

plans. My legislation made these funds workable and removed government red tape from State, local, and government entities.

I thank Chairwoman MILLER for including my Port Security Boots on the Ground Act in this important legislation.

The second inclusion that also should be highlighted is the Port Security Equipment Improvement Act, which was accepted by unanimous consent as an amendment to H.R. 4251 during the full committee markup. The Port Security Equipment Improvement Act gives recipients of Port Security Grant Program funds the flexibility in determining whether it is more cost effective to repair or replace security equipment.

I have personally heard from many port authorities in my district and from those surrounding my area about their frustrations of not being given the opportunity to purchase newer and improved security equipment. This will give the recipients of the Port Security Grant Program funds the ability to fix or replace defective security equipment, thereby making the best use of limited resources.

I appreciate Congresswoman CANDICE MILLER for working with me and for having both of my bills, the Port Security Boots on the Ground Act and the Port Security Equipment Improvement Act, included in the SMART Port Security Act legislation before us today. I look forward to continuing to work with the chairwoman, the committee and staff on protecting our ports. I urge my colleagues on both sides of the aisle to join us in supporting the SMART Port Security Act.

Mr. KING of New York. Madam Speaker, I have no further requests for time. If the gentleman from Mississippi has no further speakers, I am prepared to close once he does.

Mr. THOMPSON of Mississippi. Madam Speaker, I have no further requests for time, and I am prepared to close.

I would note that my support for the SMART Port Security Act is rooted in not only the improvements in the TWIC Program but also in what it seeks to do in order to improve the coordination and cooperation between DHS's maritime components and strengthened procurement practices. This bill is the result of a bipartisan effort to strengthen the security of America's ports and waterways and to ensure that the Department of Homeland Security's maritime security efforts are as effective and efficient as practicable.

With that, Madam Speaker, I urge the passage of H.R. 4251, and I yield back the balance of my time.

Mr. KING of New York. Madam Speaker, in closing, the SMART Port Security Act makes needed improvements to the TWIC program and supports security grants. It also encourages both the CBP and the Coast Guard to reduce redundancies and overlap, which will save taxpayer dollars.

I ask my colleagues to support the bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. KING) that the House suspend the rules and pass the bill, H.R. 4251, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. THOMPSON of Mississippi. Madam Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

### GAUGING AMERICAN PORT SECURITY ACT

Mr. KING of New York. Madam Speaker, I move to suspend the rules and pass the bill (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, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4005

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

*This Act may be cited as the "Gauging American Port Security Act" or the "GAPS Act".*

#### SEC. 2. STUDY, REPORT, AND PLAN TO ADDRESS GAPS IN PORT SECURITY.

*(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act the Secretary of Homeland Security shall—*

*(1) conduct a study of, and submit to the Congress a report on, remaining gaps in port security in the United States; and*

*(2) include in such report a prioritization of such gaps and a plan for addressing them.*

*(b) FORM.—The report required under subsection (a) shall be submitted in classified form but shall contain an unclassified annex.*

#### SEC. 3. INFORMATION SHARING.

*The Secretary of Homeland Security shall, in accordance with rules for the handling of classified information, share, as appropriate, with designated points of contact from Federal agencies and State, local, or tribal governments, and port system owners and operators, relevant information regarding remaining gaps in port security of the United States, prioritization of such gaps, and a plan for addressing such gaps. In the event that a designated point of contact does not have the necessary security clearance to receive such information, the Secretary shall help expedite the clearance process, as appropriate.*

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. KING) and the gentleman from Mississippi (Mr. THOMPSON) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

#### GENERAL LEAVE

Mr. KING of New York. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and include any extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KING of New York. Madam Speaker, I yield myself such time as I may consume.

H.R. 4005, the Gauging American Port Security Act, or GAPS Act, is a commonsense bill that requires the Secretary of Homeland Security to determine if appropriate security measures to protect the Nation's ports are in place or if gaps in the security of U.S. ports exist. A lot of emphasis and attention is focused on our northern and southern land borders; however, it is important not to forget our largest border, the maritime border.

While DHS employs a layered approach to maritime and port security based on risk, it is important to examine whether gaps in the current risk-based approach exist which may have a detrimental impact on the security of our Nation's ports and global supply chain.

While DHS has come a long way in articulating the need for greater maritime cooperation through its Maritime Operations Coordination Plan and similar Interagency Operations Centers and other regional operational centers, this bill will ensure that gaps in port security are identified, allowing DHS to better execute its risk-based approach to maritime and port security.

I would like to especially thank Congresswoman JANICE HAHN for her work on this bill. I would also like to thank the contributions of the committee, and I urge my colleagues to support it.

