

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, January 8, 2018.

Hon. MICHAEL MCCAUL,
Chairman, Committee on Homeland Security,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 1486, the Securing American Non-Profit Organizations Against Terrorism Act of 2017.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Robert Reese.

Sincerely,

KEITH HALL.

Enclosure.

H.R. 1486—SECURING AMERICAN NON-PROFIT ORGANIZATIONS AGAINST TERRORISM ACT OF 2017

As ordered reported by the House Committee on Homeland Security on December 13, 2017

SUMMARY

H.R. 1486 would authorize the appropriation of \$50 million annually for fiscal years 2018 through 2022 for the Federal Emergency Management Agency (FEMA) to provide grants to certain nonprofit organizations to enhance security measures aimed at guarding against terrorist attacks.

Assuming appropriation of the authorized amounts, CBO estimates implementing H.R. 1486 would cost \$112 million over the 2018–2022

period. Enacting the bill would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply.

CBO estimates that enacting H.R. 1486 would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2028.

H.R. 1486 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA).

ESTIMATED COST TO THE FEDERAL GOVERNMENT

The estimated budgetary effect of H.R. 1486 is shown in the following table. The costs of this legislation fall within budget function 450 (community and regional development).

	By fiscal year, in millions of dollars—					
	2018	2019	2020	2021	2022	2018–2022
INCREASES IN SPENDING SUBJECT TO APPROPRIATION						
Authorization Level	50	50	50	50	50	250
Estimated Outlays	4	11	21	33	43	112

BASIS OF ESTIMATE

CBO assumes the bill will be enacted near the beginning of calendar year 2018 and that the authorized amounts will be appropriated each year. H.R. 1486 would authorize the appropriation of \$50 million in each of fiscal years 2018 through 2022 for FEMA to provide grants to nonprofit organizations for improvements to physical security and cybersecurity. (In 2017, FEMA allocated \$25 million for such grants.) Based on historical spending patterns for such grants, CBO estimates implementing the bill would cost \$112 million over the five year period and \$138 million after 2022.

PAY-AS-YOU-GO CONSIDERATIONS

None.

INCREASE IN LONG-TERM DIRECT SPENDING AND DEFICITS

CBO estimates that enacting H.R. 1486 would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2028.

MANDATES

H.R. 1486 contains no intergovernmental or private-sector mandates as defined in UMRA.

ESTIMATE PREPARED BY

Federal Costs: Robert Reese; Mandates: Andrew Laughlin.

ESTIMATE APPROVED BY

H. Samuel Papenfuss, Deputy Assistant Director for Budget Analysis.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. DONOVAN) that the House suspend the rules and pass the bill, H.R. 1486, 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.

COUNTER TERRORIST NETWORK ACT

Mr. ESTES of Kansas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4578) to authorize certain counter terrorist networks activities of U.S. Customs and Border Protection, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4578

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 “Counter Terrorist Network Act”.

SEC. 2. DUTY TO COUNTER TERRORIST NETWORKS; DETAILS AND ASSIGNMENT.

Section 411 of the Homeland Security Act of 2002 (6 U.S.C. 211) is amended—

- (1) in subsection (g)(4)—
- (A) in subparagraph (C)—
- (i) in clause (vi), by striking “and” at the end;
- (ii) by redesignating clause (vii) as clause (viii); and
- (iii) by inserting after clause (vi) the following new clause:

“(vii) collaborate with appropriate agencies, including Federal, State, local, tribal, and international entities, to enhance border security through operations such as operations that seek to disrupt and dismantle networks, including foreign terrorist organizations (as such term is described in section 219 of the Immigration and Nationality Act (8 U.S.C. 1189)), that pose terrorist or other threats; and”;

- (2) by redesignating subsections (p) through (r) as subsections (q) through (s), respectively; and
- (3) by inserting after subsection (o) the following new subsection:

“(p) ASSIGNMENT OF PERSONNEL.—The Commissioner may detail or otherwise assign personnel of U.S. Customs and Border Protection to other appropriate agencies, including to serve overseas in support of global information sharing partnership operations in furtherance of enhancing border security, including by preventing entry into the United States by individuals known or suspected of being associated with a network, including a foreign terrorist organization (as such term is described in section 219 of the Immigration and Nationality Act (8 U.S.C. 1189)), that poses terrorist or other threats.”.

