

breach the domestic energy sector, and WannaCry and NotPetya ransomware wreaked havoc on public and private infrastructure around the world.

According to Symantec, a leading provider of cybersecurity solutions, said that “The world of cyber espionage experienced a notable shift towards more overt activity, designed to destabilize and disrupt targeted organizations and countries.”

These threats to cyber security are not new.

In June 2015, it was reported that the Office of Personnel Management lost personal information on 21.5 million current and former federal employees and their families.

In 2017, the following were reported attacks and breaches:

WannaCry ransomware that infected millions of networks worldwide; and the

Equifax hack exposed millions of American's credit information to cyber-thieves;

Our nation's critical infrastructure and civilian government agencies depend on the cybersecurity talent and resources that the Department of Homeland Security can provide on the frontline to defend against attacks.

As cyber threats continue to evolve and become more sophisticated, so must U.S. efforts to confront them.

The Department of Homeland Security plays a central role in the federal government's cybersecurity apparatus and in coordinating federal efforts to secure critical infrastructure.

DHS is charged with coordinating agency efforts to secure the (.gov) Domain, while also serving as the hub for cybersecurity information sharing between and among the private sector and federal government.

Earlier this Congress, I introduced H.R. 3202, the Cyber Vulnerability Disclosure Reporting Act, which was passed by the full House and is now in the Senate.

H.R. 3202 requires the Secretary of Homeland Security to submit a report on the policies and procedures developed for coordinating cyber vulnerability disclosures.

The report will include an annex with information on instances in which cyber security vulnerability disclosure policies and procedures were used to disclose details on identified weaknesses in computing systems that or digital devices at risk.

The report will provide information on the degree to which the information provided by DHS was used by industry and other stakeholders.

The reason that I worked to bring this bill before the committee is the problem often referred to as a “Zero Day Event,” which describes the situation that network security professionals may find themselves when a previously unknown error in computing code is exploited by a cybercriminal or terrorist.

As with other threats that this nation has faced and overcome, we must create the resources and the institutional responses to protect our nation against cyber threats while preserving our liberties and freedoms.

We cannot accomplish this task without the full cooperation and support of the private sector, computing research community and academia.

This level of engagement requires the trust and confidence of the American people that this new cyber threat center will be used for the purpose it was created and that the collaboration of others in this effort to better protect computing networks will be used only for protection and defense.

There are people with skills and those with the potential to develop skills that would be of benefit to our nation's efforts to develop an effective cybersecurity defense and deterrence posture.

It is my hope that as we move forward the Committee on Homeland Security will continue in a bipartisan manner to seek out the best ways to bring the brightest and most qualified people into the government as cybersecurity professionals.

With this policy objective in mind, I look forward to working with the Committee on H.R. 1981, the Cyber Security Education and Federal Workforce Enhancement Act.

I urge my Colleagues in the House to join me in voting for H.R. 5074.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. McCAUL) that the House suspend the rules and pass the bill, H.R. 5074, as amended.

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

A motion to reconsider was laid on the table.

□ 1615

#### AIR CARGO SECURITY IMPROVEMENT ACT OF 2018

Mr. ESTES of Kansas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4176) to strengthen air cargo security, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4176

*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 “Air Cargo Security Improvement Act of 2018”.

##### SEC. 2. ESTABLISHMENT OF AIR CARGO SECURITY DIVISION.

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

###### “§ 44947. Air cargo security division

“(a) ESTABLISHMENT.—Not later than 90 days after the date of the enactment of this section, the Administrator of the Transportation Security Administration shall establish an air cargo security division to carry out all policy and engagement with air cargo security stakeholders.

“(b) LEADERSHIP; STAFFING.—The air cargo security division established pursuant to subsection (a) shall be headed by an individual in the executive service within the Transportation Security Administration and be staffed by not fewer than four full-time equivalents, including the head of the division.