I reserve the balance of my time.

Mr. THOMPSON of Mississippi. Madam Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 4005, the Gauging American Port Security Act.

This bill, authored by Representative JANICE HAHN, who is a member of the Committee on Homeland Security, would require the Secretary of Homeland Security to conduct a study of the gaps in port security in the United States. The study, which will be submitted to Congress, must set forth the prioritization of those security gaps and a plan for addressing them.

Finally, the bill would require the Secretary of Homeland Security to share relevant port security information, as appropriate, with Federal, State and local government partners, as well as with those port owners and operators who are involved in protecting ports.

Given the importance of America's ports and waterways to our Nation and its economy, they are an attractive target for terrorists and criminals. The

impact of a terrorist attack on a major port would be catastrophic—with massive economic losses in addition to the probable loss of life. By requiring a comprehensive assessment of port security vulnerabilities and a plan for addressing them, we will be one step closer to making our ports and our Nation more secure.

With that, Madam Speaker, I reserve the balance of my time.

Mr. KING of New York. Madam Speaker, I yield 3 minutes to the gentleman from Texas (Mr. POE), who is co-chair of the Port Security Caucus, along with Congresswoman HAHN.

Mr. POE of Texas. I thank the gentleman from New York for yielding and for his work on this legislation.

I also want to thank subcommittee Chairwoman MILLER for her work on this legislation. Both see the need to fix the gaps that are in our port security.

I want to thank the gentlelady from California (Ms. HAHN), who introduced this legislation. We are both alumni from the same school. I'm sure you've heard of it, Abilene Christian University in West Texas. The closest port to Abilene, I guess, is a boat dock at Fort Phantom Lake, if you want to call that a port.

But anyway, this bill is a good example of bipartisan work—of both sides of the House—on an issue that is important to all of us: security. This means national security and port security.

Congresswoman HAHN and I recently founded the Congressional Ports Caucus to raise awareness about ports in Congress and in our Nation. She represents west coast ports, and I represent ports in southeast Texas, on the gulf coast. We saw a need for a national discussion about ports because of their importance to the Nation and to our economy. Since we both have ports in our backyards, that is the reason the caucus was formed. We have over 65 Members in both parties from all regions across the United States. Some Members don't even have ports in their districts, but all see that ports are a national security issue.

One discussion we hope to continue through the caucus is the need to ensure that our ports are safe and secure. In meeting with industry groups and administration officials, it became evident to us that an updated plan on how ports should remain operational in the event of an attack really doesn't exist. There are gaps in our port security. The GAPS Act is an important step in addressing this existing problem in port security.

Any attack on our Nation's ports would be detrimental to the economy because ports play a large role in facilitating the flow of commerce. Most of the products in our stores arrive through ports and then are transported by other means to stores throughout the Nation. A crisis event causing a port to shut down would greatly affect our national commerce—money would be lost; businesses would lose revenue; and people would be out of work.

□ 1640

Both the chairman and ranking member of the Homeland Security Committee support this legislation, and I'm grateful for that. I urge all of our colleagues on both sides of the aisle to support this legislation. Port security is not a partisan issue; it's a national security issue that we all should be concerned about.

Mr. THOMPSON of Mississippi. Madam Speaker, I yield such time as she may consume to the gentlewoman from California, a member of the Committee on Homeland Security and the original sponsor of H.R. 4005, Ms. HAHN.

Ms. HAHN. Madam Speaker, I would like to begin by recognizing and thanking Chairman KING and Ranking Member THOMPSON for their continued leadership on this incredibly important issue.

The lessons of 9/11 have taught us we must be continuously vigilant and proactive in seeking out and preventing our country's most pressing threats. That's why, after 9/11, this Congress strengthened what proved to be one of our Nation's biggest security threats up to that point: aviation security. And while I applaud the great strides we've made in aviation security, we have not made the same level of improvements in port security.

This was such a priority for me when I came to Congress last summer that, at my very first Homeland Security hearing focusing on the 9/11 Commission's recommendations to Congress, I asked Lee Hamilton, the vice chairman of the 9/11 Commission, What should Congress be doing to improve security at our Nation's ports? He responded by saying, My judgment would be that we have not focused enough on ports.

This lack of focus on our ports not only jeopardizes our national security, but our economic security as well. The U.S. ports remain one of our country's greatest economic resources, as they provide our Nation with the link to the rest of the world and the global economy. Each day, U.S. ports move both imports and exports, totaling some \$3.8 billion worth of goods, through all 50 States. Additionally, ports move 99 percent of overseas cargo volume by weight and generate \$3.95 trillion in international trade.

