



One Hundred Ninth Congress  
U.S. House of Representatives  
Committee on Homeland Security  
Washington, DC 20515

November 17, 2005

**COMMITTEE ACTION**

The Committee on Homeland Security met, pursuant to notice, in open markup session, a quorum being present, on Wednesday, November 16, and Thursday, November 17, 2005, in 311 Cannon House Office Building to consider H.R. 4312, to establish operational control over the international land and maritime borders of the United States, and for other purposes; and took the following actions.

H.R. 4312, to establish operational control over the international land and maritime borders of the United States, and for other purposes; was ordered favorably reported to the House, amended, by voice vote.

The following amendments were offered:

An Amendment in the Nature of a Substitute offered by Mr. King (#1); was Agreed to, as amended, by voice vote.

A Substitute amendment offered by Mr. Thompson (#1A) to the Amendment in the Nature of a Substitute offered by Mr. King; was Not Agreed to by a recorded vote of 14 yeas and 15 nays (Roll Call Vote No. 12).

An en bloc amendment offered by Mr. King (#1B) to the Amendment in the Nature of a Substitute offered by Mr. King; on page 8, after line 23, to insert a new subsection (f) entitled "Reporting of Implementing Legislation"; a Sense of Congress relating to the Secure Border Initiative; to insert a new section entitled "Border Patrol Unit for Virgin Islands"; to insert a new section entitled "Report on Progress in Tracking Travel of Central American Gangs Along International Border"; a Sense of Congress relating to cooperation with the sovereign Indian Nations on securing our borders; to insert a new section entitled "Border Security Advisory Committee"; and to make conforming corrections on pages 25 and 26,

and to insert a new section relating coordination; to make conforming changes and to insert a new paragraph in section 102(b) relating to an assessment to infiltration along borders; was Agreed to by voice vote.

An amendment offered by Mr. McCaul (#1C) to the Amendment in the Nature of a Substitute offered by Mr. King; to insert a new section entitled “Permitted Use of Homeland Security Grant Funds for Border Security Activities”; was Agreed to by a recorded vote of 15 yeas and 12 nays (Roll Call Vote No. 13).

An amendment offered by Mr. Markey (#1D) to the Amendment in the Nature of a Substitute offered by Mr. King; to insert a new section entitled “Verification of Security Measures under the Customs-Trade Partnership Against Terrorism (C-TPAT) Program and the Free and Secure Trade (FAST) Program”; was Not Agreed to by a recorded vote of 14 yeas and 15 nays (Roll Call Vote No. 14).

An amendment offered by Mr. DeFazio (#1E) to the Amendment in the Nature of a Substitute offered by Mr. King; to insert a new section entitled “Visa Waiver Program and Immediate International Passenger Pre-Screening Pilot Program”; was Withdrawn by Unanimous Consent

An amendment offered by Mr. Pearce (#1F) to the Amendment in the Nature of a Substitute offered by Mr. King; on page 16, line 8 insert a new section 113 entitled “Repair of Private Border Fencing”; was Withdrawn by Unanimous Consent.

An amendment offered by Mr. Thompson (#1G) to the Amendment in the Nature of a Substitute offered by Mr. King; on page 13, line 4; Page 13, line 18 and page 14, line 2 make conforming corrections and insert a new section entitled “Authorization of Appropriations”; was Agreed to by voice vote.

An amendment offered by Ms. Jackson-Lee (#1H) to the Amendment in the Nature of a Substitute offered by Mr. King; to insert new sections entitled “Authorization for Appropriations for Increased Border Resources”; “Study to Determine Appropriate Level and Allocation of Personnel at Ports of Entry and Border Patrol Sectors”; “Assessment of Study by Comptroller General”; “Additional and Continuous Training for Inspectors”; “Radio Communications”; “Hand-held Global Positioning System Devices”; “Night Vision Equipment”; “Border Armor”; Weapons”; “Maximum Student Loan Repayments for United States Border Patrol Agents”; “Recruitment and Relocation Bonuses and Retention Allowances for Personnel of the Department of Homeland Security”; “Law Enforcement Retirement Coverage for Inspection Officers and Other Employees”; “Increase United State Border Patrol Agent and Inspector Pay”; “Compensation for Training at Federal Law Enforcement Training Center”; and “Foreign Language Awards”; was Not Agreed to by a recorded vote of 12 yeas

and 15 nays (Roll Call Vote No. 16).

An amendment offered by Mr. Langevin (#1I) to the Amendment in the Nature of a Substitute offered by Mr. King; to insert a new section entitled “Deployment of Radiation Detection Portal Equipment at United States Ports of Entry”; was Agreed to by a recorded vote of 15 yeas and 12 nays (Roll Call Vote No. 17).

An amendment offered by Ms. Lofgren (#1J) to the Amendment in the Nature of a Substitute offered by Mr. King; to strike line 18 on page 22 through line 7 on page 23 and insert a new section 305 entitled “Ensuring Return of Removed Aliens”.

