

Hearing Transcript

House Homeland Security Committee Markup of Various Homeland Security Bills

March 23, 2016

MCCAUL:

A quorum being present, the Committee on Homeland Security will come to order.

The committee is meeting today for consideration of H.R. 4482, the southwest Border Security Threat Assessment Act of 2016; H.R. 4820, the Combating Terrorist Recruitment Act of 2016; H.R. 4549, the Treating Small Airports With Fairness Act of 2016; H.R. 4780, the Department of Homeland Security Strategy for International Programs; H.R. 4785, the DHS Stop Asset and Vehicle Access Act; and H.R. 4698, the Securing Aviation from Foreign Entry Points and Guarding Airports Through Enhanced Security Act of 2016; and H.R. 4509, the State and High-Risk Urban Area Working Group Act.

I now recognize myself for a very brief opening statement. I'll be submitting a longer statement for the record.

Yesterday we witnessed a horrific attack carried out by ISIS- linked terrorists in Brussels, Belgium. Our thoughts and prayers go out to all those who were killed and injured in those attacks.

These attacks reminded us of our own vulnerability and the reality that we must live with every day. The bills we will mark up today address some of these vulnerabilities, but we must be vigilant and continue to look for ways to protect our citizens.

I'd like to take a moment of silence now to remember the victims before we begin our markup.

Thank you.

The chair now recognizes the ranking member of the committee, Mr. Thompson.

THOMPSON:

Thank you, Mr. Chairman.

Mr. Chairman, I'd like to begin also by expressing deep condolences to the people of Belgium and all who were affected by yesterday's heinous and cowardly, coordinated terrorist attack.

Details are still emerging about the attacks, but it appears that they were designated to send a chilling message far beyond Belgium's border.

Now is the time for heightened vigilance. As a nation, we must remain focused on threats posed by lone wolves that may or may not have a direct connection to terrorist organizations.

For its part, the Department of Homeland Security and its federal partners should continue to support our international partners, particularly those who have last-point-of-departure airports to the United States, bolster the Visa Waiver program, as well as DHS's overseas international programs that vet and screen individuals seeking to enter the United States, and identify and disrupt foreign fighters who may seek to travel to or from the United States.

Appropriately, today the committee will consider legislation I authored that is focused on pushing our borders out. H.R. 4780, the Department of Homeland Security Strategy for International Programs Act, would require DHS to develop a department-wide strategy for how it grows overseas screening and vetting programs. This approach will help ensure that when DHS prioritizes expanding preclearance in a certain country or seeks to establish a visa security unit in another, those efforts are coordinated in the department's risk-based priorities.

Another timely measure is H.R. 4698, the so-called Safe Gates Act of 2016. This legislation, authored by Representative Katko, focuses on strengthening the security of international airports with direct flights to the United States.

Though the provisions of the bill largely codify existing TSA efforts, moving this legislation sends a message that this committee is vested in TSA engaging with international partners to raise the level of aviation security overseas.

I'm pleased that today we will be considering four of the measures that speak to the committee's oversight findings regarding various Department of Homeland Security challenges. They are H.R. 4509, the State and High-Risk Urban Area Working Group Act; H.R. 4549, Treating Small Airports With Fairness Act of 2016; H.R. 4785, the DHS SAVE Act; H.R. 4482, the southwest Border Security Threat Assessment Act of 2016.

It is no secret that when it comes to H.R. 4820 I have serious concerns about the committee advancing it at this time.

Mr. Chairman, I wrote you on March 17th to ask that consideration of this legislation be postponed until after the committee had the benefit of receiving public testimony from the director of the department's new Countering Violent Extremism Office, the Office of Community Partnerships.

I ask unanimous consent that my letter and the chairman's response dated March 21st be submitted into the record.

The committee has never heard testimony from this office, which was established in September 2015, about its programs and what role, if any, it has or wants with respect to identifying and collecting public testimonials from terrorists and others who repudiate violent extremism after embracing it.

We do know, however, from the informal technical assistance furnished by the department that the legislation is not necessary.

Further, we know that it could have a negative impact on DHS's efforts at fostering community partnerships if communities believe that this information is to be obtained from informants, intelligence gathering or surveillance.

Unfortunately, the response letter I received makes broad assertions about the degree to which Mr. Fleischmann's bill incorporates DHS's comments that when viewed against the department's technical assistance are not supportable.

Interestingly, last night in a message that was sent to committee staff at 9:15, the department put an exclamation point on its original feedback. In its technical assistance to the bill as introduced, the department added that not only does the department lack the staff to take on this new prescriptive activity, but that if DHS was forced to go down this road there could be implications on future prosecutions and investigation by the Department of Justice and the FBI.

There were two requests in my letter. The other request was that we have a public hearing with the director of the Office of Community Partnerships.

In the response letter, Mr. Chairman, you state that you are happy to work with me to find the appropriate time this year for the director to testify. Given your strong desire to advance a bill introduced two days ago by a member who's not on this committee and has not participated in our committee's activities, I would think that you would want such a hearing as soon as possible, particularly in light of DHS's feedback on the bill.

Nobody in this room wants to see DHS's ability to carry out community engagement damaged. If there's a risk that the Fleischmann bill will do that, we owe it to our constituents to proceed with caution.

As such, I urge you to schedule a hearing with George Selim, the director of the Office of Community Partnerships within DHS, as soon as possible. My staff has reached out to the department and was assured that he could be made available to testify.

Further, I ask you in the interest of carrying out our duties in a thoughtful and informed manner to postpone consideration of H.R. 4820 until our members have had the benefit of hearing testimony and questioning the top DHS official about what the department is doing in this space and how the bill could affect it.

With that, Mr. Chairman, I yield back.

MCCAUL:

Do you yield back?

THOMPSON:

Yeah.

MCCAUL:

Yeah.

It's my understanding that DHS does not oppose this bill. And as I stated in my letter response to you, I'd be happy to schedule a hearing with the Department of Homeland Security CVE director at the appropriate time.

The committee by unanimous consent shall use an amendment roster today.

THOMPSON:

That's not what -- Mr. Chairman, there is no such agreement for the markup today and I object to the use of an amendment roster.

MCCAUL:

Then we will proceed through the bills at the discretion of the chair.

I now call up H.R. 4482, the southwest Border Security Act of 2016. Without objection, the Subcommittee on Border and Maritime Security is discharged from further consideration.

The bill was circulated in advance, and printed copies are available.

The ranking member is recognized.

THOMPSON:

I object to both the first and second readings of the bill being dispensed with.

MCCAUL:

Objection noted. We will proceed through the bills at the discretion of the chair.

The bill was circulated in advance, and printed copies are available.

Mr. King is recognized.

KING:

Mr. Chairman, I make a motion to dispense with the first reading.

THOMPSON:

I object. I object, Mr. Chairman.

MCCAUL:

Then we need to take a vote on the motion.

The clerk shall call the roll.

CLERK:

Mr. Smith?

Mr. King?

KING:

Aye.

CLERK:

Mr. King votes aye.

Mr. Rogers?

Mrs. Miller?

Mr. Duncan?

DUNCAN:

Aye.

CLERK:

Mr. Duncan votes aye.

Mr. Marino?

MARINO:

Yes.

CLERK:

Mr. Marino votes yes.

Mr. Barletta?

BARLETTA:

yes.

CLERK:

Mr. Barletta votes yes.

Mr. Perry?

PERRY:

Aye.

CLERK:

Mr. Perry votes aye.

Mr. Clawson?

CLAWSON:

Yes.

CLERK:

Mr. Clawson votes yes.

Mr. Katko?

KATKO:

Yes.

CLERK:

Mr. Katko votes yes.

Mr. Hurd?

HURD:

Yes.

CLERK:

Mr. Hurd votes yes.

Mr. Carter?

Mr. Walker?

WALKER:

Yes.

CLERK:

Mr. Walker votes yes.

Mr. Loudermilk?

Ms. McSally?

MCSALLY:

Yes.

CLERK:

Ms. McSally votes yes.

Mr. Ratcliffe?

Mr. Donovan?

DONOVAN:

Yes.

CLERK:

Mr. Donovan votes yes.

Mr. Thompson?

THOMPSON:

No.

CLERK:

Mr. Thompson votes no.

Ms. Sanchez?

Ms. Jackson Lee?

Mr. Langevin?

Mr. Higgins?

HIGGINS:

No.

CLERK:

Mr. Higgins votes no.

Mr. Richmond?

RICHMOND:

No.

CLERK:

Mr. Richmond votes no.

Mr. Keating?

Mr. Payne?

PAYNE:

No.

CLERK:

Mr. Payne votes no.

Mr. Vela?

VELA:

Yes.

CLERK:

Mr. Vela votes yes.

Mrs. Watson Coleman?

WATSON COLEMAN:

No.

CLERK:

Mrs. Watson Coleman votes no.

Ms. Rice?

RICE:

Yes.

CLERK:

Ms. Rice votes yes.

Mrs. Torres?

TORRES:

No.

CLERK:

Mrs. Torres votes no.

Mr. Smith?

Mr. Rogers?

Mrs. Miller?

Mr. Duncan?

Mr. Carter?

Mr. Loudermilk?

Mr. Ratcliffe?

Ms. Sanchez?

Ms. Jackson Lee?

Mr. Langevin?

Mr. Keating?

MCCAUL:

How am I recorded?

CLERK:

The chairman is not recorded.

MCCAUL:

I vote yes.

CLERK:

Mr. McCaul votes yes.

MCCAUL:

Are there any other members in the room who wish to have their vote recorded?

CLERK:

The gentlelady Mrs. Miller is not recorded.

MILLER:

Yes.

CLERK:

Mrs. Miller votes yes.

MCCAUL:

The clerk will report the tally.

CLERK:

Mr. Chairman, on that vote there were 14 yeas and six noes.

MCCAUL:

The yeas have it, and the motion is agreed to.

The clerk shall designate the bill.

CLERK:

H.R. 4482.

THOMPSON:

Mr. Chairman?

MCCAUL:

The ranking member is recognized.

THOMPSON:

I object to the unanimous consent and ask that the clerk read the bill in its entirety.

MCCAUL:

We've already dispensed with the first reading so the bill does not have to be read in its entirety.

Second reading is by paragraph and title.

RICHMOND:

Parliamentary inquiry, Mr. Chairman. I thought to dispense with the first reading it's unanimous consent also.

MCCAUL:

It's by motion. That motion was -- text has been made available.

THOMPSON:

No, I think the point was is that motion failed. And what we have to do.

MCCAUL:

No, his motion -- his motion failed. Are you seeking a second reading?

RICHMOND:

That's correct.

MCCAUL:

The second reading is by title.

THOMPSON:

And that's what we're saying.

MCCAUL:

By title.

THOMPSON:

Yes.

MCCAUL:

OK. The clerk shall designate the second reading.

CLERK:

H.R. 4482, to require the secretary of homeland security to prepare a southwest border threat analysis and for other purposes.

Section 1, short title.

MCCAUL:

Without objection...

THOMPSON:

I object.

MCCAUL:

The objection duly noted.

THOMPSON:

He has to read it.

MCCAUL:

Ms. McSally is recognized.

MCSALLY:

Mr. Chairman, I have an amendment in the nature of a substitute at the desk.

MCCAUL:

Again, Ms. McSally is recognized.

MCSALLY:

Mr. Chairman, I have an amendment in the nature of a substitute at the desk.

MCCAUL:

OK. The clerk shall designate the amendment in the nature of a substitute.

CLERK:

Amendment in the nature of a substitute to H.R. 4482 offered by Ms. McSally.

MCCAUL:

The chair recognizes the gentlewoman from Arizona, Ms. McSally, for five minutes to explain the amendment in the nature of a substitute.

MCSALLY:

OK. Thank you, Mr. Chairman.

Securing the border is ultimately one of the most important responsibilities of the federal government. The instability and the chaos that drug cartels foster pose national security problems and public safety threats that endanger border communities like mine.

In southern Arizona, we are impacted by border security every single day, property destroyed, militarized-like checkpoints on our roads and fear of violence from transnational criminal organizations, or TCOs, running drug loads through our communities.

In the very same pathway and smuggling routes that facilitate the illicit flow of people and drugs could also potentially be used for terror, making it critical that we quickly gain control of the situation along the southern border.

Unfortunately, previous strategies have focused simply on sending more resources to the border because we have never systematically analyzed the threat, taking into account the weaknesses in DHS's capability, or developed a serious plan to address those weaknesses.

So it should not surprise us that for years DHS has applied resources in an ad hoc basis without ever asking some fundamental border security questions. What and where are the threats to our border security? Where are the gaps in our defenses, our understanding of the nature of the threat? And perhaps most importantly, how do we quickly plug those gaps and achieve a fuller understanding of where we are getting beat by the cartels?

The southwest Border Security Threat Assessment Act before us today is designed to get answers to those fundamental questions. We must move beyond the political rhetoric that on the one hand says the border is out of control and on the other hand says it's more secure than ever and everything is fine.

The truth is that we've been given an incomplete picture as it relates to the situation on the border. And we cannot verifiably say where between those two ends of the spectrum we actually are, and that's the heart of the problem.

I believe that one of the first steps is to assess the threats that exist along the border, understand and identify the gaps in our defenses and then develop a plan to address those gaps through a change of strategy that modifies how we deploy agents, technology and infrastructure.

My bill first calls for a border security threat analysis that considers the threats posed by TCOs and others, the impact of terrain, gaps in coordination between federal, state and local levels of government, as well as an identification of current levels of situational awareness and operational control.

Based on the results of this assessment, the chief of the Border Patrol is required to issue a strategic plan designed to increase situational awareness, the ability to detect and interdict illegal activity at the earliest-possible point and focus intelligence collection to disrupt the cartels who are creating chaos along the border.

Last month I held a hearing on the need for situational awareness. And the short story is that DHS does not have a solid picture of what is happening on the border. Securing the border to an agreed-upon threshold without a very basic understanding of the current state of security situation makes achieving real progress very difficult.

The sooner we can get a handle on where the threat is, where the drug cartels are beating us, the quicker we can adjust our strategy to deploy sophisticated technology and agents to address the threats before they affect our border communities.

We cannot wait any longer. The bill before us today is a good first step. I urge my colleagues to support and I yield back the balance of my time.

MCCAUL:

(OFF-MIKE) yields back.

(inaudible) discussion on the amendment in the nature of a substitute (inaudible) shall be...

THOMPSON:

Mr. Chairman, I object.

MCCAUL:

The ranking member objects.

The clerk shall read the amendment.

CLERK:

Strike all after the enacting clause and insert the following. Section 1, short title. This Act may be cited as the southwest Border Security Threat Assessment Act of 2016.

Section 2, southwest Border Threat Analysis. (a) In general, not later than 180 days after the date of the enactment of this act, the secretary of homeland security shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a southwest border threat analysis that includes the following:

(1) An assessment of current and potential terrorism and criminal threats posed by individuals and organized groups seeking to -- (A) unlawfully enter the United States through the southwest border; or (B) exploit border vulnerabilities along the southwest border.

(2) An assessment of improvements needed at and between ports of entry along the southwest border to prevent terrorists and instruments of terror from entering the United States.

(3) An assessment of gaps in law, policy, and coordination between state, local, or tribal law enforcement, international agreements, or tribal agreements that hinder effective and efficient border security, counterterrorism and anti-human smuggling and trafficking efforts.

(4) An assessment of the flow of legitimate trade along the southwest border.

(5) An assessment of the current...

THOMPSON:

Mr. Chairman?

CLERK:

... situational awareness achieved by the Department of Homeland Security along the southwest border.

(6) An assessment of the current percentage of operational controls as such term is defined in Section 2 of the Secure Fence Act of 2006 (8 U.S.C. 6 1701 note; Public Law 109-367) achieved by the Department of Homeland Security of the southwest.

(b) Analysis requirements. For the southwest border threat analysis required under subsection (a), the secretary of homeland security shall consider and examine the following:

(1) Technology needs and challenges.

(2) Personnel needs and challenges.

(3) Infrastructure needs and challenges.

(4) The roles and authorities of state, local, and tribal law enforcement...

KATKO:

Mr. Chairman?

MCCAUL:

Mr. Katko is recognized.

KATKO:

Mr. Chairman, I move the previous question on the amendment in the nature of a substitute and all amendments thereto.

MCCAUL:

The question is on ordering the previous question. All those in favor, say aye.

THOMPSON:

Mr. Chairman? Mr. Chairman?

MCCAUL:

All opposed say no.

THOMPSON:

Mr. Chairman?

MCCAUL:

In the opinion of the chair, the ayes have it.

The ranking member is recognized.

THOMPSON:

So you were not going to take up the bill? I have some amendments that I want to offer to the bill.

MCCAUL:

The previous question has been voted on. We're moving to consideration of the bill.

THOMPSON:

So point of order.

MCCAUL:

The ranking member is recognized.

THOMPSON:

So you do understand that we have some amendments we'd like to offer to the bill and we plan to offer them?

MCCAUL:

The clerk will read the gentleman's amendment.

CLERK:

No amendment has been offered, Mr. Chairman.

THOMPSON:

I need to offer it.

Amendment one.

CLERK:

Amendment to the amendment in the nature of a substitute to H.R. 4482 offered by Mr. Thompson.

In Section 2(a) add at the end the following: (7) An assessment of traveler crossing times and any potential security vulnerabilities associated with prolonged wait times.

MCCAUL:

The clerk shall distribute the amendment.

KING:

Mr. Chairman, reserving a point of order.

MCCAUL:

Mr. King is recognized.

KING:

Reserve a point of order.

MCCAUL:

Yes, a point of order is reserved.

Mr. Thompson is now recognized for five minutes on his amendment.

THOMPSON:

Thank you, Mr. Chairman.

Mr. Chairman, my amendment has been distributed to the committee.

The bill we have before us requires the secretary of homeland security southwest border threat analysis include a number of different assessments related to border security activities in the region.

My amendment would add to the list an assessment on crossing times for travelers and any possible security vulnerabilities associated with prolonged wait times.

Our border crossing along our southwest borders are some of the busiest in the world. And how we are managing the high volume of people crossing over on a daily basis necessitates our attention in any threat review.

Given resource constraints, infrastructure needs and the staffing shortages at our border crossings, we've seen a marked increase in waiting times for travelers over the years. My amendment would ask the secretary to examine whether these crossing times may pose a security threat. This information is important not only to those travelers, but also to the surrounding communities.

I ask for support of my amendment, and yield back.

MCCAUL:

The gentleman yields back.

Is there any further discussion on the amendment?

There being no further discussion, does the gentleman insist on his point of order?

KING:

Mr. Chairman, I withdraw the point of order.

MCCAUL:

The gentleman withdraws his point of order.

There being no further discussion, the question now occurs on the amendment offered by Mr. Thompson. The chair supports this amendment.

All those in favor, signify by saying aye. All those opposed, no.

In the opinion of the chair, the ayes have it, and the amendment is agreed to.

The clerk will continue to read.

CLERK:

(c) Classified threat analysis. To the extent possible, the secretary of homeland security shall submit the southwest border threat analysis required under subsection (a) in unclassified form.