However, port security does much more than protect American commerce; it also protects American jobs. According to the American Association of Port Authorities, the U.S. port industry supports 13.3 million jobs and accounts for more than \$649 billion in personal income. That's why I was pleased to cofound the bipartisan Congressional PORTS Caucus with my good friend and fellow alumnus, TED POE, in order to ensure that Congress recognizes the vital role ports play in our national economy and the importance of keeping them competitive and secure.

Despite all this, ports have failed to garner the attention I think they deserve. For instance, in the U.S., tens of

thousands of ships each year make over 50,000 calls on U.S. ports. The volume of traffic gives terrorists opportunities to smuggle themselves or their weapons into the United States with little risk of detection. According to a recent CRS report, a 10- to 20-kiloton weapon detonated in a major seaport would kill 50,000 to 1 million people and would result in direct property damage of \$50 billion to \$500 billion, losses due to trade disruption of \$100 billion to \$200 billion, and indirect costs of \$300 billion to \$1.2 trillion.

Congress attempted to address this issue by passing the SAFE Port Act in 2006 and the 9/11 Commission Act of 2007, which specifically required that 100 percent of the cargo coming into our ports be scanned by this summer. Unfortunately, DHS has made little progress in achieving this goal and does not plan to implement it. In fact, we've recently learned that DHS has only been scanning about 3 percent to 5 percent of all the cargo imported into our United States.

Now, while the feasibility of scanning 100 percent of incoming cargo may be a legitimate concern, there certainly needs to be improvement from where we are now. Whether it's increasing the number of Customs and Border Protection officers or investing in proven cargo scanning technology, there needs to be a plan for effectively and efficiently scanning our Nation's cargo.

Another major vulnerability is the threat posed to vessels during their voyage at sea. For example, cargo is often checked either before it's shipped or after it reaches our shore. However, there has not been much light shed on the specific threats that exist between a vessel's point of origin and its point of destination.

We also need to know more information about how fast a port could recover in the event of a terrorist attack or a national disaster if that did occur at one of our ports.

Without resolving these issues, we risk putting our economy and the safety of the American people at risk.

As a Member whose district borders one of the largest port complexes in the country, I understand the unique security challenges that ports pose to our economic and national security. My district borders the port complex of Los Angeles-Long Beach, which is responsible for approximately 44 percent of all the goods that flow into this country and 20 percent of the Nation's GDP.

During a 10-day lockout in 2002, which arose because of a dispute between labor and management officials, closure of the west coast ports cost the United States between \$1 billion to \$2 billion a day. If an attack were to occur there, it would be economically debilitating not only for my district, but for the entire country, as well.

While DHS has made a number of positive steps in strengthening port security and resiliency, the lack of attention on these vital issues creates a

huge problem for securing our ports. We cannot begin to come up with an effective solution without first knowing the extent of the actual problem.

The economic importance of our Nation's ports, combined with the existing port security loopholes, is why I introduced the GAPS Act. This bill will require the Secretary of the Department of Homeland Security to conduct a classified study of the potential gaps in port security and ensure that the Department develops a comprehensive plan for addressing these vulnerabilities. By focusing on the specific dangers that threaten our port security, we can begin, I believe, to develop effective solutions to ensure that our Nation is prepared.

Again, I want to thank Chairman KING and Ranking Member THOMPSON for their leadership on this issue, my Congressional PORTS Caucus co-founder, TED POE, for recognizing the importance of our ports.

I would like to point out that this bill went through regular order and is supported by both Democrats and Republicans on an issue that I know we all care about. I urge my colleagues to support this important bipartisan legislation.

Mr. THOMPSON of Mississippi. Mr. Speaker, I have no more speakers. If the gentleman from New York has no more speakers, then I am prepared to close.

Mr. KING of New York. This bipartisan bill is a good bill. I urge my colleagues to support it. It builds very strongly on the initial port security bill of 2006 that was sponsored by Mr. LUNGREN, who is here today, and Jane Harman, who was also in Congress at that time. It was a very good bill. This adds to it, improves on it, and it keeps up with the changes in the times.

I urge its adoption, and I yield back the balance of my time.

Mr. THOMPSON of Mississippi. Mr. Speaker, our Nation's ports are as diverse as the people they serve. The importance of this infrastructure to the global supply chain cannot be overstated.

Enactment of H.R. 4005 will help ensure that our limited security resources can be targeted to those threats that put our ports at the greatest risk.

With that, Mr. Speaker, I urge the passage of H.R. 4005, and I yield back the balance of my time.

Ms. JACKSON LEE of Texas. Mr. Speaker, I rise today to support H.R. 4005, the "Gauging American Port Security" or GAPS Act. This act will direct the Secretary of Homeland Security to conduct a study and report to Congress on gaps in port security in the United States as well as provide plans to address them.

