H. R. 5869

AN ACT

To require the Secretary of Homeland Security to conduct a maritime border threat analysis, and for other purposes.

1   *Be it enacted by the Senate and House of Representa-*

2   *tives of the United States of America in Congress assembled,*

SECTION 1. SHORT TITLE.

This Act may be cited as the "Maritime Border Security Review Act".

SEC. 2. DEFINITIONS.

In this Act:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term "appropriate congressional committees" means—

(A) the Committee on Homeland Security of the House of Representatives;

(B) the Committee on Transportation and Infrastructure of the House of Representatives;

(C) the Committee on Homeland Security and Government Affairs of the Senate; and

(D) the Committee on Commerce, Science, and Transportation of the Senate.

(2) MARITIME BORDER.—The term "maritime border" means—

(A) the transit zone; and

(B) the borders and territorial waters of Puerto Rico and the United States Virgin Islands.

(3) TRANSIT ZONE.—The term "transit zone" has the meaning given such term in section 1092(a)(8) of the National Defense Authorization Act for Fiscal Year 2017 (6 U.S.C. 223(a)(8)).

1 **SEC. 3. MARITIME BORDER THREAT ANALYSIS.**

2 (a) IN GENERAL.—Not later than 180 days after the

3 date of enactment of this Act, the Secretary of Homeland

4 Security shall submit to the appropriate congressional

5 committees a maritime border threat analysis that in-

6 cludes an identification and description of the following:

7 (1) Current and potential terrorism and crimi-

8 nal threats posed by individuals and groups seeking

9 to—

10 (A) enter the United States through the

11 maritime border; or

12 (B) exploit border vulnerabilities on the

13 maritime border.

14 (2) Improvements needed at United States sea

15 ports to—

16 (A) prevent terrorists and instruments of

17 terror from entering the United States; and

18 (B) reduce criminal activity, as measured

19 by the total flow of illegal goods and illicit

20 drugs, related to the maritime border.

21 (3) Improvements needed with respect to the

22 maritime border to—

23 (A) prevent terrorists and instruments of

24 terror from entering the United States; and

25 (B) reduce criminal activity related to the

26 maritime border.

4

(4) Vulnerabilities in law, policy, cooperation between State, territorial, and local law enforcement, or international agreements that hinder effective and efficient border security, counterterrorism, anti-human trafficking efforts, and the flow of legitimate trade with respect to the maritime border.

(5) Metrics and performance parameters used by the Department of Homeland Security to evaluate maritime security effectiveness, as appropriate.

(b) ANALYSIS REQUIREMENTS.—In preparing the 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) The role of State, territorial, and local law enforcement in general border security activities.

(4) The need for cooperation among Federal, State, territorial, local, and appropriate international law enforcement entities relating to border security.

(5) The geographic challenges of the maritime border.

(6) The impact and consequences of Hurricanes Harvey, Irma, Maria, and Nate on general border

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1   security activities with respect to the maritime bor-

2   der.

3   (c) CLASSIFIED THREAT ANALYSIS.—To the extent

4 possible, the Secretary of Homeland Security shall submit

5 the threat analysis required under subsection (a) in un-

6 classified form. The Secretary may submit a portion of

7 the threat analysis in classified form if the Secretary de-

8 termines that such form is appropriate for such portion.

     Passed the House of Representatives September 4, 2018.

     Attest:

Clerk.

115TH CONGRESS
2D SESSION

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