

116TH CONGRESS  
1ST SESSION

# H. R. 4441

To amend titles 49 and 10, United States Code, to provide for the authority of the Commissioner of U.S. Customs and Border protection with respect to national security determinations concerning wind turbines proposed to be constructed in the United States in bodies of water that border Canada, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 20, 2019

Mr. COLLINS of New York introduced the following bill; which was referred to the Committee on Transportation and Infrastructure, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To amend titles 49 and 10, United States Code, to provide for the authority of the Commissioner of U.S. Customs and Border protection with respect to national security determinations concerning wind turbines proposed to be constructed in the United States in bodies of water that border Canada, 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. U.S. CUSTOMS AND BORDER PROTECTION DE-**  
2 **TERMINATIONS WITH RESPECT TO WIND**  
3 **TURBINES PROPOSED TO BE CONSTRUCTED**  
4 **IN UNITED STATES WATER BORDERING CAN-**  
5 **ADA.**

6 (a) INCLUSION OF CBP IN CERTAIN NATIONAL SE-  
7 CURITY DETERMINATIONS.—Section 44718 of title 49,  
8 United States Code, is amended—

9 (1) in subsection (a)(3) by inserting “, and in  
10 the case of a covered wind turbine, the Commis-  
11 sioner of U.S. Customs and Border Protection”  
12 after “Secretary of Defense”;

13 (2) in subsection (b)—

14 (A) in paragraph (1)—

15 (i) in the matter preceding subpara-  
16 graph (A), by inserting “, and in the case  
17 of a covered wind turbine, the Commis-  
18 sioner of U.S. Customs and Border Protec-  
19 tion” after “Secretary of Defense”; and

20 (ii) in subparagraph (B), by inserting  
21 “, and in the case of a covered wind tur-  
22 bine, the Commissioner of U.S. Customs  
23 and Border Protection,” after “Secretary  
24 of Defense”;

25 (B) in paragraph (2), by inserting “, and  
26 in the case of a covered wind turbine, the Com-

1           missioner of U.S. Customs and Border Protec-  
2           tion,” after “Secretary of Defense”; and

3                   (C) in paragraph (3), by inserting “, and  
4           in the case of a covered wind turbine, the Com-  
5           missioner of U.S. Customs and Border Protec-  
6           tion,” after “Secretary of Defense”;

7           (3) in subsection (f), by inserting “, and in the  
8           case of a covered wind turbine, the Commissioner of  
9           U.S. Customs and Border Protection,” after “Sec-  
10          retary of Defense”; and

11           (4) in subsection (h), by adding at the end the  
12          following new paragraph:

13                   “(3) COVERED WIND TURBINE.—The term ‘cov-  
14          ered wind turbine’ means a wind turbine proposed to  
15          be constructed in the United States in a body of  
16          water that borders Canada.”.

17          (b) DOD CONSULTATION WITH CBP.—Section  
18          183a(e) of title 10, United States Code, is amended by  
19          adding at the end the following new paragraph:

20                   “(5) In the case of an energy project filed with the  
21          Secretary of Transportation pursuant to section 44718 of  
22          title 19 for the proposed construction of a wind turbine  
23          in a location in the United States in a body of water that  
24          borders Canada, the Secretary of Defense shall consult

1 with the Commissioner of U.S. Customs and Border pro-  
2 tection in carrying out this subsection.”.

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