The Secretary may submit a portion of such threat analysis in classified form if the secretary determines such is appropriate.

THOMPSON:

Mr. Chairman, I have an amendment at the desk.

MCCAUL:

The ranking member is recognized.

The clerk shall report the amendment.

CLERK:

Amendment to the amendment in the nature of a substitute to H.R. 4482, offered by Mr. Thompson.

KING:

Mr. Chairman, I reserve a point of order.

MCCAUL:

The gentleman from New York reserves a point of order.

The amendment shall be distributed.

The amendment has been distributed. Mr. Thompson is recognized on his amendment.

THOMPSON:

Thank you, Mr. Chairman.

Mr. Chairman, my amendment to H.R. 4482 would require the DHS secretary to assess the impact of trusted traveler programs on border wait times and border security. Our trusted traveler programs have existed to facilitate the flow of travel across borders by pre-approving low-risk travelers to cross in an expedited way.

The ports of entry along our southwest border include some of the busiest border crossings in the world. By requiring that the threat analysis of our southwest border include trusted traveler programs, I believe we will be able to better understand the role of such programs and how they play in security along the southwest border.

Very simple, Mr. Chairman, we just need to add the impact of the trusted traveler program to this legislation. I ask for support of this amendment, and yield back the balance of my time.

KING:

Mr. Chairman?

MCCAUL:

The gentleman from New York is recognized.

KING:

I withdraw my point of order.

MCCAUL:

Point of order is withdrawn.

The gentleman yields back.

Is there any further discussion on the amendment?

MCSALLY:

Mr. Chairman?

MCCAUL:

Ms. McSally is recognized.

MCSALLY:

Mr. Chairman, as the author of the bill and the chairwoman of the subcommittee, I want to say we've worked very closely with the Democrats for this bill. We have incorporated many of their requests into the bill.

You know, we could choose to pull some parliamentary shenanigans or not support this amendment. But in the spirit of trying to restore some bipartisan nature to the serious issues that we're dealing with today, like border security and countering violent extremism, I support the gentleman's amendment.

But I hope we can move on and address these issues. This is why people are so frustrated with Congress. We've got border security issues, we've got counterterrorism issues. And I hope in the spirit of moving forward in a bipartisan nature, the way this committee usually acts, I will accept the ranking member's amendment and ask our colleagues to support and let's move on.

I yield back.

MCCAUL:

I appreciate the spirit of the gentlelady's comments.

Is there any further discussion on the amendment?

There being no further discussion, the question now occurs on the amendment offered by Mr. Thompson. The chair does support this amendment.

All those in favor, signify by saying aye. All those opposed, signify by saying no.

In the opinion of the chair, the ayes have it and the amendment is agreed to.

The clerk shall continue with the reading.

CLERK:

Section 3, Border Patrol strategic plan. (a) In general. Not later than 180 days after the submission of...

THOMPSON:

Mr. Chairman, I have an amendment at the desk.

MCCAUL:

The ranking member is recognized.

THOMPSON:

Thank you, Mr. Chairman.

MCCAUL:

I'm sorry. The clerk shall report the -- the amendment shall be distributed.

KING:

Mr. Chairman, I reserve a point of order.

MCCAUL:

Mr. King reserves a point of order.

CLERK:

Amendment to the amendment in the nature of a substitute to H.R. 4482, offered by Mr. Thompson.

MCCAUL:

The gentleman is recognized to speak on his amendment.

THOMPSON:

Thank you very much, Mr. Chairman.

Mr. Chairman, this amendment in the nature of a substitute to H.R. 4482 would require the secretary of homeland security to consider technology needs and challenges in its southwest border threat analysis.

My amendment would add that the secretary also consider the lessons learned from previous technological investments that did not go as planned. We all know about a number of those technology challenges that cost the taxpayers a lot of money. And we need to learn from those.

Congress has previously authorized and appropriated funds for various systems to secure our southwest border, but the actual deployment of some of these technologies has not produced the results that U.S. Customs and Border Protection have wanted to achieve.

I believe that any challenges or additional needs identified in these cases should inform any further analysis regarding the use of technology along the southwest border.

Again, this is an amendment that would improve this bill. With that, Mr. Chairman, I yield back the balance of my time.

MCCAUL:

The gentleman yields back.

Is there any further discussion now on the amendment?

The chair would request that the ranking member offer his amendments to this bill en bloc in the spirit of working together. We have votes at 11:00 today.

Is the ranking member willing to move his amendments en bloc?

THOMPSON:

As long as we get a chance to hear them, I'll be happy to...

MCCAUL:

We have many other bills on the roster today, many people are leaving town and votes are at 11:00.

THOMPSON:

I do have some other amendments.

MCCAUL:

Is the ranking member willing to move his amendments en bloc?

THOMPSON:

I said yes.

MCCAUL:

OK, that would be fantastic.

KING:

Mr. Chairman, I withdraw my point of order.

MCCAUL:

The gentleman from New York withdraws his point of order.

The clerk shall distribute all the amendments en bloc to the members.

CLERK:

Mr. Chairman, there's only one amendment pending at the desk.

MCCAUL:

Are there any further amendments from the ranking member?

BARLETTA:

Mr. Chairman? Mr. Chairman, just a point of clarification. You're only talking about en bloc for 4482. Is that correct?

MCCAUL:

That is correct.

BARLETTA:

Thank you.

THOMPSON:

Mr. Chairman, the clerk said there's only one amendment. We have three amendments or four amendments.

MCCAUL:

The clerk shall distribute all amendments en bloc to the members of the committee.

CLERK:

Mr. Chairman, there are four amendments at the desk for Mr. Thompson.

En bloc amendment to the amendment in the nature of a substitute to H.R. 4482, offered by Mr. Thompson.

KING:

Mr. Chairman?

MCCAUL:

The gentleman from New York is recognized.

KING:

Yeah, I reserve a point of order on the en bloc amendments.

MCCAUL:

A point of order is made.

The gentleman, the ranking member is recognized for his en bloc amendments.

THOMPSON:

Thank you, Mr. Chairman.

Mr. Chairman, H.R. 4482 directs the secretary of homeland security to consider personnel needs and challenges in his southwest border threat analysis.

My amendment would specify that challenges in the recruitment and hiring process be considered as well. For example, we've heard and witnessed testimonies before this committee that the U.S. Border Patrol has approximately 1,700 agents under its statutory mandated staffing levels. I believe we must reach a better understanding of what recruitment and hiring challenges underlie this situation.

We need to understand why staffing levels have dropped so significantly and whether low staffing levels may be impacting border security operations and activities as well.

My amendment is consistent with the intent of the underlying bill. I ask support for amendment number four.

Amendment number five -- in assessing threats along the southwest border, H.R. 4482 requires the secretary of homeland security to consider the coordination between federal, state, local, tribal and Mexican law enforcement entities in border security activities.

My amendment would direct the secretary to also take into consideration any agreements the United States and Mexico have established that relate specifically to border security. Any protocols governing our security and law enforcement activities that we have agreed to follow with our Mexican partners must be taken into account when assessing vulnerabilities along our southwest border.

Mutual cooperation and assistance between our law enforcement entities and those of Mexico are vital elements in ensuring that we remain vigilant of any terrorist or criminal threats along our shared border.

Amendment number six -- my amendment broadens the research and development elements of the Border Patrol strategy called for under this bill to include, but just not security of the southwest border, but all our Border Patrol operations and activities.

The bill language as introduced was overly broad in that it required the strategy to consider research and development for all lands and maritime borders of the U.S. rather than focusing on the areas that are the primary responsibility of the Border Patrol.

At the same time, the Border Patrol strategy should not limit its research and development focus to only the southwest border.

The language in my amendment strikes the right balance, encompassing all areas within the primary responsibility of the Border Patrol, including both land borders, northern and southern, as well as relevant maritime borders.

I urge support for this amendment also.

Amendment seven -- my amendment to the amendment in the nature of a substitute requires that the national Border Patrol strategy required under the legislation to be developed in consultation with the Office for Civil Rights and Civil Liberties of the Department of Homeland Security.

Given the many difficult civil rights, civil liberties and privacy issues encountered by Border Patrol in the course of their everyday operation, it seems only prudent to involve civil rights and civil liberties in the development of this important strategy.

Such input could assist not only the individuals the Border Patrol encounters, but also the Border Patrol itself, which has been under scrutiny for issues related to professional responsibility.

And that's amendment number seven, I urge support en bloc for the amendments.

I yield back.

MCCAUL:

Is there any further discussion on the amendment?

Mr. Hurd is recognized.

HURD:

Would the ranking member engage in a colloquy?

THOMPSON:

Yes.

HURD:

On amendment number seven, are you implying that the chief of Border Patrol should not consult with any other offices, rather than he should only consult with the Office of Civil Rights and Civil Liberties?

THOMPSON:

No, we're just identifying that one as...

HURD:

So why not -- so should we identify all the other offices that they should consult with? Or is this just making a special attention on these two?

THOMPSON:

I would accept if that's your amendment.

HURD:

No, I'm asking a question.

THOMPSON:

Well...

HURD:

And then the next question I have is...

THOMPSON:

No, no, you didn't...

HURD:

I don't have an amendment, I was trying to understand if you're implying...

THOMPSON:

Oh, OK.

HURD:

... that they should not -- I want to understand the intent behind offering this amendment.

THOMPSON:

It was not addressed in the bill. And I was making sure that we not exclude it.

HURD:

Good copy (ph). And then on I think it's amendment number one, number two and possibly number four, I don't have them limited (ph) here, they're both labeled number seven and they're both added to the same Section 2(a). Is that an oversight or should it be seven, eight and nine?

THOMPSON:

No, we only have seven amendments.

HURD:

No. So we're making -- there's -- you're making three additions to Section 2(a), is that correct?

THOMPSON:

I'm not sure what you're looking at.

HURD:

Right. You have three amendments to Section 2(a) and they're all labeled the same number. Are we saying that they're one, that that's one?

THOMPSON:

No. We've got 3(a), 3(b), 2(b), 2 and 2(b).

HURD:

So these are the earlier two amendments?

THOMPSON:

That's correct.

HURD:

Right. And so we have Section 2(a), add at the end of the following and it starts with number 7. And then the next amendment is in Section 2(a), add the following and it starts with number 7. Are we saying that these should be combined or it should be seven and eight?

THOMPSON:

Well, at the appropriate place, that's what the reference is.

HURD:

So it's adding two more bullets to this Section 2(a).

THOMPSON:

That's correct. That's the purpose of the amendment.

HURD:

Excellent, I yield back my time, Chairman.

MCCAUL:

Thank you.

Is there any further discussion on the amendment?

MCSALLY:

Mr. Chairman?

MCCAUL:

Ms. McSally is recognized.

MCSALLY:

And I don't know which amendment this is because I don't know how they're labeled here. But...

MCCAUL:

At the very top. I know it's hard, I had the same problem myself.

MCSALLY:

So 070?

MCCAUL:

070, yes.

MCSALLY:

So my concern on this, Mr. Chairman, is one of the challenges that we've had is Border Patrol often confuses activity with progress, like we measure activity, right? And we need to have an objective of securing the border. We shouldn't be measuring and supporting activities for the sake of activities' sake.

So the way the bill is currently listed is the prioritized list of departmental research and development objectives to enhance the security of the southern border. So the objective is security of the southern border.

And the ranking member's amendment wants to strike that objective and support activities. But we're not here to support activities, we're here to support an objective which is to secure the southern border.

So I strongly disagree with the wording of this amendment and I would encourage us to reject this amendment because this just adds to more of the same of the problem we have with Border Patrol, which we're trying to fix with this whole bill, is that they measure activity level, they don't measure meeting an objective.

So I strongly oppose the...

MCCAUL:

The gentlelady's point is well taken.

The gentleman from Texas is recognized.

HURD:

Would the ranking member engage in a colloquy again?

THOMPSON:

Yes, sir.

HURD:

To further my colleague from Arizona's question, have we consulted with the Department of Homeland Security about their southern approaches campaign and how this amendment may impact that?

THOMPSON:

Yes, we have.

HURD:

And what was -- so they believe -- because they're moving to a risk-based analysis. Is that correct?

THOMPSON:

Well, they have a strategy that points them in that direction.

HURD:

Well, but it's more specific than that. We're moving to -- instead of keeping track of every single activity, they're focused on the total risk to our border. There's 19 individual criminal organizations operating in just, let's say, northern Mexico. And so what this is, in my opinion, goes against what Department of Homeland Security is trying to do in their southern and approaches campaign. Was the head of Joint Task Force West consulted before adding this amendment?

THOMPSON:

Now, I'm not certain you're talking about the same amendment.

HURD:

We are talking about in Section 3(b) 14, strike the security of the southwest border and insert Border Patrol operations and activities.

THOMPSON:

Well, my amendment only goes and says we need to talk about all the borders. And it said, the language in my amendments strikes the right balance. And it encompasses the northern border, the southern border, as well as the relevant maritime areas.

HURD:

Again, has Joint Task Force West or Joint Task Force East, the directors, been consulted on your change in this bill?

THOMPSON:

Yes.

HURD:

They have?

THOMPSON:

They have.

HURD:

And when were the conversations?

THOMPSON:

Well, staff had had conversations all along on the bill. Now, if you want specifics I can get them to you at some point. But when we did the amendments, we did them in consultation with the department and with other interested individuals.

HURD:

But the key here is, are we doing the consultation with the right individuals? And the right individuals are the folks on the ground that are trying to pursue these activities, not some staffer up here in Washington, D.C.

So again, my concern with this amendment is that we're not talking to the right people on how to give them the tools they need in order to do their job.

MCSALLY:

Would the gentleman yield?

HURD:

I yield the balance of my time.

MCSALLY:

Again, to the ranking member's point. The title of this bill is the Southwest Border Security Threat Assessment Act of 2016. When we're talking about the northern border, I think our colleague Mr. Katko had a northern border threat assessment that's already gone through this committee.

This bill is focused on the southwest border. And the intent is to support the objective to secure the southwest border.

So the way the amendment in the nature of a substitute language is, supporting R&D efforts with the objective to secure the southern border, it's being replaced now by this very vague and broad that we're supporting Border Patrol activities.

Again, that is -- we need to be moving away from activity and towards an objective. And this is not about the northern border. We'd be happy to consider any other legislation in the committee if needed beyond Mr. Katko's on the northern border. This is about the southwest border, this bill.

THOMPSON:

Well, and then the intent of this amendment is to say, look, we have problems all over. Why just structure just for this? Mine is to expand it. If the wish is not to expand it, you know, it's the wishes of the body. But we have the northern border...

MCSALLY:

Would the gentleman yield?

THOMPSON:

No.

MCSALLY:

OK.

THOMPSON:

I'll yield.

HURD:

I think it's my time.

MCSALLY:

You've already passed that bill.

HURD:

Yeah. And my time has expired. And I yield back to the chairman who I'm sure will recognize the gentlelady from Arizona.

MCCAUL:

Any further discussion on the amendment?

MCSALLY:

Yes, Mr. Chairman, just to clarify, this committee did pass the northern border threat assessment bill already. And I believe, was that passed on the floor as well? So that has been a separate bill. This is the Southwest Border Threat Assessment Bill.

MCCAUL:

The gentlelady is correct. That northern border bill did pass on the floor. And this is a complementary southern border bill.

Is there any further discussion?

Mr. Hurd is recognized.

HURD:

Would the ranking member engage in a colloquy?

THOMPSON:

Yes.

HURD:

Yes. Are there elements in that northern border plan that we passed that you think are lacking and were not included?

THOMPSON:

Rather than piecemeal what we're trying to do, the spirit of this amendment is put the strategy in the Border Patrol for just maritime as well as northern and southern border.

HURD:

So you think the bill that we've already passed out of this body, which I believe you supported, did not have the appropriate pieces and we need to change it using the southwestern border bill as well?

THOMPSON:

I'm saying this amendment would allow us to incorporate the strategy for the Border Patrol to include the northern border, southern border and the maritime borders in its overall strategy. That's it. We've done the northern border. It did not include the southern border.

HURD:

Which is what we're doing here.

THOMPSON:

Which we're doing here, but we still have the maritime. We can fix all our borders with this amendment.

MCCAUL:

Any further discussion on the amendment?

The chair agrees to the en bloc amendments 065, 066, 067, 068, 069 and 071. The chair does not support 070 for the reasons stated by the author of the bill, Ms. McSally.

So we will vote en bloc on all amendments with the exception of 070.

All those in favor, signify by saying aye. All those opposed, signify by saying no.

In the opinion of the chair, the ayes have it.

Now the clerk shall call the roll on amendment 070.

CLERK:

Mr. Smith?

SMITH:

No.

CLERK:

Mr. Smith votes no.

Mr. King?

KING:

No.

CLERK:

Mr. King votes no.

Mr. Rogers?

ROGERS:

No.

CLERK:

Mr. Rogers votes no.

Mrs. Miller?

Mr. Duncan?

DUNCAN:

No.

CLERK:

Mr. Duncan votes no.

Mr. Marino?

MARINO:

No.

CLERK:

Mr. Marino votes no.

Mr. Barletta?

BARLETTA:

No.

CLERK:

Mr. Barletta votes no.

Mr. Perry?

PERRY:

No.

CLERK:

Mr. Perry votes no.

Mr. Clawson?

Mr. Katko?

KATKO:

No.

CLERK:

Mr. Katko votes no.

Mr. Hurd?

HURD:

No.

CLERK:

Mr. Hurd votes no.

Mr. Carter?

CARTER:

No.

CLERK:

Mr. Carter votes no.

Mr. Walker?

WALKER:

No.

CLERK:

Mr. Walker votes no.

Mr. Loudermilk?

LOUDERMILK:

No.

CLERK:

Mr. Loudermilk votes no.

Ms. McSally?

MCSALLY:

No.

CLERK:

Ms. McSally votes no.

Mr. Ratcliffe?

RATCLIFFE:

No.

CLERK:

Mr. Ratcliffe votes no.

Mr. Donovan?

DONOVAN:

No.

CLERK:

Mr. Donovan votes no.

Mr. Thompson?

THOMPSON:

Aye.

CLERK:

Mr. Thompson votes aye.

Ms. Sanchez?

Ms. Jackson Lee?

Mr. Langevin?

Mr. Higgins?

HIGGINS:

Aye.

CLERK:

Mr. Higgins votes aye.

Mr. Richmond?

RICHMOND:

Aye.

CLERK:

Mr. Richmond votes aye.

Mr. Keating?

KEATING:

Yes.

CLERK:

Mr. Keating votes yes.

Mr. Payne?

PAYNE:

Yes.

CLERK:

Mr. Payne votes yes.

Mr. Vela?

VELA:

Yes.

CLERK:

Mr. Vela votes yes.

Mrs. Watson Coleman?

WATSON COLEMAN:

Yes.

CLERK:

Mrs. Watson Coleman votes yes.

Ms. Rice?

RICE:

No.

CLERK:

Ms. Rice votes no.

Mrs. Torres?

TORRES:

Yes.

CLERK:

Mrs. Torres votes yes.

