

116TH CONGRESS
1ST SESSION

H. R. 4402

IN THE SENATE OF THE UNITED STATES

DECEMBER 10, 2019

Received; read twice and referred to the Committee on Homeland Security and
Governmental Affairs

AN ACT

To require the Secretary of Homeland Security to conduct
an inland waters 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Inland Waters Security
3 Review Act”.

4 **SEC. 2. DEFINITIONS.**

5 In this Act:

6 (1) **APPROPRIATE CONGRESSIONAL COMMIT-**
7 **TEES.**—The term “appropriate congressional com-
8 mittees” means—

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

11 (B) the Committee on Homeland Security
12 and Government Affairs of the Senate; and

13 (C) the Committee on Commerce, Science,
14 and Transportation of the Senate.

15 (2) **INLAND WATERS.**—The term “inland
16 waters” has the meaning given such term in section
17 83.03 of title 33, Code of Federal Regulations.

18 **SEC. 3. INLAND WATERS THREAT ANALYSIS.**

19 (a) **IN GENERAL.**—Not later than 180 days after the
20 date of the enactment of this Act, the Secretary of Home-
21 land Security shall submit to the appropriate congres-
22 sional committees an inland waters threat analysis that
23 includes an identification and description of the following:

24 (1) Current and potential terrorism and crimi-
25 nal threats posed by individuals and groups seeking
26 to—

1 (A) enter the United States through inland
2 waters; or

3 (B) exploit security vulnerabilities on in-
4 land waters.

5 (2) Security challenges at United States inland
6 waters ports regarding—

7 (A) terrorism and instruments of terror
8 entering the United States; and

9 (B) criminal activity, as measured by the
10 total flow of illegal goods and illicit drugs, re-
11 lated to the inland waters.

12 (3) Security mitigation efforts with respect to
13 the inland waters to—

14 (A) prevent terrorists and instruments of
15 terror from entering the United States; and

16 (B) reduce criminal activity related to the
17 inland waters.

18 (4) Vulnerabilities related to cooperation be-
19 tween State, local, Tribal, and territorial law en-
20 forcement, or international agreements, that hinder
21 effective security, counterterrorism, anti-trafficking
22 efforts, and the flow of legitimate trade with respect
23 to inland waters.

1 (5) Metrics and performance measures used by
2 the Department of Homeland Security to evaluate
3 inland waters security, as appropriate.

4 (b) ANALYSIS REQUIREMENTS.—In preparing the
5 threat analysis required under subsection (a), the Sec-
6 retary of Homeland Security shall consider and examine
7 the following:

8 (1) Technology needs and challenges.

9 (2) Personnel needs and challenges.

10 (3) The roles of State, local, Tribal, and terri-
11 torial law enforcement, as well as private sector
12 partners and the public, relating to inland waters se-
13 curity.

14 (4) The need for cooperation among Federal,
15 State, local, Tribal, territorial, and international
16 partner law enforcement, as well as private sector
17 partners and the public, relating to inland waters se-
18 curity.

19 (5) The challenges posed by geography with re-
20 spect to inland waters security.

21 (c) CLASSIFIED THREAT ANALYSIS.—To the extent
22 possible, the Secretary of Homeland Security shall submit
23 the threat analysis required under subsection (a) in un-
24 classified form. The Secretary may submit a portion of

1 the threat analysis in classified form if the Secretary de-
2 termines that such is appropriate.

Passed the House of Representatives December 9,
2019.

Attest: CHERYL L. JOHNSON,
Clerk.