

rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

HOMELAND SECURITY DRONE ASSESSMENT AND ANALYSIS ACT

Mr. LOUDERMILK. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1646) to require the Secretary of Homeland Security to research how small- and medium-sized unmanned aerial systems could be used in an attack, how to prevent or mitigate the effects of such an attack, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1646

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 “Homeland Security Drone Assessment and Analysis Act”.

SEC. 2. DRONE ASSESSMENT AND ANALYSIS.

(a) IN GENERAL.—The Secretary of Homeland Security shall, in consultation with the Secretary of Defense, the Secretary of Transportation, the Secretary of Energy, and the Chairman of the Nuclear Regulatory Commission research how commercially available small and medium sized unmanned aircraft, excluding aircraft over 1,300 pounds could be used to perpetuate an attack and, based on such research, the Secretary of Homeland Security shall develop policies, guidance, and protocols for the Department of Homeland Security to prevent such an attack or mitigate the risks of such an attack. Not later than 180 days after the completion of the research required under this subsection, the Secretary of Homeland Security may provide, as appropriate, the Secretary of Defense, the Secretary of Transportation, the Secretary of Energy, and the Chairman of the Nuclear Regulatory Commission information, based on such research, regarding how to best prevent and mitigate the risk of such an attack.

(b) DISSEMINATION TO STATE AND LOCAL OFFICIALS.—The Secretary of Homeland Security shall disseminate information to State, local, and tribal law enforcement officials and State and major urban area fusion centers, as appropriate, regarding how such officials may bolster preparedness for and responses to attacks perpetrated by commercially available small and medium sized unmanned aircraft, excluding aircraft over 1,300 pounds.

(c) REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary of Homeland Security shall submit to the Committee on Homeland Security and the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Homeland Security and Governmental Affairs and the Committee on Commerce, Science and Transportation of the Senate an assessment of the security risk associated with commercially available small and medium sized unmanned aircraft, excluding aircraft over 1,300 pounds. Such assessment shall be informed by research conducted in accordance with subsection (a), shall contain recommendations, if applicable, to prevent and mitigate the risk of an unmanned aircraft system attack, and may be developed in coordination with the Centers of Excellence of the Department of Homeland Security and other academic institutions.

(d) PROHIBITION ON NEW FUNDING.—No funds are authorized to be appropriated to carry out this Act. This Act shall be carried out using amounts appropriated or otherwise made available for such purposes.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Georgia (Mr. LOUDERMILK) and the gentlewoman from New Jersey (Mrs. WATSON COLEMAN) each will control 20 minutes.

The Chair recognizes the gentleman from Georgia.

GENERAL LEAVE

Mr. LOUDERMILK. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include any extraneous materials on the bill under consideration.

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

There was no objection.

Mr. LOUDERMILK. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 1646.

The rapid increase of commercially available small-and medium-sized unmanned aerial systems, or UAS, most often referred to as drones, poses an emerging security threat. This is further evidenced by recent high-profile events at the White House, French nuclear power plants, and numerous airports and sports venues. Drones have been a part of foiled terrorist plots, used to smuggle drugs across our borders, and the negligent use of this technology presents a public safety risk.

During this Congress, bills have been introduced that focus on topics such as the commercial uses of drones and the privacy concerns associated with their use. However, nobody has tackled the security implications of expanding the use of drones. H.R. 1646, the Homeland Security Drone Assessment and Analysis Act, requires the Secretary of Homeland Security to research how commercially available small- and medium-sized drones could be used in an attack and to develop policies, guidance, and protocols for the Department of Homeland Security to prevent an attack.

By the end of fiscal year 2015, the Federal Aviation Administration is expected to establish new rules to remove the waiver requirement and allow the operation of drones for nonrecreational purposes in U.S. airspace. Undoubtedly, these regulations would be better informed by a DHS assessment of the potential security risks associated with the expanded use of small- and medium-sized drones. H.R. 1646 is a good first step towards protecting the country and the American people from this emerging threat.

I reserve the balance of my time.

HOUSE OF REPRESENTATIVES, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, WASHINGTON, DC, JUNE 9, 2015.

Hon. MICHAEL T. MCCAUL
Chairman, Committee on Homeland Security,
Washington, DC.

DEAR CHAIRMAN MCCAUL: I write concerning H.R. 1646, the Homeland Security Drone Assessment and Analysis Act. This legislation includes matters that fall within the Rule X jurisdiction of the Committee on Transportation and Infrastructure.