A point of order by Mr. Smith on germaneness was upheld by the Chair. The amendment by Ms. Lofgren was ruled non germane.

An amendment offered by Ms. Lofgren (#1K) to the Amendment in the Nature of a Substitute offered by Mr. King; on page 19, line 15, make a conforming change; and page 20, line 3 through 12 insert a new subsection (b) entitled “Ensuring Appearance of Aliens Apprehended at or Between Ports of Entry”.

A point of order by Mr. Smith on germaneness was overruled by the Chair. The amendment by Ms. Lofgren was Not Agreed to by voice vote.

An amendment offered by Ms. Lofgren (#1L) to the Amendment in the Nature of a Substitute offered by Mr. King; on page 20, line 25 insert a new subsection (d) entitled “Exceptions for Vulnerable Populations”;

A point of order by Mr. Smith on germaneness was overruled by the Chair. The amendment by Ms. Lofgren was Not Agreed to by a recorded vote of 12 yeas and 16 nays (Roll Call Vote No. 18).

An amendment offered by Ms. Lofgren (#1M) to the Amendment in the Nature of a Substitute offered by Mr. King; on page 21, line 2, insert a new subsection (e) entitled “Appropriate Conditions for Detention of Vulnerable Populations”.

A point of order by Mr. Smith on germaneness was upheld by the Chair. The amendment by Ms. Lofgren was ruled non germane.

An amendment offered by Ms. Loretta Sanchez (#1N) to the Amendment in the Nature of a Substitute offered by Mr. King; on page 23, line 4, insert after the first period the following: “The previous sentence shall not apply to admission of an alien as a refugee or to the granting of asylum to an alien”

A point of order by Mr. Smith on germaneness was upheld by the Chair. The amendment by Ms. Sanchez was ruled non germane.

An amendment offered by Mr. Meek (#1O) to the Amendment in the Nature of a Substitute offered by Mr. King; on page 29, strike line 7 through page 3, line 15. Page 29, after line 6, insert a new title entitled “Reorganization of Border

Security Enforcement Agencies”; was Withdrawn by Unanimous Consent.

An amendment offered by Mr. Thompson (#1P) to the Amendment in the Nature of a Substitute offered by Mr. King; to insert a new section entitled “9/11 Commission Full Funding”; was Not Agreed to by a recorded vote of 12 yeas and 14 nays (Roll Call Vote No. 15).

An amendment offered by Ms. Jackson-Lee (#1Q) to the Amendment in the Nature of a Substitute offered by Mr. King; on page 19, line 21, strike :or”. Page 19, after line 21, insert a new paragraph (2) relating to the Immigration and Nationality Act ; was Withdrawn by Unanimous Consent.

An amendment offered by Ms. Jackson-Lee (#1R) to the Amendment in the Nature of a Substitute offered by Mr. King; make conforming changes and on page 19, line 21, insert a new paragraph (2) relating to trafficking in persons; was Not Agreed to by a recorded vote of 14 yeas and 18 nays (Roll Call Vote No. 19).

An amendment offered by Mr. Meek (#1S) to the Amendment in the Nature of a Substitute offered by Mr. King; to insert a new section entitled “Enhanced Information-Sharing, Coordination and Oversight Immigration Detention Policies, Practices and Operations within the Department of Homeland Security”; was Not Agreed to by a recorded vote of 15 yeas and 18 nays (Roll Call Vote No. 20).

An amendment offered by Ms. Lofgren (#1T) to the Amendment in the Nature of a Substitute offered by Mr. King; to strike sec. 305 ; was Not Agreed to by a recorded vote of 16 yeas and 17 nays (Roll Call Vote No. 21).

An amendment offered by Ms. Jackson-Lee (#1U) to the Amendment in the Nature of a Substitute offered by Mr. King; to insert a new section entitled “Establishment of a Special Task Force for Coordinating and Distributing Information on Fraudulent Immigration Documents”; was Not Agreed to by a recorded vote of 15 yeas and 18 nays (Roll Call Vote No. 22).

An amendment offered by Ms. Jackson-Lee (#1V) to the Amendment in the Nature of a Substitute offered by Mr. King; to insert a new title entitled “Rapid Response Measures”; was Not Agreed to by voice vote.

An amendment offered by Mr. Lungren (#1W) to the Amendment in the Nature of a Substitute offered by Mr. King; to insert a new section entitled “Expedited Removal”; was Agreed to by a recorded vote of 18 yeas and 14 nays (Roll Call Vote No. 23).

An amendment offered by Ms. Harris (#1X) to the Amendment in the Nature of a

Substitute offered by Mr. King; to insert a new section entitled “Plan for Combating Human Smuggling and Trafficking”; was Withdrawn by Unanimous Consent.

An amendment offered by Mr. Pearce (#1Y) to the Amendment in the Nature of a Substitute offered by Mr. King; on page 16, line 8 insert a new section 113 entitled “Repair of Private Infrastructure on Border”; was Agreed to by voice vote.