SEC. 3. BRIEFINGS.

The Commissioner of U.S. Customs and Border Protection shall biannually brief the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate regarding activities, during the prior six months, in furtherance of clause (vii) of section 411(g)(4) of the Homeland Security Act of 2002 (6 U.S.C. 211(g)(4)), as added by section 2 of this Act. Such brief-

ings may be provided in a classified setting if the Commissioner determines such is appropriate.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Kansas (Mr. ESTES) and the gentleman from Texas (Mr. VELA) 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 may have 5 legislative days in which 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 in support of H.R. 4578, the Counter Terrorist Network Act.

The fine men and women in uniform at U.S. Customs and Border Protection are tasked with an incredibly important mission. Every day, they protect our Nation from transnational criminal organizations, human traffickers, and terrorists who wish to exploit vulnerabilities at our Nation’s borders.

To execute this critical mission, the CBP has developed a cadre of subject matter experts that are well versed in counternetwork operations. These experts work tirelessly at our Nation’s seaports, airports, and land border crossings, honing their skills, stopping the flow of illicit goods and people, and creating actionable intelligence.

Given the fact that the CBP is uniquely positioned on our Nation’s front line, it would seem expected that members of the CBP would have the authority to participate in counternetwork activities that target terrorists and transnational threats, both domestically and internationally.

However, this is not the case. Currently, the CBP lacks the statutory authority to assign CBP personnel to specialized counternetwork details and liaison assignments with a national security focus.

H.R. 4578 seeks to mitigate this deficiency by giving the Commissioner of the CBP the statutory authority to assign personnel to these specialized task forces and collaborate with appropriate Federal, State, local, and Tribal entities to enhance border security operations that focus on disrupting and dismantling transnational criminal organizations and foreign terrorist networks.

By granting this authority to the Commissioner, the CBP's collaborative efforts will result in enhanced information sharing and an increase in intelligence-driven enforcement operations.

Lastly, H.R. 4578 requires the Commissioner to provide a report to Congress within 6 months of enactment, substantially describing the ongoing efforts to defeat threats posed by transnational criminal and foreign terrorist groups.

Mr. Speaker, I thank Border and Maritime Security Subcommittee Ranking Member VELA for introducing this bill.

Mr. Speaker, I urge my colleagues to support the law enforcement community and to vote in favor of this important legislation.

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

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

Mr. Speaker, I rise in support of H.R. 4578, the Counter Terrorist Network Act.

Mr. Speaker, I introduced H.R. 4578, the Counter Terrorist Network Act, to support U.S. Customs and Border Protection's ongoing efforts to prevent individuals who pose a known threat to our country from entering the United States.

Over the years, the CBP has pushed out our borders through various programs, including international partnerships where officers are posted overseas.

The CBP's National Targeting Center, or NTC, uses the latest technology and analytical tools to identify threats and share that information with both domestic and international law enforcement partners.

The CBP vets foreign nationals traveling to the United States prior to arrival through the use of various sophisticated screening techniques. Time and again, we see terrorist acts carried out by individuals who were not on the Federal radar for terrorism.

In the 17 years since the September 11 attacks, we have made huge investments in this country in intelligence to better connect the dots about those risks.

My legislation seeks to ensure that the NTC is positioned to continue embedding its analysts in overseas operations so that individuals associated

with terrorist and transnational criminal networks are prevented from operating with impunity.