In order to expedite floor consideration of H.R. 1646, the Committee on Transportation and Infrastructure will forgo action on this bill. However, this is conditional on our mutual understanding that forgoing consideration of the bill does not prejudice the Committee with respect to the appointment of conferees or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation that fall within the Committee's Rule X jurisdiction. In addition, the bill's sponsor and the Committee on Homeland Security have agreed to include two changes to the bill in a Manager's Amendment on the House Floor. Finally, I request you urge the Speaker to name members of the Committee on Transportation and Infrastructure to any conference committee named to consider H.R. 1646.

Please place a copy of this letter and your response acknowledging our jurisdictional interest into the Congressional Record during consideration of the measure on the House floor.

Sincerely,

BILL SHUSTER,
Chairman.

HOUSE OF REPRESENTATIVES
COMMITTEE ON HOMELAND SECURITY,
Washington, DC, June 10, 2015.

Hon. BILL SHUSTER,
Chairman, Committee on Transportation and Infrastructure, Washington, DC.

DEAR CHAIRMAN SHUSTER, Thank you for your letter regarding H.R. 1646, the “Homeland Security Drone Assessment and Analysis Act.” I appreciate your support in bringing this legislation before the House of Representatives, and accordingly, understand that the Committee on Transportation and Infrastructure will forego further action on the bill.

The Committee on Homeland Security concurs with the mutual understanding that by foregoing further action on this bill at this time, the Committee on Transportation and Infrastructure does not waive any jurisdiction over the subject matter contained in this bill or similar legislation in the future. In addition, should a conference on this bill be necessary, I would support your request to have the Committee on Transportation and Infrastructure represented on the conference committee.

I will insert copies of this exchange in the report on the bill and in the Congressional Record during consideration of this bill on the house floor. I thank you for your cooperation in this matter.

Sincerely,

MICHAEL T. MCCAUL,
Chairman, Committee on Homeland Security.

Mrs. WATSON COLEMAN. Mr. Speaker, I yield myself such time as I may consume.

I rise in strong support of H.R. 1646, the Homeland Security Drone Assessment and Analysis Act, and in support of the House's adoption of H.R. 1646. I introduced this legislation in response to testimony that we received in committee this past March on gaps in our

understanding of the security implications of unmanned aerial systems, UAS, in domestic airspace.

For example, off-the-shelf systems widely available today, in the wrong hands, can jam transmitted signals, take surveillance imagery, and carry dangerous weapons. Given these systems' capabilities, it is important that there be a comprehensive study of the security risks and plans to address them.

To that end, H.R. 1646 directs the Department of Homeland Security to research how a commercially available small- and medium-sized drone could be used to perpetrate an attack, and to develop policies, guidance, and protocols to prevent such an attack or mitigate the risk of such an attack.

As amended in committee, my legislation directs DHS to work with the U.S. Departments of Transportation and Energy and the Nuclear Regulatory Commission to carry out this research, and allows for DHS to share advice and information based on that research with these key Federal partners.

Mr. Speaker, drone technology holds great promise, with significant social and economic benefits not yet fully realized. However, given the rapid growth in the domestic drone market, it is important that we identify and have strategies to mitigate the associated security risk.

If enacted, H.R. 1646 will enhance our Nation's security while, at the same time, clarifying the framework for Americans' legitimate interest in producing and using drones lawfully and safely.

Mr. Speaker, I urge my colleagues to support this legislation, H.R. 1646, to further the Department of Homeland Security's efforts to work with other agencies on the security risks of small- and medium-sized drones in domestic airspace.

Mr. Speaker, I yield back the balance of my time.

Mr. LOUDERMILK. Mr. Speaker, once again, I urge my colleagues to support this strong, bipartisan piece of legislation.

I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, as a senior member of the Homeland Security Committee, I rise in strong support of H.R. 1646, the "Homeland Security Drone Assessment and Analysis Act."

I support this bipartisan legislation because it addresses the potential terrorist threat posed by small and medium-sized drones throughout our country.

I thank my colleague, Congresswoman WATSON COLEMAN of New Jersey, for introducing this thoughtful and necessary legislation that will assist the Department of Homeland Security.

The Homeland Security Drone Assessment and Analysis Act would require the Department of Homeland Security to research how commercially available small and medium-sized drones could be used to perpetrate an attack.

Agencies will be tasked with the responsibility of taking the lead for developing effective

policies and guidance along with the proper protocols which will assist in preventing an attack perpetrated with a drone.

Information regarding how to properly respond to the potential threats from these drones will be distributed to state and local law enforcement agencies to allow them to develop approaches to mitigate identified threats.