“(c) STAFFING.—The Administrator of the Transportation Security Administration shall staff the air cargo security division with existing Transportation Security Administration personnel.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 449 of title 49, United States Code, is amended by inserting after the item related to section 44946 the following new item:

“44947. Air cargo security division.”.

##### SEC. 3. FEASIBILITY STUDY AND PILOT PROGRAM FOR EMERGING TECHNOLOGIES.

(a) STUDY.—Not later than 120 days after the date of the enactment of this Act, the Administrator of the Transportation Security Administration, in coordination with the Under Secretary for Science and Technology of the Department of Homeland Security, shall submit to Committee on Homeland Security of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a feasibility study regarding expanding the use of computed tomography technology for the screening of air cargo transported on passenger aircraft operated by an air carrier or foreign air carrier in air transportation, interstate air transportation, or interstate air commerce. Such study shall consider the following:

(1) Opportunities to leverage computed tomography systems used for screening passengers and baggage.

(2) Costs and benefits of using computed tomography technology for screening air cargo.

(3) An analysis of emerging computed tomography systems that may have potential to enhance the screening of air cargo, including systems that may address aperture challenges associated with screening certain categories of air cargo.

(4) An analysis of emerging screening technologies, in addition to computed tomography, that may be used to enhance the screening of air cargo.

(b) PILOT PROGRAM.—Not later than 120 days after submission of the feasibility study required under subsection (a), the Administrator of the Transportation Security Administration shall initiate a two-year pilot program to achieve enhanced air cargo security screening outcomes through the use of new or emerging screening technologies, such as computed tomography technology, as identified through such study.

(c) UPDATES.—Not later than 60 days after the initiation of the pilot program under subsection (b) and every six months thereafter for two years, the Administrator of the Transportation Security Administration shall brief the Committee on Homeland Security of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on the progress of implementation of such pilot program.

(d) DEFINITIONS.—In this section:

(1) AIR CARRIER.—The term “air carrier” has the meaning given such term in section 40102 of title 49, United States Code.

(2) AIR TRANSPORTATION.—The term “air transportation” has the meaning given such term in section 40102 of title 49, United States Code.

(3) FOREIGN AIR CARRIER.—The term “foreign air carrier” has the meaning given such term in section 40102 of title 49, United States Code.

(4) INTERSTATE AIR COMMERCE.—The term “interstate air commerce” has the meaning given such term in section 40102 of title 49, United States Code.

(5) INTERSTATE AIR TRANSPORTATION.—The term “interstate air transportation” has the meaning given such term in section 40102 of title 49, United States Code.

##### SEC. 4. AIR CARGO REGULATION REVIEW.

(a) REVIEW.—Not later than 150 days after the date of the enactment of this Act, the Administrator of the Transportation Security Administration shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on actions to improve the Certified Cargo Screening Program as established by the Administrator in September 2009. The report shall—

(1) review the degree to which the Program is effective at fully addressing evolving threats to air cargo, particularly as air cargo volumes fluctuate;

(2) review any vulnerabilities in the Program and effectiveness of information sharing with air cargo security stakeholders; and

(3) include information on actions to be taken to address findings in paragraphs (1) and (2), including information on plans to issue new rulemaking, if necessary.

#### SEC. 5. COMPTROLLER GENERAL REVIEW.

(a) IN GENERAL.—Not later than two years after the date of the enactment of this Act, the Comptroller General of the United States shall—

(1) review the Department of Homeland Security's analysis and intelligence pre-screening processes and procedures for air cargo entering the United States;

(2) review the pilot program conducted pursuant to section 3;

(3) assess the effectiveness of the Department's risk-based strategy for examining air cargo and ensuring compliance with air cargo security rules and regulations; and

(4) review the Department's information sharing procedures and practices for disseminating information to relevant stakeholders on preventing, mitigating, and responding to air cargo related threats.