H.R. 4578 authorizes the NTC to continue building its collaborative intelligence and law enforcement partnerships to stay one step ahead of those individuals who wish to do us harm or commit other criminal acts.

The bill also authorizes CBP personnel to be posted abroad to perform critical preemptive operations to make sure the travelers and visa petitioners coming to our country are thoroughly screened and vetted.

Mr. Speaker, it is imperative for the DHS and its law enforcement partners to do everything practicable to screen and vet individuals before they arrive at our borders.

H.R. 4578 underscores this imperative by authorizing the CBP to counter terrorist and criminal networks' efforts to infiltrate our borders in a way that has proven effective and adaptive.

Mr. Speaker, I urge my colleagues to support H.R. 4578.

In closing, H.R. 4578 is a bipartisan bill that was unanimously approved by the Committee on Homeland Security late last year.

The partnerships that the CBP has established to disrupt and dismantle terrorists and other criminal networks are valuable and merit congressional support.

H.R. 4578 provides the CBP with statutory authority to continue these partnerships and it enables CBP personnel to be posted within different Federal and international entities in furtherance of their antiterrorism and homeland security missions. Congress must continue to support this effort, and we can do so today by passing this bill.

Mr. Speaker, I thank my colleagues on the Committee on Homeland Security for their support, and I urge my House colleagues to pass H.R. 4578.

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

Mr. ESTES of Kansas. Mr. Speaker, I, once again, urge my colleagues to support H.R. 4578, and I yield back the balance of my time.

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. 4578.

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. ESTES of Kansas. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

GLOBAL AVIATION SYSTEM SECURITY REFORM ACT OF 2017

Mr. ESTES of Kansas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4559) to conduct a global

aviation security review, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4559

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 "Global Aviation System Security Reform Act of 2017".

SEC. 2. DEFINITIONS.

In this Act:

(1) ADMINISTRATION.—The term "Administration" means the Transportation Security Administration.

(2) ADMINISTRATOR.—The term "Administrator" means the Administrator of the Transportation Security Administration.

(3) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term "appropriate congressional committees" means the Committee on Homeland Security of the House of Representatives and the Committee on Commerce, Science, and Transportation and the Committee on Homeland Security and Governmental Affairs of the Senate.

SEC. 3. GLOBAL AVIATION SECURITY REVIEW.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Administrator shall conduct a global aviation security review to address improving aviation security standards, including standards intended to mitigate cybersecurity threats, across the global aviation system.

(b) COMPOSITION.—The global aviation security review established under subsection (a) shall include input from the following entities:

(1) The Office of Global Strategies of the Administration.

(2) The Office of Intelligence and Analysis of the Administration.

(3) The Office of Security Policy and Industry Engagement of the Administration.

(c) COORDINATION.—The Administrator shall coordinate with the following entities on the global aviation security review:

(1) U.S. Customs and Border Protection.

(2) The Office of International Engagement of the Department of Homeland Security.

(3) The Department of State.

(4) Any other relevant office or agency of the Federal government, as determined by the Administrator.

(d) BEST PRACTICES.—The global aviation security review shall establish best practices regarding the following:

(1) Collaborating with foreign partners to improve global aviation security capabilities and standards.

(2) Identifying foreign partners that have not successfully implemented security protocols from the International Civil Aviation Organization or the Department of Homeland Security and have not taken steps to implement such security protocols.

(3) Improving the development, outreach, and implementation process for security directives or emergency amendments, as the case may be, issued to domestic and foreign air carriers.

(4) Assessing the cybersecurity and cyber espionage risk of security screening equipment.

SEC. 4. REPORT TO CONGRESS.

(a) PROGRESS REPORT.—Not later than 90 days after the date of the enactment of this Act, the Administrator shall report to the appropriate congressional committees on the organization, development, and progress of the global aviation security review required under section 3.

(b) FINAL REPORT.—Not later than 240 days after the date of the enactment of this Act, the Administrator shall submit to the appropriate congressional committees a report on