Mr. Smith?

MCCAUL:

Mr. Smith has already voted no.

CLERK:

Mrs. Miller?

MILLER:

No.

CLERK:

Mrs. Miller votes no.

Mr. Clawson?

Ms. Sanchez?

Ms. Jackson Lee?

Mr. Langevin?

MCCAUL:

How am I recorded?

CLERK:

The chairman is not recorded.

MCCAUL:

The chair votes no.

CLERK:

Mr. McCaul votes no.

MCCAUL:

The clerk will report the tally.

CLERK:

Mr. Chairman, on that vote there were eight yeas and 18 noes.

MCCAUL:

In the opinion of the chair, the noes have it and the amendment 070 is not agreed to.

There being no further amendments, the question now occurs on agreeing to the amendment in the nature of a substitute to H.R. 4482.

All those in favor, signify by saying aye. All those opposed, signify by saying no.

In the opinion of the chair, the ayes have it, and the amendment in the nature of a substitute is agreed to.

The question now occurs on reporting H.R. 4482 as amended to the House with a favorable recommendation.

All those in favor, signify by saying aye. All those opposed, signify by saying no.

In the opinion of the chair, the ayes have it, and the motion is agreed to.

Without objection, the motion to reconsider is laid on the table. Staff is authorized to make any technical and conforming changes.

I now call up H.R. 4820, the Combating Terrorist Recruitment Act of 2016.

The bill was circulated in advance and printed copies are available.

The clerk shall designate the bill.

CLERK:

H.R. 4820.

MCCAUL:

The clerk shall read the bill.

CLERK:

To require the secretary of homeland security to use the testimonials of former and estranged violent extremists or their associates in order to counter terrorist recruitment and for other purposes.

Section 1, short title. This act may be cited as Combating Terrorist Recruitment Act of 2016.

Section 2, directive. (a), in general, the secretary of homeland security shall incorporate, to the extent practicable, into Department of Homeland Security efforts to combat terrorist recruitment and communications the public testimonies of former or estranged violent extremists or their associates, including friends and family. Such efforts may include the following:

(1) counter-messaging of foreign terrorist organizations, communications and narratives.

THOMPSON:

Mr. Chairman, I have an amendment.

CLERK:

(2) related community engagement and public education efforts.

(b) Coordination. The secretary of homeland security shall, where appropriate, coordinate the actions described in subsection (a) with the heads of other relevant federal departments and agencies and, to the extent practicable, engage nongovernmental and international partners in the identification and use of testimonials described in such subsection.

MCCAUL:

The chair now recognizes the gentleman from Texas, Mr. Hurd, for five minutes to speak on the bill.

HURD:

Thank you, Mr. Chairman.

First, I want to join my colleagues earlier today in condemning yesterday's terrorist attack in Brussels and to make one message clear to the Belgian people: We are at your side.

In response to this indiscriminate violence, we will work with our allies to deliver justice. This attack also shows us clearly that terrorists are on the offensive. ISIS is employing operatives and they're recruiting remotely online and across border. They are crowd-sourcing their attacks and, as a result, extremist violence has gone viral.

ISIS has now been linked to more than 80 terrorist plots or attacks against the West. Many have been in Europe, but America is still the number-one target. One-third of those plots have targeted the United States and many were hatched by ISIS recruits within our own communities.

Here at home, we've arrested 83 ISIS-linked suspects, and the FBI has opened terrorist investigations in all 50 states. These numbers are without precedent and they are a direct result of a surge in terrorist propaganda and recruitment.

That is why I believe today we need to act decisively to pass H.R. 4820, the Combating Terrorist Recruitment Act of 2016.

This bill would require the secretary of homeland security to amplify the public testimonials of former extremists and defectors to fight back against terrorist propaganda and recruitment. ISIS is brainwashing Americans with promises of paradise and opportunity, but defectors have revealed that the group's territory is, in reality, a repressive and violent prison state that distorts a peaceful religion into a hateful ideology.

These are the kinds of messages that we need to help amplify. As President Obama noted last year, and I quote, "We need to lift up the voices of those who know the hypocrisy of groups like ISIS firsthand, including former extremists," end quote. That's President Obama's words.

This measure was recommended six months ago where our committee's bipartisan Task Force on Combating Terrorists and Foreign Fighter Travel on which I served. We found that many of our foreign partners were using the voices of disaffected jihadists to push back against the ISIS narrative. But we were disappointed to learn that the U.S. government was not doing the same.

We recommended that efforts be put in place to use the stories of former extremists or their friends or family to prevent more Americans from being recruited by terrorist groups.

Our recommendations were reviewed by this committee, provided to House leadership, submitted to the president and released publicly. They have since been lauded by top administration officials, including the secretary of homeland security, the FBI director and the president's homeland security adviser.

The concept behind this bill was also recommended last spring by the nonpartisan Homeland Security Advisory Council. They advised that DHS should, quote, "craft and disseminate counter-narrative efforts from the testimonials of former extremists."

Just last week, we were reminded how important this legislation is. A 26 year old Virginia man who defected from ISIS was picked up by Kurdish forces in Iraq. Although some details about this case remain unknown, one fact is clear. The young fighter said joining the group was a mistake.

Here's what he said, I found it very, very hard to live there he told a news outlet about his time in ISIS-controlled territory, saying ISIS fighters, quote, "don't represent the religion. I don't see them as good Muslims," end quote.

These are the kind of messages that need to be used in counterterrorism efforts to discourage young, impressionable people from falling under the spell of jihadists.

We have now acted legislatively on half of our task force's 50 recommendations to enhance U.S. security against the terror threat. In the wake of the attack in Brussels, we should act immediately on this recommendation, too.

As members of the committee have said, terrorists are moving at the speed of broadband, so we cannot move at the speed of bureaucracy.

I urge my colleagues to support this bill, and I thank Mr. Katko, Mr. Vela, Mr. Loudermilk, Mrs. Rice, Mr. Ratcliffe and Mr. Keating for their bipartisan support.

And I yield back.

MCCAUL:

If there any further discussion on the bill?

KATKO:

Mr. Chairman?

MCCAUL:

Mr. Katko is recognized. OK?

KATKO:

Yes, Mr. Chairman, I'm sorry.

I would like to comment a bit on the bill, as I see it. Two of Washington, D.C.'s top experts on countering violent extremism have written to the committee to express strong support for using testimonials to counter terrorist recruitment.

These two scholars from George Washington University have worked in the national security community and know the value of these tools. In fact, one of them, Seamus Hughes, testified before this very committee on these very issues.

I would like to read their letter in full, dated March 22nd of 2016. "Dear Mr. Chairman, we believe that harnessing the narratives of former extremists is a critical tool in countering violent extremism. Both the unprecedented mobilization of Westerners to the Islamic State and recent IS-related attacks, among those in Paris, San Bernardino and Brussels, underscore the need for effective tools to counter the appeal of jihadist narratives.

"One of the ways in which the United States government can meet this challenge is by incorporating the public testimonials of former violent extremists. The value of former extremists as countering both the appeal and the narrative of terrorist groups cannot be overstated. Former extremists offer an unparalleled perspective into the radicalization process. These individuals can provide critical insight into the push-and-pull factors that motivate someone to pledge support for, conduct an attack on behalf of, or travel abroad to join a terrorist organization.

"Thus, former extremists can speak directly to the rationalizations and grievances of those susceptible to their message. For this reason, former extremists are arguably the most credible voices in countering violent extremism precisely because they were at some time entrenched in terrorist activity narratives and ideologies.

"Firsthand testimonies of those who have experienced life within a terrorist organization, often more so than the voices of government officials and medial outlets, have the potential to resonate with those vulnerable to recruitment.

"Moreover, former extremists are uniquely positioned to highlight the hypocrisies and inconsistencies within terrorist narratives. More often than not, the testimonies of extremists belie the utopian society presented to potential recruits in terrorist propaganda. Their stories reveal the brutal truths of joining a terrorist organization and shatter the image of unity, determination and ideological commitment that these organizations work to cultivate and inculcate.

"Spotlighting these realities may force potential and hardened recruits to reexamine their commitment to jihadist ideology."

I just want to draw for a moment on my experience of 20 years as a federal prosecutor because it's the exact same analogy.

When I was prosecuting gang cases, we always talked to former gang members and used them to testify against actual gang members in the case, but also to go back into the communities to try and teach the kids in the communities not to join gangs. We've done it all the time, there's no difference.

If you want to learn how to bake bread, you go to a baker. If you want to learn how to make a bike, you go to a bicycle shop. If you want to learn how a jihadist organization works, you've got to talk to these folks and you've got to use them to your advantage in the community.

We cannot keep kicking the can down the road for weeks, months and years. Terrorists are dead set on striking our country and we've already seen that. We've just seen how capable they are in Brussels as well.

We need to vote today on this bill and protect our country.

With that, I yield back.

MCCAUL:

There being any further discussion on the bill?

PAYNE:

Mr. Chairman? Mr. Chairman?

MCCAUL:

Mr. Payne is recognized.

PAYNE:

Thank you. Mr. Chairman, as a member of this committee's Task Force on Combating Terrorist and Foreign Fighter Travel, I understand the need to use testimonials to counter terrorist propaganda.

However, I do have some concerns with regards to how these testimonials will be collected. I'd like to reiterate Ranking Member Thompson's concerns of moving this legislation forward without public departmental testimony regarding what we are going to do in the CVE space. I'm interested to learn if DHS has conducted any outreach to the stakeholders in the community.

In the past, mosques in my congressional district were the subject of surveillance by an out-of-state law enforcement agency. Although the NYPD program was subsequently disbanded, it showed us firsthand the dangers of profiling and I want to be sure that the precautions we take avoid this outcome once again.

In fact, Senator Cruz's comments yesterday are both dangerous and counterproductive.

I'd like to reinforce the criticism of these comments by NYPD Commissioner Bill Bratton whose force includes 900 Muslim-American officers. My district also includes many peace-loving, law-abiding Muslim-American neighborhoods.

Mr. Chairman, I ask that you take the ranking member's concerns into serious consideration. And I yield back the balance of my time.

KING:

Would the gentleman yield for a moment? Would the gentleman yield?

PAYNE:

Yes.

KING:

I would just point out that when you talk about the 900 Muslim police officers, many of them were involved in the operation which was so successful, it was not profiling. The reason it was ended was because they had achieved the information. This was a demographics unit which was not looking for evidence, it was looking for the places of different ethnic groups. In the event a threat came, they would know, for instance, where the Pakistani community was, where the Egyptian community was, where the Yemeni community was. This was not involved in getting any type of evidence or intelligence. It was a demographics unit and that's why it was ended. And many of those Muslim officers were involved in the project.

PAYNE:

Well, let me just thank the gentleman for those comments. But when Bill Bratton speaks, I think we need to listen. And he has demonstrated his leadership in all these different areas, so his condemnation of what Mr. Cruz was talking about...

KING:

I'm not talking about Ted Cruz, I'm talking about the demographics unit of the NYPD, which did an outstanding job and which Director John Brennan when he working in the White House said was a model for the country.

PAYNE:

We just...

THOMPSON:

Would the gentleman yield?

PAYNE:

We just need to be careful. Yes, sir.

THOMPSON:

I think the point is is that Commissioner Bratton said we have to be careful when we target groups because it could cause more harm than good. He spoke specifically about how ISIS will use any kind of targeting of groups as a recruiting tool. And I think we have to listen to him.

He talked about the 900 Muslim Americans who are law enforcement people in New York. And he said we have to respect them, we have to work and police all communities and not target any particular community.

And Mr. Payne's concern about making sure that we look across the board at any information gathering or intelligence gathering makes a lot of sense, whether they are religious zealots or international terrorists or domestic terrorists. We need to make sure that we deal with all the bad people.

And I support the gentleman's comments.

KING:

If the gentleman would yield again, I would just say I think that was proven by the NYPD when they certainly used Italian- American officers when they were going after the Mafia and Irish-American officers when they were going after the Westies. You go where the threat comes from.

PAYNE:

This is not a law enforcement...

MCCAUL:

Any further discussion on this...

PAYNE:

This is not a law enforcement bill.

HURD:

Mr. Chairman?

MCCAUL:

Mr. Hurd is recognized.

HURD:

Well, was my time -- had I yielded back?

PAYNE:

Your time had expired.

MCCAUL:

I thought your time had expired.

HURD:

Let the chair -- the chair can...

MCCAUL:

We have votes called, so we can either call for a vote on this or we can all come back.

HURD:

So I think the gentleman's comments on making sure that we're not unduly targeting folks, but this amendment has absolutely nothing to do with any of this.

ISIS is doing four social media campaigns a day and it's leveraging it into 49 different languages and dialects. They're hitting tens of millions of people a day. And the way -- we are not going to counter this by a couple of tweets from the official State Department Twitter feed.

This is about taking publicly available, stuff that has already been said in public and leveraging that with our groups.

As a member of the task force, I sat in a majority of those meetings. We've had conversations with community leaders on this, and this is the point that they want to drive home, is that you're not going to find excitement when you go to Iraq and Syria to battle ISIS. You're likely to get a bomb dropped on your head or two bullets in your chest.

That, you know, ISIS does not speak for all of Islam. They have bastardized the religion and it's a small section. And so having folks that were inspired by this message, that went over there and saw it and said it to the press, they've already talked about it, this is the kind of messaging that we should be leveraging.

And having one more hearing with a bunch of bureaucrats in Washington, D.C. after we've had 32 is what's outrageous, especially after the events of what happened yesterday. It's time to do something. It's time to make sure DHS is doing this. And this is what the American people demand.

So let's vote on this bill. Let's stop all these parliamentary procedure shenanigans because this is not...

MCCAUL:

Would the gentleman yield? Will the gentleman yield?

HURD:

I will yield to the chair.

MCCAUL:

President Obama said we need to lift up the voices of those who know the hypocrisy of groups like ISIL firsthand, including former extremists. Homeland Security Advisory Council report, Department of Homeland Security should work with former extremists to craft and disseminate counter-narrative efforts.

Homeland Security Committee Task Force on Combating Terrorists and Foreign Fighter Travel, who recommended this bill, the bipartisan task force, said the U.S. has not made adequate use of jaded jihadists to convince others not to join the fight and should launch a concerted effort to use the testimonials of disaffected former foreign fighters, extremists and their friends and relatives to counter the narratives that persuade Americans to travel overseas to fight with extremist groups.

That's all this bill does. Who could object to that?

The gentleman from New York is recognized.

PAYNE:

Wait, you just recognized somebody from the majority side.

THOMPSON:

Just a minute...

KATKO:

Thank you, Mr. Chairman.

Mr. Chairman, the only thing I'd say, in addition to this, there seems to be some sort of an understanding here, that is a misunderstanding...

MCCAUL:

A point of order, I'm going to recognize Ms. Jackson Lee then I'll go to Mr. Katko.

KATKO:

Thank you, sir.

JACKSON LEE:

Mr. Chairman, let me offer, as I know that all of the members here, deep pain and emotion and association with the pain of the people in Brussels, people of Belgium, and how know each of us felt as we heard the tragedy come in and the loss of lives.

We are not making the point to my colleagues that members who are on the Democratic side have any less passion, deep commitment, years of service fighting against terrorism. And certainly for those of us who were here during 9/11, which includes a number of members on both sides, including the ranking member of this full committee, there is no divide on that. Let me be very clear.

I think what we are trying to say, and I will continue to listen to the debate, are several things. To my dear friend from Texas, we are going to do something, we need to do something. And this is not the end, this is only the beginning. There are a lot of loopholes that we're dealing with.

One of the things I want to bring to the attention of my colleagues, that I have engaged with the CVE program, as evidenced by Secretary Johnson, I went out to both my district, but also to Los Angeles and met with folk who are involved in this program.

Be very careful as well that you have all of the community embracing a program of information because if you have a tone coming from this bill that you're targeting Muslims, then the program does not work, or that only Muslims who are engaged in terrorist acts, as I know that my ranking member is concerned that we are too narrow.

So whether or not the president has made the point, that is an obvious point, that those who are converted, who have come back and have been converted back to, in quotes, "a life of not terrorizing," they do have a story to tell.

But I think we must be very forthright as we try to fight terrorism, both from the mechanics of aviation security and transportation security and otherwise that you must have a holistic approach to Muslims in this country and Muslims around the world. And a program cannot be defined as only focusing on those kinds of terroristic acts.

And I think that we're on the right track. I think we must stop this.

I end my note and let me yield to my good friend for a moment, but let me end, Mr. Chairman, Mr. Ranking Member, one of the things that is needed is more human resources. We have stopped the embedding of individuals in these cells around the world to get human intelligence, because that was probably the slip-up of the Brussels law enforcement and efforts once they caught one of the perpetrators to not be able to stop the actual acts.

And that's what we need to be able to do with all of our sophistication.

With that, I'll be pleased to yield to the gentleman from Louisiana, Mr. Richmond.

RICHMOND:

Mr. Chairman, I would just say that I don't want to -- you said who could object to this, I certainly don't object to it. But I don't think the bill does anything. I hate to be the pragmatic person at the table. But the first sentence says the secretary of homeland security shall incorporate to the extent practicable.

Now, I've been in the legislature a long time, I've been in Congress six years. But when you give out the bill does nothing anymore because now you let the Department of Homeland Security determine to the extent practicable.

So why wouldn't we work with the department to get them to do what we're trying to do as opposed to passing a bill which doesn't mandate that they do it because we gave them an out in the same sentence?

So I mean, you know, if we just want to pass a bill for a bill's sake this is good. It sounds good, feels good, but it doesn't mandate that they do anything.

So I know we're in a rush and everybody keeps talking about what happened yesterday. But I have a whole list of things that happened all last year in Boko Haram, in Nigeria, that didn't move anybody to do anything.

So you know, so for the sake of the bill, no, I don't object, I think it's a great idea, I have an amendment to make it better, but if you really want to do something you need to take out or strike to the extent practicable because that guts your whole bill. So you know, I'm for it.

MCCAUL:

The gentleman's time is expired.

A vote has been called on the House floor. Without objection, the committee stands in recess subject to the call of the chair.

(RECESS)

MCCAUL:

The committee will reconvene.

Before I ask if there's any further discussion on the bill, I'd like to entertain Mr. Richmond's suggestion that the language "to the extent practicable" be taken out of the bill.

That was put in the bill at the request of the Department of Homeland Security. However, I would be amenable to taking that language out and making this bill a mandatory bill rather than discretionary if that would be the objective or the preference of Mr. Richmond.

And I think, as I recall, you said you would actually support this bill if that was taken out.

And I yield to the gentleman.

RICHMOND:

Well, I said I support the bill anyway. I was just being the pragmatic person reading the bill that I think that to the extent practicable is an out, I really do. And you know, you all wrote it. If you want to fix it, I just think it's, you know, an out. If the department wanted it in there, then it would appear to me that what the department is saying is, you know, we want to do it, but let's talk about. And you know, they probably would do it without a piece of legislation.

But you know, it's you guys' call. I do have an amendment, but it's not to do that.