#### SEC. 6. KNOWN SHIPPER PROGRAM REVIEW.

The Administrator shall request the Air Cargo Subcommittee of Aviation Security Advisory Committee (established under section 44946 of title 49, United States Code) to—

(1) conduct a comprehensive review and security assessment of the known shipper program under sections 1546.215 and 1548.17 of title 49, Code of Federal Regulations;

(2) recommend whether the Known Shipper Program should be modified or eliminated considering the full implementation of 100 percent screening under section 44901(g) of title 49, United States Code; and

(3) report its findings and recommendations to the Administrator of the Transportation Security Administration.

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

The Chair recognizes the gentleman from Kansas.

#### GENERAL LEAVE

Mr. ESTES of Kansas. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and to include any extraneous material on the bill under consideration.

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

There was no objection.

Mr. ESTES of Kansas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 4176, the Air Cargo Security Improvement Act of 2018.

The Transportation Security Administration is responsible for securing all modes of transportation, and implicit in this responsibility is the security of air cargo. Air cargo represents more than 35 percent of global trade by value, which translates to approximately \$6.8 trillion worth of goods annually.

Given the impact that air cargo has on the U.S. and global economy, it is

not surprising that this sector remains an appealing target for terrorists. Several incidents have demonstrated that terrorists may seek to target U.S.-bound shipments by exploiting weaknesses in air cargo security overseas.

In 2010, explosive devices concealed in packages bound for the United States from Yemen went undetected by initial screenings. Authorities indicated that the explosives were probably intended to detonate mid-flight over a U.S. city.

More recently, in July 2017, bomb-making materials were transported undetected from Turkey to Australia in an air cargo shipment.

H.R. 4176, the Air Cargo Security Improvement Act of 2018, is a timely and necessary step towards a more secure and resilient industry.

This legislation establishes an air cargo security division within the TSA to carry out all air cargo security policy and stakeholder engagement. Unlike the TSA's operational role in passenger screening at checkpoints, the TSA functions in an oversight and regulatory capacity with respect to air cargo screening.

Initiatives like the Certified Cargo Screening Program and the Known Shipper Management System enable the TSA to leverage key partnerships with manufacturers, shippers, freight forwarders, passenger airlines, and all cargo airlines to meet the 100 percent screening mandate of all freight on passenger aircraft.

H.R. 4176 requires the review of the Certified Cargo Screening Program and the Known Shipper Program to ensure that applicable regulations enhance program effectiveness. These initiatives are aided by cargo screening technologies designed to meet the logistical demands of the industry.

H.R. 4176 requires the TSA Administrator to conduct a feasibility study and a subsequent pilot program on expanding the use of computed tomography—CT—and other emerging technologies for air cargo screening.

Through October 2017, air cargo activity increased more than 10 percent from 2016 levels, the largest year-over-year growth in more than a decade, with the largest growth seen among international shipments to and from the United States.

In coordination with the cargo industry, the Customs and Border Protection—CBP—and the TSA have been pilot testing a risk-based approach to vet air cargo shipments known as the Air Cargo Advanced Screening system, with an emphasis on improving inspections on overseas shipments. Accordingly, H.R. 4176 requires the full deployment of ACAS for inbound international air cargo.

The Air Cargo Security Improvement Act of 2018 is a sensible and progressive solution that will help to modernize the security of air cargo shipments and operations while ensuring the flow of commerce.

I thank the ranking member of the full committee, Mr. THOMPSON, for ad-

vancing this legislation. I urge my colleagues to support this legislation.

Mr. Speaker, I reserve the balance of my time.

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

Mr. Speaker, I rise in strong support of H.R. 4176, the Air Cargo Security Improvement Act of 2018.

Mr. Speaker, H.R. 4176 seeks to improve the Transportation Security Administration's ability to address air cargo-based security threats.

Last July, then-Secretary of Homeland Security, John Kelly, identified such acts as a major concern, explaining that there are people out there, very smart people, very sophisticated people who do nothing but try to figure out how to blow up an airplane in flight.

Later that month, Australian authorities charged four men with plotting to bring down a passenger plane on behalf of ISIS with a bomb in the air cargo hold. This foiled terror plot underscores the need for the TSA to give focused attention to this clear and present security threat. The increased risk to air cargo comes at a time when the volume of goods being moved by air cargo has multiplied, with 2016 volumes nearly back to pre-recession levels.