The protocols that will be developed as a result of this legislation will assist every level of law enforcement in coordinated responses to a drone related emergency.

Recent news reports of small drones crashing in areas such as on the White House lawn and incidents including near misses with commercial aircraft demonstrate the need for this legislation.

Mr. Speaker, one of the most important things that can and must continue to be done is to protect our homeland from evolving threats.

Mr. Speaker, this is why I join my colleagues in working to strengthen the laws that allow the Department of Homeland Security to create policies that will address emergency protocol threats such as the proliferation of commercial use of drones.

I urge all of my colleagues to join me in supporting passage of H.R. 1646.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. LOUDERMILK) that the House suspend the rules and pass the bill, H. R. 1646, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The title of the bill was amended so as to read: A bill to require the Secretary of Homeland Security to research how certain commercially available small and medium sized unmanned aircraft systems could be used in an attack, how to prevent or mitigate the risk of such an attack, and for other purposes."

A motion to reconsider was laid on the table.

DHS FOIA EFFICIENCY ACT OF 2015

Mr. CARTER of Georgia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1615) to direct the Chief FOIA Officer of the Department of Homeland Security to make certain improvements in the implementation of section 552 of title 5, United States Code (commonly known as the Freedom of Information Act), and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1615

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 "DHS FOIA Efficiency Act of 2015".

SEC. 2. DEPARTMENT OF HOMELAND SECURITY FREEDOM OF INFORMATION ACT IMPLEMENTATION.

(a) DEADLINE FOR UPDATING REGULATIONS.—Not later than 90 days after the date of the enactment of this Act, the Chief FOIA Officer of the Department of Homeland Security,

as appointed pursuant to section 552(j) of title 5, United States Code, shall finalize and issue an updated regulation implementing section 552 of title 5, United States Code (commonly known as the Freedom of Information Act), which shall include—

(1) public guidance on procedures to be followed when making requests under paragraph (1), (2), or (3) of section 552(a) of title 5, United States Code;

(2) updated guidance to the components of the Department responsible for processing such requests, which may include information on how to adopt automated processing of requests made under paragraphs (1), (2), or (3) of section 552(a) of title 5, United States Code;

(3) detailed information on fees and costs associated with such requests; and

(4) detailed information on the appeals process for such requests.

(b) IDENTIFICATION OF COSTS.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Chief FOIA Officer, in coordination with the Chief Financial Officer of the Department and the heads of each of the relevant components of the Department, shall identify the total annual cost to the Department of implementing section 552 of title 5, United States Code.

(2) GUIDANCE.—The Chief FOIA Officer shall develop guidance on reporting standards related to the direct and indirect costs to the Department associated with the processing of requests made under paragraphs (1), (2), and (3) of section 552(a) of title 5, United States Code.

(c) COST SAVINGS.—The Chief FOIA Officer, in collaboration with the heads of each of the relevant components of the Department, shall—

(1) identify unnecessary and duplicative actions taken by the Department in the course of processing requests made under paragraphs (1), (2), and (3) of section 552(a) of title 5, United States Code, by not later than 120 days after the date of the enactment of this Act; and

(2) eliminate unnecessary and duplicative actions taken by the Department in the course of processing requests made under paragraphs (1), (2), and (3) of section 552(a) of title 5, United States Code, by not later than 12 months after the identification of such action under paragraph (1).

(d) FOIA TRACKING SYSTEMS.—Not later than 90 days after the date of the enactment of this Act, the Chief FOIA Officer shall develop a plan to automate the processing of requests made under paragraphs (1), (2), and (3) of section 552(a) of title 5, United States Code to the Department. Such plan shall take into account the specific needs of each of the components of the Department responsible for processing such requests and address required and recommended technology capabilities and elements. Such plan shall include an assessment of the costs and benefits associated with establishing and using electronic processing systems to process requests made under paragraphs (1), (2), and (3) of section 552(a) of title 5, United States Code.

(e) FOIA BACKLOG.—Not later than 90 days after the date of the enactment of this Act, the Chief Privacy Officer of the Department, in consultation with the Chief FOIA Officer, shall update and issue guidance to the heads of each of the relevant components of the Department regarding the goal of reducing the backlog in processing requests made under paragraphs (1), (2), and (3) of section 552(a) of title 5, United States Code, by 50 percent between fiscal year 2015 and fiscal year 2018.

(f) REPORT.—

(1) SEMIANNUAL PRIVACY REPORT.—The Chief FOIA Officer shall include in each