MCCAUL:

Well, and let me just say I agree with the gentleman and I agree with your suggestion. And I would move that this language be stricken from the bill. This will make it mandatory on the department, rather than discretionary.

Is there any further discussion on the bill?

THOMPSON:

Mr. Chairman?

MCCAUL:

The ranking member is recognized.

THOMPSON:

I have my amendment roster to be offered. At the point that it gets to Mr. Richmond, I'll be happy to support his. But you're kind of taking it out of order.

MCCAUL:

Well, I wanted to, as we reconvene, raise the last subject that was brought up by the gentleman. The chair agrees with the gentleman, Mr. Richmond, and at the appropriate time we will strike that language from the bill.

Is there any further discussion on the bill? Any further discussion on the bill?

THOMPSON:

Mr. Chairman, I do have some amendments.

MCCAUL:

And I understand that. At the appropriate time -- Mr. Duncan is recognized.

DUNCAN:

Thank you, Mr. Chairman.

And I sat here earlier and listened to some of the debate about this bill. And I think back about my childhood when we were forced to watch a video in school called "Scared Straight."

"Scared Straight" was where American reporters went into the prisons and had actual convicted convicts, prisoners, that had committed all kinds of crimes, look into the camera and tell the American youth about their crimes and about what it means to be imprisoned, "Scared Straight."

We've got so many people that are being radicalized online, that are buying into this Islamic jihad and this goal of a caliphate, that are being misinformed. Young girls that are traveling from all over the world to live under the caliphate to be wives of the Islamic State terrorists, that are abused, regret their decision. They need to be scared straight, they need to hear what it's actually like in this caliphate.

I think the bill does a great job in allowing these testimonies from folks that have escaped or left fighting the battlefield for ISIS, escaped the Islamic State, they need to look into the camera and tell America's youth and youth around the world, and not just the youth, but others that are being radicalized, what it's actually like in the caliphate.

We need to wake up and realize that this is a war unlike any war we've ever fought. This isn't a nation state. You can't go in and defeat an enemy, defeat a country, defeat its leaders from border to border, take over territory and win this thing.

The battleground is Chattanooga, Tennessee. The battleground is Fort Hood, Texas. The battleground is Paris. The battleground is Indonesia. The battleground is Brussels, as we saw yesterday.

There are a lot of groups that need to be labeled by the U.S. as foreign terrorist organizations. We see the genocidal actions by ISIS and we're doing nothing as a free world really to combat that. We're not arming the Kurds who are actually fighting with antiquated weapons and winning against ISIS.

Think about what the Kurds could do against ISIS if we actually gave them modern, 21st century weaponry. They were our allies in Iraq. We didn't lose a single American life, to my knowledge, in Kurdistan portion of Iraq during the wars, not a single American life because the Kurds were with us.

We allowed the FBI and law enforcement to actually infiltrate gangs and the Mafia during the 1920s and on. But yet we will argue over whether we're going to allow law enforcement divisions of DHS and the national security apparatus to actually infiltrate the mosques in this country when we know, we look at every terrorist act, every single terrorist act that has been perpetrated on the United States has been by Muslims.

You can go through the list, from the shoe bomber to the 9/11 attacks...

PAYNE:

Will the gentleman yield? Will the gentleman yield?

DUNCAN:

Name a terrorist attack that was not? I'll yield to you.

PAYNE:

Oklahoma City, Timothy McVeigh, our first serious attack in this nation.

DUNCAN:

I'll give you that one. I'll give you Oklahoma City, I've been there. I appreciate you bringing that up. But beyond that, we could go through a whole litany of them that have been perpetrated by Muslims.

PAYNE:

But we always seem to overlook that.

DUNCAN:

I reclaim my time. We need to allow law enforcement to go into the mosques so we can stop radicalization. We need to allow folks that have been on the battlefield in Iraq or Syria to come and tell the real stories to the American people and to the world. We need to scare straight the folks that are thinking about joining the Islamic State, because it's not a rosy picture, not a rosy world, with sex slaves and, you know, homosexuals being thrown off of buildings.

You know, one side of this political spectrum stands up for homosexual rights in this country. Where are you standing up for the homosexual rights in other countries under the Islamic State, if we just want to talk about that particular argument?

I'm sure the testimony of folks that come and talk about their experiences under the Islamic State will share those stories with you. You don't have to believe it just because it's on the Internet, you can hear it from them themselves.

I think this is a good bill. I think we've got to start instead of erasing the words of terrorism from the lexicons of the FBI and the DOD, which we have seen this administration do, the words that were used in the 9/11 commission report of sharia, of Islam radicalization, al-Qaida, all the things. We've done this before.

In the five years I've been here, we've had hearings where we've talked about the disappearing language of terror under this administration. We need to call it for what it is.

It's radical Islamic jihad and it's targeting the West, particularly the United States as the leader of the West and the free world. Talk about it in terms that actually will help our law enforcement and our military defeat the enemy. And the enemy is radical Islamic jihad wherever it may be in the world. And we've got to take the battle to wherever it may be in the world.

With that, Mr. Chairman, I yield back.

MCCAUL:

Ms. Watson Coleman is recognized.

WATSON COLEMAN:

You know what disturbs me most about how we're approaching this bill is that we've isolated the enemy to be that who is Islamist, that who is supposedly foreign, and that who is being radicalized by foreigners.

Well, let me tell you, I'm also afraid, if we're going to invade and send our undercover agents into mosques then we need to send them into the Christian churches also, because that's where we find the radical right wing that hates you simply because...

DUNCAN:

Would the gentlelady yield?

WATSON COLEMAN:

No, the gentlewoman will not yield.

DUNCAN:

I yielded for him.

WATSON COLEMAN:

That's your prerogative. I am telling you that maybe this bill is moving in a direction that we should consider, but it is not there. Because I want to know, how does this bill address the same threat that people fear from those who are not being radicalized by foreigners, are not trying to be part

of jihadists, but are part of a militia or part of a right-wing, ultra-conservative, racist organization that simply wants to kill African Americans or other vulnerable communities?

So tell me, if you don't mind, Mr. Chairman, how does this bill address our concerns on that level, not just on the Islamist jihadist level? And why, as a homeland security should we not be concerned about those who have already demonstrated the greatest threat to us in our homeland? And they are not the Islamist jihadists, they are the Timothy McVeighs of the world, they're the young man that went into Sandy Hook, they're the young man that went into Mother Emanuel, they're the young man that went into Boulder, Colorado, they're our American bred, born citizens, not radicalized by Islam or the extremists in Islam, not radicalized by jihadists, but radicalized by the foundational hate that is associated with the racism of this country.

How does this bill address that? And before it addresses that, we should reject this bill. Thank you. I yield back my time.

MCCAUL:

Any further discussion?

KATKO:

Mr. Chairman, if I may?

MCCAUL:

Mr. Katko is recognized.

KATKO:

The greatest threat to our country right now is the Islamic threat, the ISIS threat, the greatest threat. We have investigations in all 50 states. San Bernardino was an ISIS-inspired plot where 14 people were murdered, 14 people were injured and the mayhem it created. That's a fact.

This bill simply addresses the greatest terrorist threat we have in this country right now in a very precise way. To require the secretary of homeland security to use the testimonials of former estranged violent extremists or their associates in order to counter terrorist recruitment, that's it, OK?

If you're a white supremacist and I was a prosecutor, I would use them to go into areas and tell other white supremacists this isn't a good idea.

This bill simply says I was there and it sucked. OK? If I was there and it didn't work, I was there and it's horrible, I was there and they're throwing people off roofs, I was there and they're killing people, murdering people. That's simple, that's all this bill does.

And Mr. Payne, your opposition to this bill is a head-scratcher big time because you're on my committee that drafted this statement, that statement right there. The U.S. has not made adequate use of jaded jihadists to convince others not to join the fight and should launch a concerted effort to use the testimonials of disaffected former foreign fighters, extremists and their friends and relatives to counter the narratives that persuade Americans to travel overseas to fight with extremist groups.

You were there when we talked about it. Mr. Vela was, too, when we had people come and tell us the value of doing this. OK? This isn't a racial thing. It's a guy saying I've been there. The guy doesn't even have to be a Muslim that does it, he doesn't have to be talking to Muslims.

The idea is people in the United States that are getting radicalized by ISIS, either over the Internet or through other ways, this bill simply says we want to use the testimonies to try and bring them back from the abyss. That's it.

OK, so you can sensationalize this all you want, but that's all it's doing. And for people that were on that task force to oppose this when they had an opportunity to oppose it before we brought the report out.

WATSON COLEMAN:

Will the gentleman yield?

KATKO:

No.

WATSON COLEMAN:

Thank you.

KATKO:

So I'm telling you, what I'm saying is let's not blow this way out of proportion. We are simply talking about people that have been there, done that and are leaving.

I did all the time in gang cases. If it was a Hispanic gang, I took a Hispanic gang-banger from that community, they went back in and talked to the gang-bangers. If it was a white gang we did the same thing.

If you want to learn how to bake bread, you've got to talk to the guy that knows how to bake it, right? These guys have been there. They're talking. That's all this bill does.

So everything else you're talking about is, to me, sensationalizing something for no reason. And let's not forget the backdrop of this. Fifty investigations, investigations in all 50 states, major

threats, major terror plots were stopped on the 4th of July, five of them. And anybody that goes down to the skiff knows the seriousness of the danger we have.

So let's not forget about the context in which we're doing it. We should use every tool in our arsenal, every tool in our arsenal, and this is just one of many, to stop this. Because, God forbid, if we don't do everything we can and something bad happens and we could have stopped it.

Now, that guy who just came back from ISIS territory and he said how bad it was, think of the value of him coming back saying I've been there, I've seen it, and they don't represent Muslims, they don't represent the Islamic faith, they've bastardized it, to use someone's term from earlier today.

That's gold. I'm telling you, from a law enforcement guy who's done it for 20 years, that is gold. That will do more than a thousand wiretaps and do more than a thousand public service campaigns from people who don't know what they're talking about.

So just keep that in mind, OK, what we're talking about here, folks. We're talking about a very simple concept, using people who have been there to tell them it isn't as good, don't buy the garbage they're selling. That is it.

I yield back, Mr. Chairman.

WATSON COLEMAN:

Thank you. Mr. Chairman?

THOMPSON:

Mr. Chairman?

WATSON COLEMAN:

Since my colleague has specifically addressed something that I said, may I have a moment...

MCCAUL:

Well, I have to control the time. The ranking member would like to be recognized. He may yield time to you.

WATSON COLEMAN:

OK, thank you.

THOMPSON:

Thank you. I'll yield to the gentlelady from New Jersey.

WATSON COLEMAN:

Thank you, Mr. Ranking Member.

And thank you to my colleague, Mr. Katko.

And you know, I really just want to kind of bring to my colleagues' attention as well as to the committee's attention something that gets far less attention, and that is that the number of open investigations of anti-government and militia groups grew by more than one-third in 2015 alone.

And so while I am very concerned, I am extremely concerned about any threat to our homeland by anybody, my problem here is that this bill doesn't address everybody, it only addresses somebody, and so it perpetuates the stigma that's associated with just a group of people who happen to be from the religion of Islam.

And so if we are concerned and if my colleague did indeed use his prosecutorial discretion to prosecute those who were associated with other groups and cartels, I don't understand why my colleague or anyone else on this committee would have a problem with our opening up the definition of who we're talking about when we speak about violent extremists.

And I'd now like to yield back to my ranking member, Mr. Thompson.

Thank you, Mr. Thompson.

THOMPSON:

Thank you very much, Ms. Watson Coleman.

One of the concerns and reason you're hearing from the members is all of us are Americans, we care about this country. Some of see this bill as vehicle to look at the whole terrorist threat that we are under and not single out one group.

The documented threat is on the domestic threat, the danger, the killings that have occurred far greater than any other threat is on the right-wing domestic side.

And what we're saying that we just need to add everybody to the bill.

Now, we all know about Charleston. We know about Denver. We know about the school shootings. Those were not people radicalized by some religion. Those are just some crazy, right-wing people who want to do harm to Americans. Let's include those groups as we look at the people who try to do us harm, not single out a particular group. Let's just look at everybody.

And our effort is to broaden the look.

DUNCAN:

Would the gentleman yield?

THOMPSON:

I'll yield.

DUNCAN:

Would you include the Black Panthers and some of their recent statements in that group?

THOMPSON:

Absolutely.

DUNCAN:

OK, thank you.

THOMPSON:

And they're being watched, I'm certain they are.

(LAUGHTER)

(UNKNOWN)

For decades.

THOMPSON:

You know, so I'm not trying to exclude anybody. So I want you to understand, any group that's trying to do harm, then I want us to have a microscope on them, I want to talk to disaffected people, it doesn't matter who they are.

And rather than single out somebody as the only threat to this homeland is disingenuous on the overall threat.

So that is our concern and the reason we're raising that concern is the bill is less than two days old, no hearings, no testimony, no witnesses. And so what we're trying to do is the only way the rules allow us to do is to amend the bill.

And so if amending the bill to make it better is perceived as somehow trying to destroy the bill, that's not who we are.

Ms. Watson Coleman, Ms. Jackson Lee, everybody who's offered a response to any of these bills have tried to make it better. And so that's all we're trying to do.

So if there's a Christian who is of a philosophy that is dangerous to this country, we ought to make sure that they're investigated like everybody else. And if that is the case, then all we have to do is include that language in this bill and that part of the unreadiness is done.

And with that, I yield back.

MCCAUL:

I'd just like to make a comment. The bill says violent extremists. The title was originally jaded jihadist, it is not that right now, it's Combating Terrorist Recruitment Act.

And let me just say we've had numerous hearings on this topic. We had numerous hearings on the bipartisan task force on this topic. And we reached out as late as last night to the Democrat staff to try to resolve this in the spirit of good faith and they did not respond to the majority staff's calls.

And I want that to be on the record.

With that, I recognize Ms. McSally.

MCSALLY:

Thank you, Mr. Chairman. And thanks for pointing that out.

I mean, since we're so interested in reading bills earlier, if we just look at the text of the bill, this is simply what it says. The secretary of homeland security shall incorporate to the extent practicable into Department of Homeland Security efforts to combat terrorist recruitment and communications the public testimonials of former or estranged violent extremists or their associates, including families and friends.

Such efforts may include the following: counter-messaging of foreign terrorist organization communications and narratives, related community engagement and public education efforts.

And then there's a coordination paragraph. There's no group named in here, there's no group not named in here. This is about countering extremism and countering terrorism.

Now, it just so happens that, I'll speak from my district, but in the role that we're in in this committee and the Armed Services Committee, most people I talk to are concerned about ISIS as the largest growing and metastasizing threat to our security. We have known 38,000 foreign fighters that have traveled from 120 different countries.

The bipartisan task force did a deep dive into these issues, working with our colleagues on both sides of the aisle. The investigation is going on, the territory that they have now growing into Libya. This is a threat that is not going away overnight, it is a generational threat.

And we're simply saying, as we talk about military operations, which I've been highly critical of, we all know that the end game of addressing this threat is to counter the radicalization, to counter the message, to stop people from being radicalized with our allies and in our own communities.

And in order to do that, we shouldn't just have a bunch of bureaucrats sending out a couple of tweets with Department of State, you know, listed on the, you know, on the disclaimer. We need to take the stories of the people who started to become radicalized and realize the violent, extreme sexual slavery that the girls that are going over there are participating in and being enslaved by, to tell those stories.

We all know there's nothing more powerful than a testimonial, than hearing from somebody who has bought into it and then realized what this organization is. That is going to be a very powerful message.

We heard it in many of our meetings in the bipartisan task force. And I cannot believe that the day after another attack in Brussels that we are -- when I just read the language here, that we're getting into some partisan hijacking of this as opposed to reading it.

It's a bipartisan bill. Many members of this committee are on this bill. That we would pass this thing out of committee and not linger for another two weeks, because the threat is very real and it is imminent.

And it would be a dereliction of duty if this committee were unable to move this thing forward because of other shenanigans that are happening here today.

RICHMOND:

Will the gentlelady yield?

(CROSSTALK)

MCSALLY:

... remainder of my time. I yield back.

JACKSON LEE:

Mr. Chairman?

RICHMOND:

Mr. Chairman?

MCCAUL:

I have to go to I believe Ms. Jackson Lee.

JACKSON LEE:

You may want your own time, but I'd be happy to yield.

Let me just say to the gentlelady I believe we really are on the same page. I was just reading an article about the Sikh temple where a white supremacist came in and killed a number of Sikh. I think we all know that.

But let me -- I wanted to appropriately, without disrespect, I want to call you colonel, but I didn't know what your rank was. I thought it was. So let me acknowledge this first of all for your service.

And I cannot equate the work that I've done with the service of men and women in the United States military. It just so happened I had to step away because I was fighting for disabled vets to get some transportation benefits in my own city of Houston. I respect the service that you've given.

And I think you make an important point that the Americans' minds are on the heinous tragedy of Brussels. And as well having come on this committee, as my ranking member did, as I said earlier, in the shadows of 9/11, having been on these grounds in the United States Capitol when the Pentagon was hit and the mass confusion that generated and seeing the light years, the years that we've come. We have to be unified around this issue of terrorism.

But as I read the bill, and I know that the ranking will have an amendment, I don't really see this as being shenanigans or partisan.

And I think you made the point that the people you talk to, and that's what's so wonderful about the people's House, we all represent different districts, but we are certainly unified around this flag. We love this nation. And we will stand in the gap for this nation. And we will fight for this nation, as you have done and those of us who are civilians have tried to do.

But I think there is a simple remedy. Because you're right, the chairman has already changed the title. Let me compliment him on that. But when you read it and it says combat terrorist recruitment, one could put in the word "all" but I know my colleague is going to offer an amendment that doesn't skew this bill in any way.

Then in the subsets of (1) and (2), language could be all terrorism or all forms of it, et cetera, would not skew this bill at all. The messaging could be the same, and that is that we are here standing up, we're doing what the American people expect for the Homeland Security Committee to do and we've done it well, in a bipartisan fashion.

And that is that we've come together and embraced all forms of terrorism to oppose it -- to oppose it -- not to stigmatize any faith, religion or group, but to stand against the heinousness and the dastardliness of these acts.

Now, I went to the floor and said we've got to do something more, we've got to now, I think, go back the old-fashioned way and embed human resources, human elements into these cells a little bit more. Maybe we've shortchanged our friends that do that too much.

But I think in this instance you have to take our experience. So in my district, as they come together in mourning on this issue, this multicultural district that I have in Houston, Texas, speaks 98 languages, at the same time when Mother Emanuel occurred they felt terrorized.

And we're about homeland security and terrorism. And I don't think it diminishes what we're doing by acknowledging that someone goes to a Sikh temple and kills how many people out of a terrorist act.

Let me -- do you wish me to yield, Mr. Payne?

OK, so let me conclude my remarks by just saying I think there is a common ground. And I think there is a way for us to make this strong statement.

Let me also conclude by saying I'm proud of this committee because we do have a passion for protecting the homeland. And I've always thought that when America is in her worst moment, mourning others or thinking about terrorist acts, the committee here, Homeland Security on the House side and the committee on the Senate side, will be the committees so named to be armor along with Armed Services and others.