As a senior Member of the Homeland Security Committee, I know that the threats against the nation are constantly changing and ever present. Ensuring the safety and security of our ports is a measure that will directly address some of these threats and maintain the economic well-being of our port system.

Over 11 million cargo containers arrive in our ports each year, bringing in imports from across the world. By placing these additional measures on the Department of Homeland Security, we are enabling ports to conduct business without fear that these daily imports are a threat to national security. As a representative from the 18th Congressional District of Houston, I represent one of the world's busiest ports. Houston is linked to 1,053 ports in 203 countries through about 100 steamship lines. The ship channel is a part of the Gulf Intracoastal Waterway, which is a very busy barge traffic lane. Houston is also one of only eight U.S. cities to have a regional office of the U.S. Export-Import Bank.

The Port of Houston is essential to regional economic stability. A 2012 study by Martin Associates reports the port helps provide 1,026,820 jobs throughout Texas, which is an increase of 785,000 jobs in its 2007 study. The port brings in more than \$178.5 billion a year, including over \$4.5 billion in state and local tax revenues.

In addition, the Port of Houston also boasts the nation's largest petrochemical complex. Houston is known as a gateway for cargo traveling to the West and Midwest regions of our nation.

Although the Port is integral to Houston's development, as well as to the nation's economic development, its financial strength is not possible without strong security measures in place.

The heavy traffic flow of imports and exports that come through the port each day can leave room for drug trafficking and terrorists activities to take place. Although the Port of Houston, and ports across the U.S. boasts that they are secure and in line with nationally mandated security measures, it is my hope that the GAPS act will address any and all individual security shortcoming that each port may face that make them vulnerable to attacks against the Homeland.

The Port of Houston and the majority of ports across the nation have a remarkable track record of accomplishments that I hope to see continue. But their economic success and efficiency will only be hindered without additional security measures in place. This is why I urge my colleagues to support the provisions of H.R. 4005.

The SPEAKER pro tempore (Mr. FITZPATRICK). The question is on the motion offered by the gentleman from New York (Mr. KING) that the House suspend the rules and pass the bill, H.R. 4005, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. KING of New York. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

□ 1650

# AVIATION SECURITY STAKEHOLDER PARTICIPATION ACT OF 2012

Mr. KING of New York. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1447) to amend title 49, United States Code, to direct the Assistant Secretary of Homeland Security (Transportation Security Administration) to establish an Aviation Security Advisory Committee, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1447

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

## SECTION 1. SHORT TITLE.

This Act may be cited as the "Aviation Security Stakeholder Participation Act of 2012".

## SEC. 2. AVIATION SECURITY ADVISORY COMMITTEE.

(a) IN GENERAL.—Subchapter II of chapter 449 of title 49, United States Code, is amended by adding at the end the following:

### "§ 44946. Aviation Security Advisory Committee

"(a) ESTABLISHMENT.—The Assistant Secretary shall establish within the Transportation Security Administration an advisory committee to be known as the Aviation Security Advisory Committee.

"(b) DUTIES.—

"(1) IN GENERAL.—The Advisory Committee shall be consulted by and advise the Assistant Secretary on aviation security matters, including the development and implementation of policies, programs, rulemaking, and security directives pertaining to aviation security.

"(2) RECOMMENDATIONS.—

"(A) IN GENERAL.—The Advisory Committee shall develop, at the request of the Assistant Secretary, recommendations for improvements to aviation security.

"(B) RECOMMENDATIONS OF WORKING GROUPS.—Recommendations agreed upon by the working groups established under this section shall be approved by the Advisory Committee for transmission to the Assistant Secretary.

"(3) PERIODIC REPORTS.—The Advisory Committee shall periodically submit to the Assistant Secretary—

"(A) reports on matters identified by the Assistant Secretary; and

"(B) reports on other matters identified by a majority of the members of the Advisory Committee.

"(4) ANNUAL REPORT.—The Advisory Committee shall submit to the Assistant Secretary an annual report providing information on the activities, findings, and recommendations of the Advisory Committee, including its working groups, for the preceding year.

"(c) MEMBERSHIP.—

"(1) APPOINTMENT.—

"(A) IN GENERAL.—Not later than 180 days after the date of enactment of this section, the Assistant Secretary shall appoint the members of the Advisory Committee.

"(B) COMPOSITION.—The membership shall consist of individuals representing not more than 27 member organizations. Each organization shall be represented by one individual (or the individual's designee).

"(C) REPRESENTATION.—The membership shall include representatives of air carriers, all cargo air transportation, indirect air carriers, labor organizations representing air