If enacted, my bill would require the TSA to establish an air cargo security division to carry out air cargo security policy and stakeholder engagement responsibilities. Further, it would direct the TSA to pilot emerging technologies for screening cargo, such as computed tomography, for integration into current security programs.

I urge my colleagues to join me in advancing this necessary and straightforward Homeland Security legislation.

Mr. Speaker, while passenger and baggage screening efforts are the most visible part of aviation security, protecting against air cargo-based threats is just as critical.

Enactment of H.R. 4176 will ensure that the TSA is positioned to stay ahead of this ever-evolving security threat that face all who navigate our skies.

Mr. Speaker, I strongly encourage my colleagues to support H.R. 4176, and I yield back the balance of my time.

Mr. ESTES of Kansas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I once again urge my colleagues to support this common sense piece of legislation, and I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, as a senior Member of the Committee on Homeland Security, a former chairman of the Transportation and Protective Security Subcommittee, and an original co-sponsor, I rise in strong support of H.R. 4176, "Air Cargo Security Improvement Act of 2017."

H.R. 4176 will strengthen the nation's air cargo security networks by requiring the Transportation Security Administration to establish an air cargo security division within the agency.

Within 120 days of enactment, TSA would conduct a feasibility study on the expanded use of computed tomography for air cargo.

Following the study, TSA would be required to initiate a pilot program to achieve enhanced air cargo security screening through the use of new or emerging technologies.

Within 150 days of enactment, TSA would be required to report to Congress on actions to improve the effectiveness of the Certified Cargo Screening Program.

The Government Accountability Office is tasked with reviewing the effectiveness of DHS' approach to addressing the air cargo security risk, including the risk-based strategy for examining air cargo and ensuring compliance with air cargo security rules.

TSA would be required to request that the Aviation Security Advisory Committee's Subcommittee on Air Cargo conduct a comprehensive review of TSA's Known Shipper Program.

Mr. Speaker, thirteen years ago, the U.S. National Commission on Terrorist Attacks upon the United States (9/11 Commission) expressed concerns "regarding the screening and transport of checked bags and cargo."

The Commission called for more attention and resources to be directed to reducing or mitigating the threat posed by explosives in vessels' cargo holds.

Today, the threat of a terrorist attack using air cargo is significant.

In fact, in July, then-Secretary of Homeland Security John Kelly identified cargo-based aviation attacks as a major concern, explaining "there are people out there, very smart people, very sophisticated people who do nothing but try to figure out how to blow up an airplane in flight."

Secretary Kelly also said "There is a fair amount of cargo, what we would attribute to just cargo flown on passenger airplane on space available. Terrorists are constantly looking for ways to do this."

This increase in the air cargo security risk comes at a time when the volume of goods being moved by air cargo has increased, with 2016 volume back to approximately 98.4 percent of pre-recession levels with airlines transporting 52 million metric tons of goods.

In response to this security risk, H.R. 4176 directs the Transportation Security Administration to take a number of steps to enhance its responsibilities for air cargo and require the agency to aggressively move towards addressing current and future threats to air cargo.

Specifically, H.R. 4176 clarifies air cargo security responsibilities at TSA, encourages further technological developments for screening air cargo, directs a review of existing air cargo programs, and requires the Department of Homeland Security to make the Air Cargo Advanced Screening Program permanent.

The threat posed by terrorists' abilities and desires to exploit vulnerabilities cannot be understated and they have demonstrably set their targets on air cargo.

We need to be timely and precise in addressing air cargo security, as we cannot afford, nor should the American public tolerate, otherwise.

I urge my colleagues to join me in voting for H.R. 4176 so we can make Americans more secure from the threat of an air cargo-based terrorist attack.

The SPEAKER pro tempore. The question is on the motion offered by

the gentleman from Kansas (Mr. ESTES) that the House suspend the rules and pass the bill, H.R. 4176, as amended.