But homeland security is what they're asking us to protect them from the dastardly deeds and thoughts that may generate deeds of people who come to this horrible point of doing harm, terroristic acts, no matter from where they come from and whatever thought they have to deal with it.

So I hope we can have common ground, Mr. Chairman, and I yield back my time.

MCCAUL:

The chair recognizes Mr. Walker.

WALKER:

Thank you, Mr. Chairman.

I don't offer a lot of feedback, do more listening as a new member of Congress. But I would have a problem ignoring one of the comments that were made and I feel like need to be addressed due to this bill's language, that we also need to send agents into Christian churches because of the radicalization that's going on there.

I've been to Brussels, Belgium. We've had teams in 10 different refugee camps in the country of Belgium out of Christian organizations. And I will tell you this, I'd be hard-pressed to think of any

Christian organization that is doing any kind of radicalization specifically like we're seeing in ISIS with 49 different language, with four social media campaigns.

I also have missionary friends who have seen firsthand what is happening to these young girls to the hands of these radicalized people. It is atrocious. It is our highest priority.

That is not to cheapen what we've seen with the Timothy McVeighs. And we should acknowledge those terrorist acts that do take place on our own soil. But to draw a line to the Christian faith that there is any radicalization that's going on to this level or even close, I'm grossly offended by that and I would hope that we would consider using that kind of language that incites more than subsides.

I appreciate Ms. Sheila Jackson Lee's tone and her spirit of wanting to work to a common ground here. But I do believe that we need to pause and think about inciting that kind of rhetoric that would accuse Christian organizations of needing agents in there to squelch the radicalization that's going on there.

I'm just concerned about that, and I would hope that we would do better in our language moving forward and certainly pass this piece.

With that, Mr. Chairman, I yield.

MCCAUL:

Any further discussion?

Ms. Watson Coleman is recognized.

WATSON COLEMAN:

Thank you, Mr. Walker, because I was not trying to infer that there was the Christian church or the Christian organizations that were doing that. And I don't think that anyone is trying to infer that the mosques are doing it. But there are people within the mosques that they're concerned about.

And I was only trying to sort of make that a comparable statement as it relates to those people who profess to be Christians that belong to Christian churches and do the same thing.

I think I was really speaking to the absurdity of trying to embed in either one of those holy environments. And so thank you for giving me the chance to correct that.

And thank you, Mr. Chairman.

MCCAUL:

Mr. Perry is recognized.

PERRY:

Thank you, Mr. Chairman.

I think maybe some of the misunderstanding might come from a letter, I think, that was sent to some members of the committee by the Arab American Institute. And in one of the paragraphs here it says that the bill regards programming exclusive focus on Muslim communities.

Now, I'm just going to go through the language. This whole bill is 25 lines, 25 whole lines, so it's not a long bill. But I read it twice and I underlined it here. I'm just going to go -- so this language that allegedly is exclusive focus on Muslim communities, this is the language.

Testimonials of former or estranged violent extremists or their associates in order to counter terrorist recruitment and for other purposes. That's it. It doesn't mention Christian. It doesn't mention Muslim, fat guy, skinny guy, guy outside, inside, man, woman, anything.

Public testimonials of former -- this is on the second page, line five -- public testimonials of former or estranged violent extremists or their associates, including friends and family. That's it.

So if there's any confusion, if there was any confusion about it was calling out somebody or leaving somebody out, I know everybody in here can read English and comprehend that. Nobody's out and nobody's in. It's homogeneous. It doesn't target anyone, it doesn't profile anyone.

It just says if you're part of this program here, no matter where you came from, no matter who you are, no matter what your name is, no matter what your background is, and you want to exercise your right to free speech in America and give a testimonial and tell your story about what happened to you and how you were misled, God bless you, go ahead and do it. That's all this says.

And I wonder, I imagine each of one of you, when these attacks happened, whether it's in San Bernardino or Chattanooga or Brussels or Paris and you see your constituents out at the grocery store, at the gas station, they say what are we doing, when is this going to stop, what's happening. When we go home and we say, well, we were going to let people talk about it, but somebody said we couldn't, we can't let them talk, we can't let them tell their story, I don't know how you're going to tell, I don't know how you're going to explain that, but I'm not going to be in that position.

I don't understand the opposition based on the English language, a couple of lines in the bill on the first page, on a 25-page bill that I just read twice, that doesn't call anybody out, doesn't make exclusions for anyone.

And so I would just urge everybody to dial down the tone here, disregard this letter that whoever got that says it provides an exclusive focus on Muslim communities, and read the bill.

It's not 2,000 pages, it's two pages. It's not even two, it's like one-point-something, right? Read the bill. And you can go home and tell folks. Look, I've got friends that are in the Muslim community in the district I represent, I'm privileged to represent. And if they say, well, you're picking on us,

you did this, I will go show them this and say sir, ma'am, please help me, because you're at as much risk as I am, as a matter of fact you maybe more. I am not a Muslim, right?

And many of the people in our communities, according to ISIS and Boko Haram and Khorasan group and all these folks, consider the people that live in this country that are peace-loving, practitioners of Islam and the Muslim faith, they consider them apostates, they have absolutely more to lose than I'm a Christian.

So I would say to them you're my neighbor, you're my friend, you can read English, tell me what it says, know the truth, know the truth, and let's defend our country, let's defend our neighborhoods together, together as one.

Mr. Chair, I yield.

MCCAUL:

The chair recognizes Mr. Higgins.

HIGGINS:

I yield to the ranking member, Mr. Thompson.

THOMPSON:

Thank you very much, Mr. Higgins.

Mr. Perry, if you had read the next line, it said counter- messaging of foreign terrorist organizations. So I mean, that's clear. There's a specific reference to foreign terrorist organizations in the bill. And we want to make sure that if that reference is there we expand it to include domestic terrorist organizations.

And so our concern is that we have targeted a certain group of people who are not only the bad people who are trying to do us harm, there are people who burn the cross in this country, in parts of the country, and will try to convince you that they are Christians.

Now, Mr. Richmond has an amendment that's going to identify some of those organizations. They are threats to this country.

So I think in the interest of fully vetting all of the issues that are out there, let's just include everybody. Don't just...

KATKO:

Would the gentleman yield just for one second? I've got one quick question of you, Mr. Thompson. If you took the word "foreign" out of that, would you have a problem with the bill? It would just say terrorist organizations.

THOMPSON:

Well, that's making it better. That's absolutely one of the concerns that we've had.

KATKO:

But if you do that and there's nothing, what else is there?

THOMPSON:

Well, but that's -- that gets us...

KATKO:

Because I guess when I'm looking at the bill, if you take the word "foreign" out, you have nothing but terrorist organizations. Doesn't delineate foreign or domestic, doesn't say anything. It's wide open. Why wouldn't that be enough?

THOMPSON:

Well, that would be enough for that particular amendment that we have to offer. And that's what we're trying to say. The Democrats really did not have the time necessary. We worked hard.

And again, we have crafted what we think are amendments that make this bill better. And individuals have spoken to that. And again, we want to just expand the reach so we include everybody.

At this point, you've targeted a reference in the bill to foreign terrorist organization. And that, for a lot of the members on the Democratic side, has said that there are individuals who are left out.

KATKO:

I understand. But if you take the word "foreign" out, where's the problem? Isn't the problem solved?

THOMPSON:

Well, then we'll have to get the amendment to do that at that point. That's what I'm trying to tell you.

KATKO:

Right. But if you take that word out, one word, what's the problem?

THOMPSON:

Well, we're discussing the whole bill, not the amendments.

KATKO:

I just don't understand, if you take that one word out, it doesn't delineate any organization, so therefore it applies to all of them.

THOMPSON:

And again, the same thing as Mr. Richmond had in terms of his. When we get to that point, we'll be happy to do it. And that's a wise recommendation, one that we will consider. But we haven't even gotten to the amendments.

I yield back.

MCCAUL:

Could I ask the leg counsel a question?

ECKSTEIN:

Yes, sir.

MCCAUL:

And in the bill, it says such efforts may include the following: countering message of foreign terrorist organizations.

Can you explain the use of the word "may" and what that means?

ECKSTEIN:

Yes, Mr. Chairman. The word "may" means that it may include something and it may not include something. It is a non- exhaustive, nonexclusive term.

So when the leading language at the beginning of line seven says such efforts may include the following, the two key words there is "may" and the word "include." If it may include something, it may or it may not. And the word "include" by definition means but not limited to.

In drafting, we do not say but not limited to due to litigation reasons. But it is a nonexclusive and non-exhaustive term. So if it says such efforts may include the following, they may or they may not and they may include those or include others or not any of those at all.

It doesn't say shall and it does not say include only the following. So it is extremely wide-ranging and extremely expansive.

MCCAUL:

Thank you for that clarification.

Any further discussion?

Mr. Donovan?

DONOVAN:

Thank you, Mr. Chairman.

I think what was expressed here by all is we all have some concerns about overreaching into people's houses of worship and things like that.

I just wanted to point out one of the things that we should really emphasize. We're only talking here about public testimonials, things that folks who have seen that this is not the life that it's portrayed to be, who have already made public testimonials, and so we wouldn't be going in dropping bugs in a mosque or eavesdropping wires into temples or, you know, Catholic churches.

These are just simply public testimonials of people who have bought into this false life and who've seen that it was false and have come out and have told others that it's not what it's portrayed to be. So people's constitutional rights and things like that, that we're all concerned with, are not at risk here because the bill as written now describes only public testimonies.

And I, like my colleague Mr. Katko, being a prosecutor for 10 years, I've actually taken young people to Rahway Prison for the scared straight program. And it's very powerful to hear from the mouths of people who once believed that the life they entered was a good one, letting them tell young people that it's not what they believed it to be.

So again, everybody's emphasized a lot of different parts of this bill. I just wanted to emphasize to my colleagues that we're only talking about public testimonials. No one's constitutional rights are violated and it's a very effective tool in persuading people not to join an evil force.

And I yield back, Mr. Chairman.

MCCAUL:

Any further discussion of the bill?

Mr. Richmond?

RICHMOND:

No, I was just letting you know I have an amendment.

MCCAUL:

Mr. Loudermilk.

LOUDERMILK:

Thank you, Mr. Chairman. I'll try to be brief.

But we're on the day after a terrorist attack by one of our closest allies. My father was in Belgium during the Battle of the Bulge. And our 101st Airborne valiantly stood against an overwhelming German force to save the people of Belgium.

To this day, the city of Bastogne raises the American flag every day alongside the Belgian flag in honor of us standing with our allies. And make no doubt, we are going to stand with our allies.

But I hear talk about we have to do something before terrorism comes to America. Well, I want you to talk to the people in Garland, Texas, talk to the people in Chattanooga, Tennessee, and talk to the people in San Bernardino. Terrorism is already here in the United States. And I am becoming more frustrated every day as the American people want us to do something to protect them against extreme Islamic terrorism and we keep fighting political correctness day in and day out and political correctness is killing Americans every day.

We've passed a border security bill, Mr. Chairman, out of this committee, but it doesn't move because the president says he would veto it. We have passed the SAFE Act to prohibit the extremists from exploiting our refugee program to get trained operatives into this nation, but the Senate won't move it because the president says he's going to veto it.

And then in this committee just earlier this week we heard testimony that the president, while funding environment research, is proposing to cut \$599 million out of homeland security's efforts to combat terrorism. We have to prioritize protecting American citizens far beyond political correctness.

With that, Mr. Chairman, I yield back the balance of my time.

MCCAUL:

Any further discussion?

I'm sorry, Mr. Carter?

CARTER:

Mr. Chairman, I'd like to have inserted into the record, I ask unanimous consent to insert in the record a letter from George Washington University in support of H.R. 4820, and statements from President Obama on February 18th, 2015 and February 19th, 2015 during the White House summit on countering violent extremism.

I would also like to draw everyone's attention to the transcripts from numerous hearings we have held on countering violent extremism. I have a list of such hearings I would like to submit for the record.

MCCAUL:

Without objection, so ordered.

CARTER:

Pardon me?

MCCAUL:

I said without objection, so ordered.

CARTER:

OK.

MCCAUL:

And does the gentleman have anything further?

CARTER:

If I could finish, Mr. Chairman.

MCCAUL:

I'm sorry, I thought you were entering into the record the letters.

CARTER:

OK. OK. All right, I was. Thank you.

As you can see by the pile of transcripts, there's been extensive discussion in this committee on this topic. I would also like to draw everyone's attention to the committee's Task Force on Combating Terrorists and Foreign Fighter Travel report, the Homeland Security Advisory council foreign fighter report, and the Institute for Strategic Dialogue countering violent extremism report.

These documents all make the case in support of this bill.

And I yield back, Mr. Chairman.

MCCAUL:

I thank the gentleman.

Any further discussion? Is there any further discussion on the bill?

There being no further discussion of the bill, the committee will move to consideration of the amendments on the roster. There are no amendments listed on the roster.

Does anyone wish to offer an amendment to the bill?

KATKO:

Mr. Chairman?

MCCAUL:

Mr. Katko is recognized.

KATKO:

Mr. Chairman, I have an off-roster amendment in the motion of a substitute at the desk and I ask for its consideration.

MCCAUL:

The clerk shall report and distribute the amendment.

CLERK:

Amendment in the nature of a substitute to H.R. 4820, offered by Mr. Katko.

MCCAUL:

Without objection, the reading of the amendment is dispensed with.

The gentleman from New York is recognized.

KATKO:

Mr. Chairman, I'll be very brief. In the last paragraph, it simply deletes the phrase to the extent practicable on line 16 and 17 and replaces it with the term as appropriate. That's the only change.

And with that, I yield back.

MCCAUL:

Is there any further discussion on the amendment?

THOMPSON:

He needs to explain it.

MCCAUL:

Mr. Katko, would you explain your amendment for the benefit of some of the other members.

KATKO:

It's simply a change in the terminology there from to the extent practicable to as appropriate. Just basically cleaning up the language a little bit, that's all.

MCCAUL:

Are you referring to the language that Mr. Richmond was referring to?

KATKO:

No, the language in the coordination section, in subsection (b).

MCCAUL:

Oh.

KATKO:

Third from the bottom.

Excuse me, line 16 and 17, it deletes the term to the extent practicable and inserts in there the term as appropriate. That's all.

MCCAUL:

OK. Is there any further discussion of the amendment?

Are there any amendments to the amendment in the nature of a substitute?

Mr. Richmond is recognized.

RICHMOND:

Mr. Chairman...

JACKSON LEE:

... discussing that, or are you going to amend his?

RICHMOND:

I'm offering an amendment.

JACKSON LEE:

Mr. Chairman, regular order. I have an inquiry, a parliamentary inquiry. Mr. Katko just offered an amendment. Are we moving on that amendment or it is going to be a secondary amendment and Mr. Richmond is going to have a secondary amendment to Mr. Katko?

MCCAUL:

As I understand it, the ANS does not require a major change to the bill. So any amendments adopted will be incorporated to that text.

JACKSON LEE:

And so what happened to Mr. Katko's change or amendment? Is that an amendment?

MCCAUL:

It's a pending, yeah, amendment.

JACKSON LEE:

OK, so we have not discussed it and it's just sitting there.

MCCAUL:

Correct.

JACKSON LEE:

And so then Mr. Richmond will have his as an independent amendment.

MCCAUL:

Well, it would be -- I said are there any amendments to the amendment in the nature of a substitute.

JACKSON LEE:

Right.

MCCAUL:

Are there any amendments to the ANS.

JACKSON LEE:

And so Mr. Katko is amending what? The ANS?

MCCAUL:

The entire bill.

JACKSON LEE:

OK. Have we concluded Mr. Katko's amendment? That's what I'm trying to find out.

KATKO:

I have no further discussion on it.

MCCAUL:

His amendment is pending.

JACKSON LEE:

Right.

MCCAUL:

Again, the question is, are there are any amendments to the amendment in the nature of a substitute?

THOMPSON:

Yes.

MCCAUL:

OK.

JACKSON LEE:

And we have Mr. Katko and Mr. Richmond and then others. And so, Mr. Chairman, I'm just -- Mr. Katko just offered this small change and we have not brought closure to it. That's what I'm trying to...

MCCAUL:

The gentlelady is correct.

JACKSON LEE:

OK. And I'm just trying to move us to that point. So just a brief discussion on the amendment of Mr. Katko.

MCCAUL:

Right.

JACKSON LEE:

May I have...

MCCAUL:

So again, are there any amendments to the amendment in the nature of a substitute?

I think the clerk is circulating the amendment?

JACKSON LEE:

Of Mr. Katko?

CLERK:

Mr. Katko's amendment has already been circulated.

JACKSON LEE:

Right. So is it now open for discussion? What has happened to it?

THOMPSON:

I think the point is is we have amendments...

MCCAUL:

They have amendments they want to offer.

THOMPSON:

Right.

JACKSON LEE:

Right. And Mr. Katko just offered an amendment before you all started, so I don't know what his -- sorry, Mr. Richmond. I'm just trying to get clarification.

MCCAUL:

The point is you -- this is the appropriate time for you to offer your amendments.

JACKSON LEE:

Right. And Mr. Katko said he's making a small change on 16 and 17. What are we doing with that one? Isn't that an amendment or you're just making a statement?

MCCAUL:

His is an amendment in the nature of a substitute to the entire bill. It's a pending amendment.

JACKSON LEE:

OK.

MCCAUL:

And now I've asked if there are any other amendments to the amendment in the nature of a substitute, which basically his amendment that's the entire bill. Now if there are other amendments...

JACKSON LEE:

So you will discuss this...

MCCAUL:

... as I understand there are.

JACKSON LEE:

Yeah.

MCCAUL:

Now is the appropriate time for the clerk to circulate the other amendments.

JACKSON LEE:

Right.

MCCAUL:

And I would also make the similar request that these amendments be made en bloc in, you know, courtesy to the members who have flights, that need to leave town.

JACKSON LEE:

An ongoing parliamentary inquiry, Mr. Chairman. So we will handle Mr. Katko's after the other amendments? Is that my understanding?

MCCAUL:

It is a pending amendment that he can exercise.

JACKSON LEE:

We've not voted on his amendment.

MCCAUL:

No, we have not.

JACKSON LEE:

OK. And we'll have that chance?

MCCAUL:

Correct.

JACKSON LEE:

I just have a comment on his amendment.

MCCAUL:

I recognize the lady for her comments.

JACKSON LEE:

All right. Mr. Katko knows we are friends and I appreciate it. I don't understand the difference between to the extent practicable and as appropriate. I don't...

KATKO:

I misspoke when I said earlier, it inserts a term as appropriate and to the extent practicable. So I apologize for having misspoken. So it inserts a term as appropriate, OK?

JACKSON LEE:

OK, so as appropriate and to the extent practicable.

So then let me pose this concern that I think continues with the comment that Mr. Richmond made earlier, but I think it's appropriate here. Doesn't as appropriate answer all of those and then to the extent practicable just weakens it?

Because when we think about terrorism and fighting terrorism, everything has to be -- you have to go the extra mile to make it work.

