

An Amendment in the Nature of a Substitute offered by Mr. King (#1); was AGREED TO, by unanimous consent.

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Cuellar (#1A); Page 67, line 7, before “To facilitate” insert “(a) In General.–”.  
Page 67, after line 18, insert a new paragraph entitled “(b) Lessons Learned for National Level Exercises.”; was AGREED TO, by unanimous consent.

An amendment to the Amendment in the Nature of a Substitute offered by Mr. McCaul (#1B); Amend section 303 “Sec. 304. Dual-use Terrorist Risks from Synthetic Biology.”; was AGREED TO, by unanimous consent.

An amendment to the Amendment in the Nature of a Substitute offered by Mr. McCaul (#1C); In section 2102, add at the end a new paragraph entitled “(e) Written Procedures.”; was AGREED TO, by unanimous consent.

An amendment to the Amendment in the Nature of a Substitute offered by Ms. Richardson (#1D); Page 31, after line 7, insert a new subparagraph “(iii) be designed to provide accurate, essential, and appropriate information and instructions to children and other special needs populations within the population directly affected by an incident;”; was AGREED TO, by unanimous consent.

An amendment to the Amendment in the Nature of a Substitute offered by Ms. Richardson (#1E); Page 31, strike “and” after the semicolon at line 21, strike the period at line 24 and insert “; and”, and after line 24 insert the following:  
“(iii) to educational and childcare facilities, including daycare centers, grade schools, universities, hospitals, and elderly care facilities.  
Page 83, line 26, before the semicolon insert “, including to individuals, schools, universities, hospitals, and elderly care facilities”.; was AGREED TO, by unanimous consent.

An amendment to the Amendment in the Nature of a Substitute offered by Ms. Richardson (#1F); Page 54, line 24, insert before the semicolon at the end the following: “, including the procurement of home medical kits that are approved pursuant to the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.) Or the Public Health Service Act (42 U.S.C. 201 et seq.), as applicable’.”.; was AGREED TO, by unanimous consent.

An amendment to the Amendment in the Nature of a Substitute offered by Ms. Hahn (#1G); Page 85, line 7, after “outbreaks” insert “including outbreaks associated with the avian flu”.; was AGREED TO, by unanimous consent.

Without objection the Chair authorized staff to make technical and conforming corrections to H.R. 2356.

A motion by Mr. Lungren that, pursuant to Rule XXII, clause 1, the Committee authorize the Chair to offer such motions as may be necessary in the House to go to conference with the Senate on H.R. 3857, H.R. 4005, H.R. 3173, and H.R. 2356, or on any similar Senate bills, was agreed to.

A motion by Mr. Thompson that, pursuant to Rule XI clause 2(1), Members may have two days in which to file supplemental, minority, and additional views on H.R. 3857, H.R. 4005, H.R. 3173, and H.R. 2356, was agreed to.

