

Union Calendar No. 713

115TH CONGRESS
2^D SESSION

H. R. 5869

[Report No. 115–918]

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

IN THE HOUSE OF REPRESENTATIVES

MAY 17, 2018

Miss GONZÁLEZ-COLÓN of Puerto Rico (for herself, Mr. KING of New York, Mr. DONOVAN, Mr. BACON, Mrs. MURPHY of Florida, Mr. DIAZ-BALART, and Mr. DUFFY) introduced the following bill; which was referred to the Committee on Homeland Security

SEPTEMBER 4, 2018

Committed to the Committee of the Whole House on the State of the Union
and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italie*]

[For text of introduced bill, see copy of bill as introduced on May 17, 2018]

A BILL

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,*

3 **SECTION 1. SHORT TITLE.**

4 *This Act may be cited as the “Maritime Border Secu-*
5 *urity Review Act”.*

6 **SEC. 2. DEFINITIONS.**

7 *In this Act:*

8 (1) *APPROPRIATE CONGRESSIONAL COMMIT-*
9 *TEES.—The term “appropriate congressional commit-*
10 *tees” means—*

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

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

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

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

19 (2) *MARITIME BORDER.—The term “maritime*
20 *border” means—*

21 (A) *the transit zone; and*

22 (B) *the borders and territorial waters of*
23 *Puerto Rico and the United States Virgin Is-*
24 *lands.*

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

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

6 (a) *IN GENERAL.*—*Not later than 180 days after the*
 7 *date of enactment of this Act, the Secretary of Homeland*
 8 *Security shall submit to the appropriate congressional com-*
 9 *mittees a maritime border threat analysis that includes an*
 10 *identification and description of the following:*

11 (1) *Current and potential terrorism and crimi-*
 12 *nal threats posed by individuals and groups seeking*
 13 *to—*

14 (A) *enter the United States through the*
 15 *maritime border; or*

16 (B) *exploit border vulnerabilities on the*
 17 *maritime border.*

18 (2) *Improvements needed at United States sea*
 19 *ports to—*

20 (A) *prevent terrorists and instruments of*
 21 *terror from entering the United States; and*

22 (B) *reduce criminal activity, as measured*
 23 *by the total flow of illegal goods and illicit drugs,*
 24 *related to the maritime border.*

1 (3) *Improvements needed with respect to the*
2 *maritime border to—*

3 (A) *prevent terrorists and instruments of*
4 *terror from entering the United States; and*

5 (B) *reduce criminal activity related to the*
6 *maritime border.*

7 (4) *Vulnerabilities in law, policy, cooperation be-*
8 *tween State, territorial, and local law enforcement, or*
9 *international agreements that hinder effective and ef-*
10 *ficient border security, counterterrorism, anti-human*
11 *trafficking efforts, and the flow of legitimate trade*
12 *with respect to the maritime border.*

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

16 (b) *ANALYSIS REQUIREMENTS.—In preparing the*
17 *threat analysis required under subsection (a), the Secretary*
18 *of Homeland Security shall consider and examine the fol-*
19 *lowing:*

20 (1) *Technology needs and challenges.*

21 (2) *Personnel needs and challenges.*

22 (3) *The role of State, territorial, and local law*
23 *enforcement in general border security activities.*

24 (4) *The need for cooperation among Federal,*
25 *State, territorial, local, and appropriate inter-*

1 *national law enforcement entities relating to border*
2 *security.*

3 (5) *The geographic challenges of the maritime*
4 *border.*

5 (6) *The impact and consequences of Hurricanes*
6 *Harvey, Irma, Maria, and Nate on general border se-*
7 *curity activities with respect to the maritime border.*

8 (c) *CLASSIFIED THREAT ANALYSIS.—To the extent*
9 *possible, the Secretary of Homeland Security shall submit*
10 *the threat analysis required under subsection (a) in unclas-*
11 *sified form. The Secretary may submit a portion of the*
12 *threat analysis in classified form if the Secretary deter-*
13 *mines that such form is appropriate for such portion.*

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