And so, do you want the words to the extent practicable or can you just say as appropriate? That will answer the concerns of, you know, working with, coordinating with others. To me, it does just leave a door that's not necessary.

If you're putting the words as appropriate, you answer all the concerns, federal departments and agencies as appropriate, engage -- such and such. You have as appropriate and to the extent practicable. Excuse my legislative interpretation, it's redundant.

Sir?

KATKO:

I just thought this is the language -- I don't want to change my position on this. I think the language is...

JACKSON LEE:

As appropriate and to the extent...

KATKO:

The word "appropriate," I think, is appropriate. How's that?

(LAUGHTER)

JACKSON LEE:

I'm not arguing -- if the gentleman would -- I have the time. I'm not arguing as appropriate. I'm arguing, do you want to put to the extent practicable? It's redundant to my...

KATKO:

Yes, I do.

JACKSON LEE:

And what reason? What are you gaining out of that?

KATKO:

That's the language I want to put in and that's it. No further comment, OK?

JACKSON LEE:

Let me disagree with it. But in any event, that's the art of drafting legislation. And I'll conclude, Mr. Chairman, by saying the art of drafting legislation is to make sure that the agencies who read it have a clear and direct instruction.

As appropriate stands on its own two feet and has the ability to answer every question Mr. Katko is suggesting. As appropriate and then adding to the extent practicable causes an implementator of this bill to scratch his or her head at the desk and try to ask him, what is appropriate and then what is to the extent practicable?

And he will sit there for five extra days trying to find out what is to the extent practicable. I'm trying to give the message of a direct instruction as appropriate. It answers all my questions as I relate to the federal agencies, when I say the implementator, it answers all of my questions, am I interacting with agencies. And I'm just trying to get a bill that everyone can understand.

And so with that, I yield back.

MCCAUL:

Well, not to get in the weeds on this, but as appropriate applies to the secretary of homeland security and to the extent practicable is to engage nongovernmental and international partners, if that gives us any legislative -- yeah, as appropriate applies to other federal departments and agencies, and to the extent practicable applies to nongovernmental and international partners. And I think that's the intent.

JACKSON LEE:

Well, and let's make sure we put that in the legislative history that you are interpreting it that it's modifying going forward and not modifying going backwards. So to the extent practicable to engage, you know, so there probably needs to be another...

MCCAUL:

Yeah, if I could -- and if I could just, for the gentlelady's benefit, it's coordination. The secretary of homeland security shall, where appropriate...

JACKSON LEE:

Comma.

MCCAUL:

... coordinate the actions ascribed in subsection (a) with the heads of other federal departments and agencies...

JACKSON LEE:

As appropriate comma...

MCCAUL:

And then to the extent practicable...

JACKSON LEE:

To engage...

MCCAUL:

... applies to the nongovernmental and international partners.

JACKSON LEE:

Well, you need a word between to the extent practicable to engage nongovernmental, et cetera.

MCCAUL:

To engage, I see what you're saying.

JACKSON LEE:

Yeah.

MCCAUL:

I think that helps clarify. So we could add to engage nongovernmental entities and that will make that...

JACKSON LEE:

Just forgive me for...

KATKO:

In the spirit of bipartisanship, I have no problem with that.

(LAUGHTER)

JACKSON LEE:

Thank you. I yield.

MCCAUL:

We appreciate your providing better clarification to the bill.

Now, are there any amendments to the amendment in the nature of a substitute?

RICHMOND:

Mr. Chairman, I have an amendment.

MCCAUL:

Mr. Richmond is recognized.

RICHMOND:

Mr. Chairman, we've had a lot of discussion today and most of it centered around the Islamic State. And we have heard that it is our greatest threat to the homeland. We have spent a lot of time there.

And what I would want to make sure is that we don't do that and the legislative intent seems as though that's the only group we're talking about. And you know, I know we have a focus on the Islamic State. But for example, there's a group Sovereign Citizens who's killed more police officers in the United States than anyone else. They killed two in my district and wounded another two in a shooting. Just over the last couple of weeks, they have decided to randomly just go in and take over people's homes.

And I want to make sure that the 300,000 people that follow Sovereign Citizens in this country, 100,000 are hardcore, 200,000 admirers, we need to make sure that they also get the testimonials.

And just from FBI documents and others, it's clear that, according to the FBI, that their leaders are little more than snake oil salesmen luring those with money problems and feeble minds with promises of quick cash by filing cryptic lawsuits and liens against the government and they recognize no authority of the government.

So I want to make sure that we define violent extremists. And what we would do is take the definition as in Section 2331 of Title 18 of the United States Code and actually do an illustrative list for the bill. And it would include almost 170 organizations that have been identified as violent extremists and it would insert them in the bill so that we know we have covered everyone.

And as Congressman Payment mentioned a couple of weeks ago, I am very concerned that as we talk about all of the terrorist incidents that the Boko Haram terrorists and their atrocities are often ignored.

And if we just look at January 25th of this year, they killed 28 people; January 31st, they killed 86 people in which they...

THOMPSON:

Would the gentleman yield?

RICHMOND:

Yes.

THOMPSON:

Mr. Chairman, I think we need to have the clerk...

MCCAUL:

Yeah, I was going to jump the gun. The clerk shall report, distribute the amendment. And then we'll go back.

CLERK:

Amendment to...

RICHMOND:

And Mr. Chairman, I would like the clerk to actually read the list of the organizations.

CLERK:

Amendment to the amendment in the nature of a substitute, offered by Mr. Richmond.

In Section 2, add at the end the following: (c) violent extremist defined. In this section, the term violent extremist...

MCCAUL:

Without objection, the reading of the amendment is dispensed with. I think the gentleman's request is to read the organizations?

RICHMOND:

Yes. So that's really...

MCCAUL:

OK.

CLERK:

Advanced White Society; Alternative Right; American Freedom Party; American Nationalist Association; American Nationalist Union; American Nazi Party; American Renaissance/New Century Foundation; American Vikings; Aryan Nation Knights of the Ku Klux Klan; Aryan Nations; Aryan Wear; Barnes Review/Foundation for Economic Liberty, Incorporation; Battalion 14; Bob's Underground Graduate Seminar, BUGS; CarolynYeager.net; Center for the Advancement of Occidental Culture, CAOC; Christian Defense League; Christian Knights of the Ku Klux Klan; Confederate Patriot Voters United; Confederate White Knights of the Ku Klux Klan; Conservative Citizens Foundation, Incorporated; Council for Social and Economic Studies; Council of Conservative Citizens; Counter-Currents Publishing; Creative Movement; Crusader Knights of the Ku Klux Klan; Delaware Advanced Whites Society; Dixie Rangers Knights of the Ku Klux Klan; East Coast Knights of the True Invisible Empire; European American Action Coalition; European American Front; Faith and Heritage; Family Home Northwest; Fitzgerald Griffin Foundation; Fort Christmas Nights Ku Klux Klan; Fraternal White Knights of the Ku Klux Klan; Free America Rally; Free American; Free Edgar Steele; Gallows Tree Wotansvolk Alliance; H.L. Mencken Club; Heathens Motorcycle Club; Heritage and Destiny; International Keystone Knights of the Ku Klux Klan, Incorporated; Invisible Knights of the Fiery Cross; Kinist Institute; Knight Riders Knights of the Ku Klux Klan; Knights of the Ku Klux Klan; Knights Party Veterans League; Ku Klos Knights of the Ku Klux Klan; Ku Klux Klan; Lone Wolf for Grade Knights; Knights of the Ku Klux Klan; Loyal White Knights of the Ku Klux Klan; Malevolent Freedom; Maryland National Socialist Party; Middle American News; Mississippi White Knights of the Ku Klux Klan; Majestic Knights of the Ku Klux Klan; National Alliance; National Association for the Advancement of America; National Policy Institute; National Socialist Freedom Movement; National Socialist German Workers Party; National Socialist Movement; National Youth Front; Nationalist Coalition; Nationalist Movement; New Century Productions: A Conversation About Race; New Empire Knights of the Ku Klux Klan; New Order; North Mississippi White Knights of

the Ku Klux Klan; Northwest Front; NS Publications; Occidental Dissent; Occidental Quarterly/Charles Martel Society; Order of the Confederate Brotherhood Knights of the Ku Klux Klan; Pacifica Forum; Patriot Flags; Pioneer Fund; Pioneer Little Europe; Protestant White Nationalist Party of Kentucky/Uncreated Light; Racial Nationalist Party of America; Radix Journal; Red October; Revolutionary Order of the Aryan Republic; Sadistic Souls Motorcycle Club; Scott Townsend Publishers; Soldiers of the Cross Training Institute; South Africa Project; Southern European Aryan's League Army; Storm Front; The Creativity Alliance; The Daily Stormer; The Foresaken Motorcycle Club; The Political Cesspool; The White Voice; Third Reich Books; Traditionalist American Knights of the Ku Klux Klan; Traditionalist Youth Network, Indiana University; United Klans of America; United Northern and Southern Knights of the Ku Klux Klan; United White Knights of the Ku Klux Klan; VDARE Foundation; Voice of Reason Broadcast Network; Washington Summit Publishers; Whitaker Online; White Advocacy Movement; White Aryan Resistance; White Boy Society; White Camelia Knights of the Ku Klux Klan; White Man's March; White Rabbit Radio; White Student Union of Tarrant County; World View Foundations; WTM Enterprises; Abu Nidal Organization (ANO); Abu Sayyaf Group (ASG); Aum Shinrikyo (AUM); Basque Fatherland and Liberty (ETA); Gama's al-Islamiyya (Islamic Group IG); Hamas; Harkat-ul-Mujahideen (HUM); Hezbollah; Kahane Chai (Kach); Kurdistan Workers Party (PKK) (Kongra-Gel); Liberation Tigers of Tamal Eelam (LTTE); National Liberation Army (ELN); Palestine Liberation Front (PLF); Palestinian Islamic Jihad (PIJ); Popular Front for the Liberation of Palestine (PFLP); PFLP General Command; PFLPGC; Revolutionary Armed Forces of Colombia, FARC; Revolutionary People's Liberation Front (DHKP-C); Shining Path (SL); al-Qaida (AQ); Islamic Movement of Uzbekistan (IMU); Real Irish Republican Army (RIRA); Jaish-e-Mohammed (JEM); Lashkar-e-Taiba (LET); al-Aqsa Martyrs' Brigades (AAMB); Asbat al- Ansar (AAA); al-Qaida in the Islamic Maghred (AQIM); Communist Party of the Philippines, New People's Army (CPPNPA); Jamaat al-Islamiyya (JI); Lashkar-e-Jhangvi (JL); Ansar al-Islam (AAD); Continuity Irish Republican Arm (CIRA); Islamic State of Iraq and the Levant, formerly al-Qaida in Iraq; Islamic Jihad Union (IJU); Harkat-ul-Jihad al-Islami Bangladesh (HUJIB); al-Shabaab; Revolutionary Struggle (RS); Kata'ib Hezbollah (KH); al-Qaida in the Arabian Peninsula (AQAP); Harkat-ul- Jihad al-Islami (HUJI); Tehrik-e Taliban Pakistan (TTP); Jundallah; Army of Islam (AOI); Indian Mujahideen (IM); Jamaah Ansharut Tauhid (JAT); Abdullah Azzam Brigades (AAB); Haqqani Network (HQN); Ansar al- Dine (AAD); Boko Haram; Ansaru; al-Mulathamun Battalion; Ansar al- Sharia in Benghazi; Ansar al-Sharia in Darnah; Ansar al-Sharia in Tunisia; ISIL Sinai Province (formerly Ansar Ansar Bait al-Maqdis; al- Nusra Front; Mujahideen Shura Council in the Environs of Jerusalem (MSC); Jaysh Rijal al-Tariqa al-Naqshbandia (JRTN); ISIL Khorasan (ISILK); any other foreign or domestic terrorist organization.

MCCAUL:

OK. Mr. Richmond is recognized.

RICHMOND:

Mr. Chairman, I won't rehash what I said earlier. So I'll just adopt what I said earlier. But I think it's very important, especially in my district, that we include groups such as Sovereign Citizens

and others that are domestic terrorists who are recruiting members using false information and promises of riches and all those other things.

So for those reasons, I would ask that you support the amendment.

MCCAUL:

OK. Is there any further discussion of the amendment?

Hearing none, the question now occurs on the amendment to the amendment in the nature of a substitute.

The chairman, while I understand what Mr. Richmond is saying and I certainly agree with him, the bill is very clear that it includes all violent extremists or their associates. It is not the intent of this legislation to limit this to just this group. And it also could preclude any future violent extremist groups in the future.

So while I think well intentioned, I think it does not -- it would be counterproductive to the intent of the legislation.

So all those in favor of this amendment, signify by saying aye. All those opposed, signify by saying no.

In the opinion of the chair, the noes have it, the amendment to the amendment in the nature of a substitute is not agreed to.

THOMPSON:

Mr. Chairman, I ask for a recorded vote.

MCCAUL:

And a recorded vote has been requested.

The clerk will call the roll.

CLERK:

Mr. Smith?

Mr. King?

Mr. Rogers?

ROGERS:

No.

CLERK:

Mr. Rogers votes no.

Mrs. Miller?

Mr. Duncan?

Mr. Marino?

Mr. Barletta?

Mr. Perry?

PERRY:

No.

CLERK:

Mr. Perry votes no.

Mr. Clawson?

CLAWSON:

No.

CLERK:

Mr. Clawson votes no.

Mr. Katko?

KATKO:

No.

CLERK:

Mr. Katko votes no.

Mr. Hurd?

Mr. Carter?

CARTER:

No.

CLERK:

Mr. Carter votes no.

Mr. Walker?

Mr. Loudermilk?

LOUDERMILK:

No.

CLERK:

Mr. Loudermilk votes no.

Ms. McSally?

MCSALLY:

No.

CLERK:

Ms. McSally votes no.

Mr. Ratcliffe?

RATCLIFFE:

No.

CLERK:

Mr. Ratcliffe votes no.

Mr. Donovan?

DONOVAN:

No.

CLERK:

Mr. Donovan votes no.

Mr. Thompson?

THOMPSON:

Aye.

CLERK:

Mr. Thompson votes aye.

Ms. Sanchez?

Ms. Jackson Lee?

JACKSON LEE:

Aye.

CLERK:

Ms. Jackson Lee votes aye.

Mr. Langevin?

Mr. Higgins?

HIGGINS:

Aye.

CLERK:

Mr. Higgins votes aye.

Mr. Richmond?

RICHMOND:

Aye.

CLERK:

Mr. Richmond votes aye.

Mr. Keating?

Mr. Payne?

PAYNE:

Aye.

CLERK:

Mr. Payne votes aye.

Mr. Vela?

VELA:

Aye.

CLERK:

Mr. Vela votes aye.

Mrs. Watson Coleman?

WATSON COLEMAN:

Aye.

CLERK:

Mrs. Watson Coleman votes aye.

Ms. Rice?

RICE:

No.

CLERK:

Ms. Rice votes no.

Mrs. Torres?

TORRES:

Aye.

CLERK:

Mrs. Torres votes aye.

Mr. Smith?

Mr. King?

Mrs. Miller?

Mr. Duncan?

Mr. Marino?

Mr. Barletta?

Mr. Hurd?

HURD:

No.

CLERK:

Mr. Hurd votes no.

Mr. Walker?

Ms. Sanchez?

Mr. Langevin?

MCCAUL:

How am I recorded?

CLERK:

The chairman is not recorded.

MCCAUL:

The chair votes no.

CLERK:

Mr. McCaul votes no.

MCCAUL:

The clerk will report the tally.

CLERK:

Mr. Chairman, on that vote there were eight yeas and 12 noes.

MCCAUL:

I guess the noes have it, the amendment is not agreed to.

Are there any additional amendments to the amendment in the nature of a substitute?

THOMPSON:

Mr. Chairman, I have an amendment.

MCCAUL:

OK. Let me ask the ranking member, how many amendments does the minority intend to introduce?

THOMPSON:

We have nine more to go.

MCCAUL:

I would request in the interest of time and as a courtesy to the members who have flights to catch that we, as previously done, that we offer those en bloc.

THOMPSON:

Well, Mr. Chairman, I would have done that earlier, which I did, and you separated the vote on them after we offered them. So I hear what you're saying. And I'm going to work through you on this. And I'll offer them en bloc.

MCCAUL:

And I certainly appreciate that. And I'm sure the members do as well.

THOMPSON:

I ask the clerk to present the amendments.

MCCAUL:

Yeah, if the clerk will circulate the amendments.

CLERK:

Amendment to the amendment in the nature of a substitute to H.R. 4820, offered by Mr. Thompson.

MCCAUL:

Without objection, the reading of the amendments is dispensed with. The gentleman from Mississippi is recognized.

THOMPSON:

Thank you, Mr. Chairman.

Mr. Chairman, as you stated this past July, our nation is grappling with the new wave of terror. I agree. From Boston to Charleston, there have been a string of assailants operating within our communities and living among us. They have plotted to cause mass harm in the name of violent extremism and hateful ideology.

Much has been made of the fact that there are open investigations of ISIL in all 50 states. What gets far less attention is that the number of open investigations of anti-government and militia groups grew by one-third in 2015 alone.

We cannot afford to turn a blind eye to threats posed by any terrorist group or organization. Therefore, it's imperative that DHS use testimonials from violent extremists involved in all forms of extremism.

As a congressional oversight body, it's our constitutional duty to ensure that DHS carries out this program in an effective way that is consistent with the threats posed to the nation.

My amendment is straightforward. It would require DHS to collect public testimonials from former or estranged violent extremists to counter-message not just foreign terrorist organizations, but also domestic terrorist organizations.

MCCAUL:

Yes, if the gentleman would like to proceed with the next amendment.

THOMPSON:

Amendment number two -- Mr. Chairman, this amendment requires the secretary of homeland security to submit a report explaining how each former or estranged violent extremist or their associates is identified for participation in the department's efforts to collect testimonials for its counter-messaging and community engagement efforts.

As the chair of the committee, I'm sure you would agree that it is essential that we conduct proper oversight over how the department carries out the new activities that the bill before us directs DHS to commence.

I'm sure you can appreciate the sensitivity of having individuals from the Office of Community Partnerships, which has no law enforcement authority, directly engage and interview terrorists and those who have aspired to become terrorists.

Certainly, the informal feedback that has been furnished to the committee indicates some concern on the part of DHS about whether they would be responsible for obtaining testimonials from informants or individuals subject to future prosecutions or investigations.

Therefore, this amendment would ensure continuous reporting that this committee could monitor how the department goes about collecting information.

This is a common sense amendment. If we're going to require the department to collect the testimonials of those who may have committed reprehensible acts of terror, we should have some insight into that process.

And with that, I urge support for the amendment.

MCCAUL:

The gentleman is recognized on the next amendment.

THOMPSON:

Amendment number five -- Mr. Chairman, this amendment requires the comptroller general to issue a report on the effectiveness of the Department of Homeland Security's efforts that involve public testimonials of former or estranged violent extremists or their associates.