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

A motion to reconsider was laid on the table.

#### ENHANCING DHS' FUSION CENTER TECHNICAL ASSISTANCE PROGRAM ACT

Mr. ESTES of Kansas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5099) to amend the Homeland Security Act of 2002 to establish in the Department of Homeland Security a fusion center technical assistance program.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5099

*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 "Enhancing DHS' Fusion Center Technical Assistance Program Act".

#### SEC. 2. FUSION CENTER TECHNICAL ASSISTANCE PROGRAM.

Section 210A of the Homeland Security Act of 2002 (6 U.S.C. 124h) is amended—

(1) by redesignating subsections (j) and (k) as subsections (k) and (l), respectively; and

(2) by inserting after subsection (i) the following new subsection (j):

"(j) FUSION CENTER TECHNICAL ASSISTANCE PROGRAM.—

"(1) ESTABLISHMENT.—The Secretary, in consultation with officials from the National Network of Fusion Centers and, to the greatest extent practicable, other relevant stakeholders, shall establish a fusion center technical assistance program.

"(2) ELEMENTS OF PROGRAM.—In carrying out the fusion center technical assistance program established under paragraph (1), the Secretary shall—

"(A) provide technical assistance to fusion centers regarding—

"(i) grants administered under sections 2003 and 2004;

"(ii) terrorism prevention activities; and

"(iii) intelligence and information sharing;

"(B) provide to fusion centers notice of any changes to the activities referred to in subparagraph (A);

"(C) make available best practices regarding—

"(i) fusion center operations;

"(ii) information sharing and analysis of homeland security threats, including cyber threats;

"(iii) protecting privacy, civil rights, and civil liberties; and

"(iv) such other best practices as the Secretary determines appropriate; and

"(D) carry out such other activities as the Secretary determines appropriate."

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

The Chair recognizes the gentleman from Kansas.

GENERAL LEAVE

Mr. ESTES of Kansas. Mr. Speaker, I ask unanimous consent that all Mem-

bers have 5 legislative days to revise and extend their remarks and to include any extraneous material on the bill under consideration.

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

There was no objection.

Mr. ESTES of Kansas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today to support H.R. 5099, the Enhancing DHS' Fusion Center Technical Assistance Program Act.

Today, the Nation is facing a complex and evolving threat. Terrorist attacks, like the New York City vehicle attack and the Pulse nightclub shooting, have been carried out by individuals inspired by ISIS and other terrorist organizations. These type of lone wolf attacks appear to be the new normal.

This means that now, more than ever, it is imperative that we have strong preventive activities in place, including intelligence and information sharing.

Since 9/11, States and major urban areas established fusion centers to build up the preventive activities by creating an avenue for greater collaboration between Federal, State, and local governments with regards to terrorism and information sharing.

These State and locally owned fusion centers have largely evolved from terrorist-focused centers to all-crimes, all-hazard centers working on a range of relevant Homeland Security issues, including cybersecurity.

I was able to see the work of one of these fusion centers firsthand when I visited my home State's fusion center, the Kansas Intelligence Fusion Center—KIFC—earlier this year. I was very impressed with their operation. I want to ensure that the Department of Homeland Security is fully supporting this center and the other 78 fusion centers across the United States.

That is why I was troubled to hear about a key fusion center resource in the DHS not living up to its potential.

In 2009, the DHS created a fusion center technical assistance program to provide fusion centers with assistance on a range of topics, including suspicious activity reporting and other relevant trainings. However, based on the findings from the committee's recent fusion center report and my meetings with fusion center personnel, this program is not meeting the needs of the National Network of Fusion Centers.

This is why I introduced H.R. 5099, the Enhancing DHS' Fusion Center Technical Assistance Program Act. This bill provides formal authorization for the DHS fusion center technical assistance program and a clear set of directives on the services to be provided by the program, including assistance related to available grant funding and DHS terrorism prevention programs, as well as intelligence and information sharing.