The duties of the underlying bill are new territory for the department, as indicated in the department's informal feedback. Given the significant resources that would be involved in DHS launching this program, it is imperative that we have matrix there on whether this program is effective.

Mr. Chairman, as the terrorist threat evolves and terrorists advance the methods they use to recruit new recruits, it is necessary for the department to be flexible and focus its limited resources on methods that are shown to be effective at preventing terrorism.

We would not want to see taxpayers' dollars wasted. And for that reason, I urge support of the amendment.

MCCAUL:

The gentleman is recognized on the next amendment.

THOMPSON:

Amendment number seven -- Mr. Chairman, this amendment, I think, will find ease of support. My amendment uses a process that you have used in previous legislation. It would require the DHS secretary, the attorney general and the FBI to take all actions available to ensure that each former or estranged violent extremist or their associates who agrees to provide a public testimonial receive a thorough background investigation.

In order to accomplish this, my amendment prohibits the use of testimonials of former or estranged violent extremists or their associates by the department until the DHS secretary, the attorney general and the FBI director unanimously certify that each individual has received a background investigation that is sufficient to verify that they are not a threat to the security of the United States and that the individual is not involved in any ongoing criminal investigation.

Further, my amendment will require the department's inspector general to conduct an annual risk assessment based on all certifications.

Finally, on a monthly basis, the department would be required to provide reports to this committee on the total number of testimonials collected from former and estranged violent extremists or their associates that receive certification and information on those that did not receive certification.

My amendment will ensure that the federal government does not engage with former terrorists, violent extremists and their associates in a way that would endanger the safety of the American people.

In the bill before us today, DHS would be required to secure testimonials from individuals who may have been charged and convicted of terrorism for inclusion in the CVE programs. Would it be people like those who cheered after the Boston Marathon bombings and helped the Tsarnaev brothers hide evidence of their depraved act? How about the people who engaged and education Dylann Roof in online chat groups before he ultimately killed nine churchgoers in Charleston, South Carolina last summer? What about the friend that is accused of plotting with Syed Farook to attack a university in 2011 and 2012? He is accused of illegally purchasing the guns used in the December San Bernardino shootings.

There are also lesser-known people who have used social media to share the home addresses of service members and engaged their followers and supporters to go to their homes and commit acts of terror. Wouldn't we want such people to be vetted and certified before requiring DHS to use their messages?

This is a common sense amendment we cannot afford to strike down. In the wake of the terror attacks yesterday, I cannot fathom that we would seriously consider any legislation that does not put basic requirements in place to ensure that terrorists aren't infiltrating DHS's counter-messaging and CVE programs.

If any member is going to require that the department is to collect the testimonials of those who may have committed or been a party to reprehensible acts of terror, we should have some insight and security into who those people are.

I urge colleagues to support this amendment also.

MCCAUL:

The gentleman is recognized on the next amendment.

THOMPSON:

Amendment number eight -- my amendment adds definition for the term "former and estranged" as used in the bill. It will clarify that estranged means any individual who has espoused and encouraged violent extremism or support the violent extremism. And that former means someone indicted or convicted of the crimes related to terrorism.

State and local law enforcement consistently rate the threat of violence from domestic terrorist organizations higher than the threat posed by foreign terrorist organizations.

My amendment will ensure that the testimonials that DHS uses address the full range of violent extremist threats to the country. Accordingly, I urge support for this amendment.

MCCAUL:

The gentleman is recognized on the next amendment.

THOMPSON:

Thank you, Mr. Chairman. Mr. Chairman, this amendment requires the DHS secretary to submit a report explaining how these public testimonials will be used to support the department's effort to counter-message.

As you pointed out over the past several months, CVE efforts across the board have been disjointed and unfocused. For DHS to get CVE right, there needs to be close congressional scrutiny. To

provide such scrutiny, it is important for the committee to know how DHS is using testimonials to support the department's mission.

My straightforward amendment will ensure that we get the information we need. As such, I urge support of this amendment also.

MCCAUL:

The gentleman is recognized on the next amendment.

THOMPSON:

Thank you. This is amendment 10. Mr. Chairman, this amendment requires the DHS to submit a report explaining how the testimonials from each former or estranged violent extremist or their associates will be used in the department's counter-messaging and community engagement efforts.

As the chair of this committee, I'm sure you, like me, are sensitive to the safety implications of using former terrorists or estranged members of domestic and foreign terrorist organizations in a DHS program.

One of those tweets said: Three lions made us proud, California streets are full with soldiers with heavy weapons, the United States is burning. #Americaburning.

These messages, others like this, and those disseminating them are appalling. However, under H.R. 4820 the individuals support ISIL today would be helping to create the United States counter-violence program tomorrow.

My amendment would ensure continuous reporting by the Department of Homeland Security so that the committee will know how each individual testimony would be incorporated into government counter- messages and shared community events.

This is a common sense amendment. If we're going to require the department to collect testimonials of those who may have committed reprehensible acts of terror and those who have supported such acts, we should know how the testimonials will be used.

I urge support for this amendment also.

MCCAUL:

The gentleman is recognized on the next amendment. Or is that it?

THOMPSON:

That's it.

MCCAUL:

OK.

Mr. Hurd is recognized.

HURD:

Would the ranking member engage in a colloquy?

Would the ranking member engage in a colloquy?

THOMPSON:

Yes.

HURD:

I'm curious, and I apologize. I guess it was last week or the week before we had the esteemed director of the Department of Homeland Security before our full committee. And I was in and out the entire time for that committee and I may have missed this.

But when you asked him about the DHS's efforts against domestic extremism, what was the response?

THOMPSON:

Who is the gentleman you're talking about?

HURD:

Jeh Johnson.

THOMPSON:

About domestic?

HURD:

Yeah.

THOMPSON:

Are you sure I asked him?

HURD:

Did you ask any? That's my -- did you not ask any questions about domestic extremism?

THOMPSON:

I asked him a number of question in my five minutes.

HURD:

Right.

THOMPSON:

I could not have asked all of them. We submitted letters to the record with questions.

HURD:

OK. So during the testimony, none of these issues of what the department is doing on domestic extremism came up?

THOMPSON:

Mr. Hurd, I asked the questions that I was allowed in my five minutes. Now, we can provide you a list of the subsequent questions we asked of the secretary.

HURD:

No, I was looking for some context because this topic has come up a lot this afternoon. And since we had the opportunity to have the secretary in front of us, I thought this would have also come up during that conversation as well. But apparently I was misinformed.

I apologize. And I yield back, Mr. Chairman.

THOMPSON:

Well, I don't know who informed you. But we're taking up a bill that hadn't even been filed when the secretary spoke to us. So you know, if someone had said we'll file the bill at this point, I probably could have asked a question. But it was just filed two days ago.

MCCAUL:

If I could respond. I'm disappointed that this committee has gone to this point. I've conducted myself in a very bipartisan manner throughout my tenure as chairman.

On March 11th, the bill text was shared with the Democrat staff. On March 15th, we requested, do they have any edits to the bill? The Democrats declined to provide edits on March the 15th and said they would oppose the bill.

We talked to DHS and included every edit they provided to us. I talked to the ranking member, and as late as last night my staff reached out the minority staff asking for any edits so that we would not get to this point to put the members in this position.

This is not how I like to conduct the business of this committee. They declined to provide edits and they said they'd oppose the bill, as late as last night would not even respond to our staff.

This is putting the members of this committee in this position today. We should work these things out before we get to the markup, as we've done in the last three years I've been chairman. And it is unfortunate that it didn't happen in this case.

And it's not fair to the members on both sides of the aisle, particularly on a fly-out day, to do this and then dump 10 amendments at the last minute that we've never seen before and have to digest all this and make last-minute decisions. This is not how we conduct business around here.

THOMPSON:

The gentleman yield?

MCCAUL:

I'd be happy to yield.

THOMPSON:

And again, you quote timeline. We've not had any hearing on the bill. It has not gone through any regular order. A subcommittee did not hear this bill. We've not had any testimony specific to this bill.

And so our unreadiness is the fact that here we are two days from the filing of the bill, no subcommittee hearing, no anything, and we're asking to mark it up and be solid.

MCCAUL:

And reclaiming my time. We have had hearings on this. Talk to Mr. King, who's not here because he's probably flying back to New York, we have had hearings on this. And if the gentleman will listen, we had a bipartisan task force that had many hearings on this, consulted with many people over a matter of six months. And this is one of their core legislative recommendations.

The task force was on foreign fighter travel. It wasn't on domestic terrorism. Foreign fighter travel, that's what this bill is designed to combat.

So I would disagree that we haven't spent any time on this at all. We absolutely have. And it's a really, I think, disgrace to the members of the task force who spent so much hard work in producing a good product that was bipartisan and I was proud of that fact, then all of a sudden we're going to

just flush this legislative recommendation, particularly a day after the attack in Brussels, the day after a terrorist attack by ISIS -- by ISIS.

I yield back.

THOMPSON:

I'd like to...

MCCAUL:

The chair recognizes the gentleman.

THOMPSON:

Well, again, you have your opinion, we have ours. Clearly, we understand and we have voiced support for the context of the bill. We're saying we want to make it a better bill. And if you take trying to make it a better bill as being against it, then, Mr. Chairman, you have interpreted the intentions of the Democrats wrong.

MCCAUL:

Will the gentleman yield? If you can make it a better bill, then why when your staff was contacted on March 11th and then on March 15th said they would decline to provide edits and they would oppose the bill, then you and I talked, and as late as last night we asked you for just something, how can we work together on this?

And you know what?

THOMPSON:

Reclaiming my time.

MCCAUL:

I will tell you, we got no response.

THOMPSON:

That's not true. We submitted information and your staff did not include the things that we asked.

So you know, you can make the statements, we can disagree.

MCCAUL:

What were the edits? No, if you're going to make that statement, what edits did your staff provide to mine?

THOMPSON:

We will provide...

MCCAUL:

What edits were provided?

THOMPSON:

We will provide for the record...

MCCAUL:

The answer is none.

THOMPSON:

Well, I will provide for the record...

MCCAUL:

No, you're providing your edits on the day of the markup. That's not how we conduct business.

THOMPSON:

No, this is not an edit. These are amendments. Do you understand the rules allow amendments to be made?

And as...

MCCAUL:

I appreciate that, but that's not how I we like to do it around here. But I understand you want to wait to the last minute and that's fine.

THOMPSON:

That's how you like to do it and it has nothing to do with the rules of the committee.

MCCAUL:

OK.

THOMPSON:

And the rules allow for amendments. And so we are offering amendments as members of this committee.

MCCAUL:

As you have every right to do.

THOMPSON:

And that's all we're doing.

JACKSON LEE:

Chairman?

MCCAUL:

As you have every right to do. But I want everyone to know on the record what has happened here. And I don't think the committee was served well or the members as we sit here on a fly-out date in this situation.

This was a recommendation from the bipartisan task force. This should not be so difficult.

LANGEVIN:

Mr. Chairman?

MCCAUL:

It should not be so difficult.

Mr. Langevin is recognized.

LANGEVIN:

Mr. Chairman, is it too late in this stage? I believe that both you, Mr. Chairman, and the ranking member have always worked so closely in a bipartisan way together. And this is certainly an unusual turn of events.

It sounds like there's room for compromise in a lot. I think in the end of the day we can make a good bill better.

Would the chairman at all entertain trying to do a reset on this and trying to work out a compromise on the differences? And when we return...

MCCAUL:

That's why we made that offer two weeks ago. I think, particularly after what happened yesterday, we can't afford to wait. We can't afford to wait and do nothing in this Congress.

We have a bipartisan bill that was recommended by the bipartisan Task Force on Combating Terrorist and Foreign Fighter Travel. And now we're getting into all the nuances.

The bill very much is very clear. It says violent extremists. As the leg counsel said, it may include, but not limited to foreign terrorists. It says violent extremists, that includes all violent extremist groups.

And instead we're turning this into some racial discussion when it's not. This is about fighting the terrorists. This is about combating terrorist and foreign fighter travel.

That's why the task force was set up. That's why they made their recommendations in a bipartisan way.

We are just simply taking their recommendation, as we did 12 other recommendations, and turning it into legislation.

JACKSON LEE:

Chairman?

MCCAUL:

And we're turning this into a race issue and it's not a race issue.

ROGERS:

Mr. Chairman?

MCCAUL:

Yes, Mr. Rogers.

JACKSON LEE:

Reclaiming your -- the discussion is not on the clock.

MCCAUL:

The previous question has not been moved at this time.

LANGEVIN:

Mr. Chairman, reclaiming my time.

MCCAUL:

Mr. Langevin is recognized.

LANGEVIN:

I would just respectfully ask the chairman to consider what I've raised to see if there's room for compromise. The ranking member did say that he had a list of suggestions or a memo that he had presented to staff. You know, I don't know what your staff's reaction was or whether these things could be included or not. But if it's worth trying to make a good bill better, I would suggest that we try to do that over the course of the recess and then come back and take this up once again.

MCCAUL:

And I appreciate it. You and I have been friends for a long time and I have deep respect for the gentleman. Apparently, we finally have the recommendations in the form of these 10 or nine amendments.

Now our staff is trying to digest those amendments. So I would prefer to get this done today before we go home for two weeks, after this terrorist attack in Brussels. If I go home saying that this was set up for a markup and we didn't get our job done, I don't want to go home with that news.

Mr. Loudermilk?

JACKSON LEE:

Mr. Chairman?

LOUDERMILK:

Thank you, Mr. Chairman. No one wants to go home today more than I do. I am expecting my second granddaughter at any moment. And I would really love to be home. I've never missed the birth of a child or grandchild.

But this is so important, I will stay here until we get it done, because we must pass this now. The American people are tired of us promising we'll do something later, we'll do something later. I think we need to move on this now.

And I would hope, Mr. Chairman, that we could call a previous question and just get moving on so we can all go back to our lives.

JACKSON LEE:

Mr. Chairman? Mr. Chairman?

MCCAUL:

Ms. Jackson Lee?

JACKSON LEE:

Yes. Let me thank the chairman very much. I know that parliamentary procedures allows for the calling of the previous question.

But let me just say to my colleagues, many of us have espoused the bipartisan nature of this committee, and it is true.

Why don't I ask my colleagues who have listened to Mr. Thompson's amendments to emphasize that we can both make history and we can respond to the scourge and violence and devastating acts that occurred yesterday, that occurred in San Bernardino, that occurred in Mother Emanuel, at the same time.

And I don't think, Mr. Chairman, we've been colleagues, that this is inserting race into the question. It's inserting the broad base of terrorism in America, and it comes in many different forms.

As was highlighted, it comes in the Arizona incident. It comes in the Memphis incident. It occurs in the Tennessee incident. It occurs in the Sikh temple incident.

And I think these are good amendments. If we can unleash ourselves to not view these amendments in the context of race, but in the context of terrorism that is both foreign and domestic, we can debate these at a level, Mr. Chairman, as your staff reviews them, and pass this bill. Because I think the ranking member...

MCCAUL:

Would the gentlelady yield?

JACKSON LEE:

I'd be happy to yield.

MCCAUL:

The leg counsel made it very clear that this is violent extremists, which includes all forms of extremism as our previous CVE bill did.

The language may include the following, let's hear from the leg counsel again.

ECKSTEIN:

Mr. Chairman, I missed an opportunity at the beginning, it's been bothering me. I just want to qualify my statement or actually put a preface.

As we all know, leg counsel is nonpartisan, statutorily charged under Title 2. My answer to your question before, my answer to your question now, sir, is strictly legal. I cannot and do not take sides for Republicans and Democrats.

The language in the bill is non-exhaustive, non-inclusive. It is extremely wide-ranging and broad. It says may include, it means it could or could not, and it could include many or not include any.

We speak colloquially as including, but not limited to.

But there is old case law that holds that if we were to draft including, but not limited to, that language would be read by courts as extremely restrictive and would actually narrow down the scope.

So the current language in the bill is extremely broad-based. It does not place a limitation on anything.

If I may go further, Mr. Chairman, there is one issue that addresses Mr. Thompson's amendment to insert the words "domestic terrorist organization" in front of -- it's the first amendment -- "domestic terrorist organization" before communications with respect to foreign.

I had spoken with both sides of the aisle, both staff members. If you remove the word "foreign" as perhaps one way to bridge some of the divide, the word "foreign" is obviously...

JACKSON LEE:

Limiting.

ECKSTEIN:

Let me not say that it's obviously, there's no reference in the bill currently to Section 209 of the Immigration and Nationality Act, which is 8 U.S.C., 1189. That is the designation by the secretary of state of a foreign terrorist organization. We would call that an FTO.

The bill does not make a cross-reference to that, but it will likely be read to refer to that. Because of the language that precedes it, may include, it will not limit it to only that. If we remove the word "foreign" rather than just say and domestic terrorist organization, we are now within the realm of Title 18.

I'm not a judiciary attorney, sir, I am a homeland security and foreign affairs attorney. But my understanding is that under Title 18 a terrorist organization, the defined term is both for foreign and domestic and goes extremely broad. It will include even one person acting with another, so as few as two people together. It's an extremely broad-based definition.

I'm happy to answer any further questions you may have. I hope that helps to clarify some matters. Thank you.

MCCAUL:

The staff is going through the nine amendments at this point in time.

Is there any further discussion on the amendment?

Hearing none, the question now occurs on the en bloc amendment to the amendment in the nature of a substitute.

All those in favor, signify by saying aye. All those opposed, signify by saying no.

In the opinion of the chair, the noes have it and the amendment is not agreed to.

There being no further discussion, the question now occurs on the amendment in the nature of a substitute, offered by Mr. Katko.

All those in favor, signify by saying aye. All those opposed, signify by saying no.

In the opinion of the chair, the ayes have it, the amendment in the nature of a substitute is agreed to.

The question now occurs on reporting the bill.

THOMPSON:

I'm just getting the language...

MCCAUL:

Sure.

THOMPSON:

Thank you, Mr. Chairman. In light of the parliamentarians' clarification and interpretation of this bill, I ask for a recorded vote on the en bloc amendments.

MCCAUL:

A recorded vote has been called. The clerk shall call the vote.

CLERK:

Mr. Smith?

Mr. King?

Mr. Rogers?

MCCAUL:

Just a second. There's been confusion here. Mr. Thompson asked for a recorded vote on the en bloc amendments. That has already been voted down. What we are voting on right now is the final passage of the -- we're voting on the amendment in the nature of a substitute, Katko's amendment.

THOMPSON:

No, the point was it was voted down by voice vote and I asked for a recorded vote.

(UNKNOWN)

But you didn't ask in time.

MCCAUL:

Right. I've moved on to the ANS.

THOMPSON:

No, you had...

(UNKNOWN)

There being no further discussion.

THOMPSON:

Because I caught you.

MCCAUL:

Will the clerk provide some clarification?

CLERK:

The amendment number 1(b) offered by Mr. Thompson, the en bloc amendment, was not agreed to by voice vote. The next motion was on agreeing to the amendment in the nature of a substitute, which was agreed to by voice vote.

JACKSON LEE:

Would the chairman yield? Would the chairman yield?

In the spirit of collegiality, Mr. Chairman, I did not cast a -- it was a voice vote, but I would ask for reconsideration for the en bloc to be taken by voice vote.

PERRY:

Mr. Chairman, point of...

MCCAUL:

All right, Mr. Perry is recognized.

PERRY:

The vote's been taken. I understand people weren't here and I understand. But we've spent a lot of time here and everybody knows this has been going on. You paused for an inordinate amount of time after the en bloc vote. I thought you were waiting for a roll- call vote, which none was called for, and you moved on, with all due respect.

Thank you, Mr. Chairman.

JACKSON LEE:

There was a vacuum, but there was not a comment. And now the gentleman is making his request for a roll-call vote.

MCCAUL:

Yeah, OK. In the opinion of the chair, the en bloc amendment was already voted down by voice. The chair moved to the next vote, which was on the amendment in the nature of a substitute, which I then offered the ranking member an opportunity to ask for a recorded vote.

So on the amendment in the nature of a substitute, a roll call will be made. The clerk shall call the roll.

WATSON COLEMAN:

(OFF-MIKE)

MCCAUL:

Yes, ma'am.

WATSON COLEMAN:

(OFF-MIKE)

MCCAUL:

You're voting on Mr. Katko's amendment in the nature of a substitute.

WATSON COLEMAN:

So does this -- is this the passage of the bill with -- is this the passage of the bill?

MCCAUL:

The amendment in the nature of a substitute substitutes for the bill. So this would be, in essence, final passage. I know this is very confusing. And a lot of people are confused behind me, too.

WATSON COLEMAN:

But my question is, there was a discussion back and forth about eliminating the word "foreign" and adding the word "all." And I don't...

MCCAUL:

No amendment has been made or offered. We are past the amendments, we are onto the amendment in the nature of a substitute offered by Mr. Katko.

WATSON COLEMAN:

I thought that you had said you really didn't find a problem with that if that were something that we could agree to. And I thought that there was sort of the feeling among my colleagues on the other side that that wasn't actually a problem.

And so I'm wondering if that could be addressed, because then maybe that's not a problem with other folks, too.

MCCAUL:

Well, violent extremism includes all forms of extremism under the bill as leg counsel stated. So I don't know what the confusion is on this issue.

PERRY:

Mr. Chairman, with all due respect, it's been addressed and readdressed and readdressed. It's been addressed. We are where we are, sir, if we could please proceed.

MCCAUL:

I would -- will the clerk please call the roll?

CLERK:

Mr. Smith?

Mr. King?

Mr. Rogers?

Mrs. Miller?

Mr. Duncan?

Mr. Marino?

Mr. Barletta?

Mr. Perry?

PERRY:

Yes.

CLERK:

Mr. Perry votes yes.

Mr. Clawson?

CLAWSON:

Yes.

CLERK:

Mr. Clawson votes yes.

Mr. Katko?

KATKO:

Yes.

CLERK:

Mr. Katko votes yes.

Mr. Hurd?

HURD:

Yes.

CLERK:

Mr. Hurd votes yes.

Mr. Carter?

CARTER:

Yes.

CLERK:

Mr. Carter votes yes.

Mr. Walker?

Mr. Loudermilk?

LOUDERMILK:

Yes.

CLERK:

Mr. Loudermilk votes yes.

Ms. McSally?

MCSALLY:

Yes.

CLERK:

Ms. McSally votes yes.

Mr. Ratcliffe?

RATCLIFFE:

Yes.

CLERK:

Mr. Ratcliffe votes yes.

Mr. Donovan?

DONOVAN:

Yes.

CLERK:

Mr. Donovan votes yes.

Mr. Thompson?

THOMPSON:

No.

CLERK:

Mr. Thompson votes no.

Ms. Sanchez?

SANCHEZ:

Pass.

CLERK:

Ms. Sanchez passes.

Ms. Jackson Lee?

JACKSON LEE:

Yes.

CLERK:

Ms. Jackson Lee votes yes.

Mr. Langevin?

LANGEVIN:

Pass.

CLERK:

Mr. Langevin passes.

Mr. Higgins?

HIGGINS:

Yes.

CLERK:

Mr. Higgins votes yes.

Mr. Richmond?

RICHMOND:

No.

CLERK:

Mr. Richmond votes no.

Mr. Keating?

Mr. Payne?

PAYNE:

No.

CLERK:

Mr. Payne votes no.

Mr. Vela?

VELA:

Yes.

CLERK:

Mr. Vela votes yes.

Mrs. Watson Coleman?

WATSON COLEMAN:

A no that could have easily been a yes.

CLERK:

Ms. Rice?

RICE:

Yes.

CLERK:

Ms. Rice votes yes.

Mrs. Torres?

TORRES:

Yes.

CLERK:

Mrs. Torres votes yes.

Mr. Smith?

Mr. King?

Mr. Rogers?

Mrs. Miller?

Mr. Duncan?

Mr. Marino?

Mr. Barletta?

Mr. Walker?

Ms. Sanchez?

Mr. Langevin?

LANGEVIN:

Aye.

CLERK:

Mr. Langevin votes aye.

Mr. Keating?

Mrs. Watson Coleman?

WATSON COLEMAN:

For the same reason, no.

CLERK:

Mrs. Watson Coleman votes no.

MCCAUL:

How am I recorded?

CLERK:

The chairman is not recorded.

MCCAUL:

I vote yes.

SANCHEZ:

Mr. Chairman, how am I recorded?

MCCAUL:

How is Ms. Sanchez recorded?

CLERK:

Ms. Sanchez is not recorded.

SANCHEZ:

No.

CLERK:

Ms. Sanchez votes no.

MCCAUL:

Are there any other members in the room who wish to be recorded?

The clerk will report the tally.

CLERK:

Mr. Chairman, on that vote there were 16 yeas and five noes.

MCCAUL:

The yeas have it.

JACKSON LEE:

Mr. Chairman?

MCCAUL:

The gentlelady from Texas is recognized.

JACKSON LEE:

I'd like unanimous consent to speak out of order.

I think this is one of the committee's lowest moments.

MCCAUL:

I couldn't agree with you more.

JACKSON LEE:

Well, we probably have different perspectives. My seniority on this committee I take seriously, but I take the respect for this ranking member and chairman even more seriously for their commitment to homeland security.

This could have been an historic moment. Now, I'm going to ask that these amendments that Mr. Thompson has be considered collectively, just as this bill popped up with no number, as an effort, a freestanding opportunity.

You're going to send this bill to the floor, I assume as a suspension bill, that will give no opportunity for the comfort of those of us who believe that Mr. Thompson was clearly right. It could have been solved as well by accepting a reconsideration call and allow the vote on the en bloc amendments that Mr. Thompson so kindly yielded to you, Mr. Chairman. He yielded to you to do them en bloc and he deserves a roll-call vote which we did not get.

And I think that in the midst of tension, we listened to voices that have not been used to us being bipartisan on this committee, because we have. And I think the pushing forward on this without the opportunity to cast a vote for Mr. Thompson's amendments is both a disappointment, but is an outrage.

Let me say this, that I immersed in homeland security. I believe that we have an ultimate responsibility, but the shedding of blood is the shedding of blood. And if you shed blood at Saint Emanuel's through terrorism, it is the same blood that's shed in Brussels. And people of color, African Americans in particular and Latinos, have experienced where blood has been lost through violent attitudes and violent actions.

That is what Mr. Thompson has been trying to portray. Not divisiveness, not partisanship. And you lost a moment of our history here. And I do not like to see this kind of divide.

I'd ask the staff on the other side, everyone has a one-upmanship about who called whom. But it certainly did not count for counseling the chairman, even of his own free will, that we could not have had a freestanding vote on Mr. Thompson's amendments.

That is what we asked for. And I would like for there to be that opportunity. Procedurally, it is possible.

MCCAUL:

Yeah. Let me just say the time had expired on that vote.

JACKSON LEE:

I understand, Mr. Chairman. You understand...

MCCAUL:

The final passage was getting ready to occur. And I went to Mr. Thompson and said, would you like a recorded vote, at that time? The final passage was getting ready to happen on...

JACKSON LEE:

But did you ask him...

MCCAUL:

Let me say this. I've always worked in a bipartisan way. I'm always open to making bills better. We can still work on this before it goes to the floor.

Having said that, we just received these amendments. I've asked for edits. We've asked for your input on this bill for weeks. And we just got it on a fly-out day. We just got it.

And so if there are things in there that we can add before it goes to the floor in suspension, then I'm always open to making bills better.

JACKSON LEE:

Well, Mr. Chairman, if you would yield, I cannot -- I'm not speaking for the approach legislatively that the ranking member has made. But I will tell you that his amendments were brilliant. If we just pause for a moment and listen, I would say to you that yes, something should be incorporated before it gets to the floor, particularly -- particularly, Mr. Chairman -- if you're talking about a suspension and you're talking about an approach on terrorism that should be both bipartisan and the whole House should be in support of our efforts, as they have been in the past.

I can only say to you that it will be a very rocky road that this bill takes once the word gets out that we could not come together around acts of terrorism that have shed blood of Americans and that that blood was not taken as seriously as the blood that has been shed in terrorist acts around the world.

So I don't think that's the message we want. We are a fighter against terrorism. And I would like and respectfully ask that the amendments of Mr. Thompson and maybe others be viewed and incorporated as we go to the floor. I think we would make history. We would not create divisiveness. We would make history and a positive history at that.

Americans abhor terrorism wherever they may find it. So Mr. Chairman, I ask a question, could that be worked out?

MCCAUL:

Clarifying language can always be added to the bill, as leg counsel has indicated, prior to the bill going to the floor. As the gentlelady knows, I've always operated in a bipartisan spirit with an effort to get things done.

This committee is about the safety of the American people, first and foremost. It's not a partisan issue. It's not a Democrat or Republican issue. We don't define what violent extremist is. It's not - - violent extremists can include all forms of extremism. We've said that over and over and over again.

JACKSON LEE:

Mr. Chairman, just one more...

MCCAUL:

And let me just say, I want to applaud the work of the bipartisan task force for offering this legislation to this committee. And so I think it's a very proud moment that we are passing the bipartisan recommendations of the task force to the floor of the House.

JACKSON LEE:

One more further inquiry, Mr. Chairman. Just one more further inquiry. When you said generically, would you consider Mr. Thompson's amendments and consider them clarifying amendments to be considered?

MCCAUL:

And I said yes. I mean, again, we have asked for input to this bill for a matter of weeks and now we're just receiving them at this late hour. If there is something in there that you and I would like to discuss, Mr. Thompson and I would like to discuss, to put in as clarifying language to the bill, there is still obviously time to do that.

And so I'm willing to do that. What I objected to is how we got to this point and it's not the way I like to chair this committee. I like to get things done in a bipartisan way before the members walk in so we can all come together. And unfortunately, you know, and I'm not, Ms. Jackson Lee, I'm not saying -- unfortunately at the staff level we had a breakdown, let's just be honest. And it broke down with the members of this committee.

And it's really unfortunate, I think, for all the members of this committee to be put in this position. It's not where I wanted to be either. And it's not how I wanted to conduct this markup.

I quite frankly thought when the task force issued this report, we'd passed 12 other recommendations, that this would have sailed through without any controversy on suspension.

SANCHEZ:

Mr. Chairman?

MCCAUL:

The gentlelady is recognized.

JACKSON LEE:

Thank you. I yield back for a moment.

SANCHEZ:

Mr. Chairman, as somebody who worked on that task force, and I've talked to a lot of my members, with respect to it, I would -- and I'm sorry, I've been running back and forth between this and another committee that I rank, as you know.

It just is really a low point for this committee, Mr. Chairman. And I would respectfully request that we take -- that if there is a way to go back and look at these amendments, that we retake a vote or take a vote on the en bloc that Mr. Thompson did put in an en bloc at your request.

I mean, there's no reason why we can't find a way in which we can at least take a vote on this. This is, you know, to have a breakdown in our committee like this over what is just a vote, what would have taken an additional two or three minutes to do, and now I'm talking now we're discussing it again, you know.

So for those of you who want to go and catch planes, and I get that, I mean, you know, I'm from California, I understand that, we've spent more time about why we didn't get a vote on it than if we would have just taken the vote on it.

And I think it just makes for bad blood on this committee, which is not what we need, especially in light of the fact that we see more and more of this going on in Paris and Brussels and we had San Bernardino in my area, Ms. Torres' area.

Is there a way, Mr. Chairman, to address this on a vote right now?

MCCAUL:

A recorded vote was not requested at the appropriate time. I'm just going by the rules of the committee.

SANCHEZ:

Is there a unanimous consent ability? Is there...

MCCAUL:

As I indicated to the gentlelady from Texas, we'll continue to work on the en bloc amendments as the bill goes to the floor.

SANCHEZ:

So Mr. Chairman, just so that I understand where you're coming from, there is no possible way to take a vote on the en bloc at this point?

MCCAUL:

Again...

SANCHEZ:

Just so that I understand where you're coming from, Mr. Chairman.

MCCAUL:

The en bloc amendment failed on voice vote. A request for recorded vote was not made.

SANCHEZ:

But we're not finished and we're not through the bill.

MCCAUL:

And now we've voted on the final passage of this bill. We have how many other bills?

SANCHEZ:

Mr. Chairman?

MCCAUL:

Five other bills to proceed on.

SANCHEZ:

I know that when a vote wants to be re-voted on the House floor we go back and we re-vote it, sometimes even waiting three weeks for us to get back to re-vote that vote that so many people

missed, for example. Is there not a way to vote this en bloc today? That's all I'm asking. If it's in the rules up and down that there's no way to do it, that's one thing, then tell me that.

But I'm asking you, is there a way to re-vote this?

MCCAUL:

A request for a recorded vote was not made.

SANCHEZ:

So you're saying to me that there's no way to go back and...

MCCAUL:

We've already voted on the measure. We have five other bills to go through.

SANCHEZ:

Mr. Chairman, that wasn't my question.

MCCAUL:

Again, the tally indicated that the ayes have it. And the bill is agreed to.

SANCHEZ:

Mr. Chairman, you discussed...

MCCAUL:

In the opinion of the chair, the ayes have it. And without objection...

SANCHEZ:

Mr. Chair? You discussed the fact that the breakdown was at the staff level and that now it has poisoned the well at the member level. And my simple request is to ask you, is there a way today to undo that poisoning of the well at the member level, member to member?

MCCAUL:

Again, a recorded vote was not requested. It failed on voice vote. And that is the ruling of the chair.

The question now occurs on reporting the bill H.R. 4820 to the House with a favorable recommendation.

All those in favor, signify by saying aye. All those opposed, signify by saying no.

In the opinion of the chair, the ayes have it, and the motion is agreed to.

Without objection, the motion to reconsider is laid on the table. Staff is authorized to make any technical and conforming changes.

I now ask unanimous consent that the remaining bills use the amendment roster that was distributed to members. And without objection, so ordered.

I now call up to be considered en bloc the remaining bills, H.R. 4509, the State and High-Risk Urban Area Working Group Act; H.R. 4549, the Treating Small Airports With Fairness Act; H.R. 4698, Securing Aviation from Foreign Entry Points and Guarding Airports Through Enhanced Security Act; H.R. 4780, the Department of Homeland Security Strategy for International Programs Act; and H.R. 4785, the DHS Stop Asset and Vehicle Access Act.

Without objection, the appropriate subcommittees are discharged.

Bills were circulated in advance and printed copies are available.

The clerk shall designate the bills.

CLERK:

H.R. 4509, H.R. 4780, H.R. 4785, H.R. 4698, H.R. 4509.

MCCAUL:

Without objection, the reading is dispensed with. Bills are considered read and open to amendment.

I ask unanimous consent that all amendments on the roster be approved. And without objection, so ordered.

Does anyone offer any further amendments to the bill?

JACKSON LEE:

Yes, Mr. Chairman.

MCCAUL:

Ms. Jackson Lee?

JACKSON LEE:

Now, let me make sure I have my procedure in order. All the bills now, post the previous bill that was just voted on, are now up for amendment. Is that correct?

MCCAUL:

That's correct.

JACKSON LEE:

All right. I have two simple amendments, one to H.R. 4698, my amendment number one and I can read a statement and ask for support.

May I go ahead, please?

MCCAUL:

Yes.

JACKSON LEE:

My amendment assures that when the inspector general of the United States reviews efforts, capabilities and effectiveness of the Transportation Security Administration to enhance security capabilities at foreign airports and secure international inbound aviation, to produce a report on the effectiveness of these programs, technologies and policies that have been put in place.

Let me conclude my remarks on this amendment, which is to say now more than ever we need to be astute on the effectiveness of aviation security. We are well aware, which is something that I have spoken about, of both the apron of the airport, but also the lobby areas of the airport. That was the Achilles heel in Brussels where the bombs were utilized outside of the checkpoint area.

And so it is important now as we look to America's airports, American airports, and as we collaborate with our international allies that we have an effective program that deals with programs, technologies and policies that have been put in place.

I ask my colleagues to support the Jackson Lee amendment to H.R. 4698.

Do I need to go on?

MCCAUL:

It's my understanding that the gentlelady's amendments are already provided by unanimous consent in the bills that we...

JACKSON LEE:

All right. Did I miss that? All right. And does that include -- then let me just -- does that include amendment number two H.R. 4785, Jackson Lee as well?

MCCAUL:

Yes, it includes both of your amendments.

JACKSON LEE:

All right. Let me thank you for that and ask unanimous consent to put in three articles for the record on 4785, DHS Stop Asset and Vehicle Access, Association for Computing Machinery, Wired magazine article "Hackers Remotely Kill a Jeep on the Highway," and then a Wired magazine "After Jeep Hack, Chrysler Recalls 1.4 Million Vehicles."

I ask unanimous consent to put these items into the record.

MCCAUL:

Without objection, so ordered.

JACKSON LEE:

And thank you for allowing me both these amendments to investigate the ability of undersecretary for management to identify and address any relevant security concerns regarding vehicles.

Thank you so very much.

MCCAUL:

And we thank you as well.

Any further amendments to the bills?

There being no further amendments, I now ask unanimous consent that the bills as amended are agreed to.

Without objection, so ordered.

I now ask unanimous consent that we report these bills as amended to the House with a favorable recommendation.

Without objection, so ordered.

The motion to reconsider is laid on the table, and staff is authorized to make any technical or conforming changes.

That concludes consideration of the bills noticed by the committee today.

PERRY:

Mr. Chairman, pursuant to Rule 22 Clause 1 of the Rules of the House, I move that the committee authorize the chairman to offer such motions as may be necessary in the House to go to conference with the Senate on the bills ordered reported by this committee today or on similar Senate bills.

MCCAUL:

Without objection, the motion is agreed to.

THOMPSON:

Mr. Chairman?

MCCAUL:

The ranking member is recognized.

THOMPSON:

Pursuant to House Rule 11, Clause 2(1), I ask that members have two calendar days to file with the clerk of the committee supplemental, additional or minority views on each of the bills ordered reported by the committee today.

MCCAUL:

Without objection, so ordered.