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HOUSE OF REPRESENTATIVES
REPORT
114–775

BOTTLES AND BREASTFEEDING EQUIPMENT SCREENING ACT

SEPTEMBER 20, 2016.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. MCCAUL, from the Committee on Homeland Security, submitted the following

R E P O R T

[To accompany H.R. 5065]

[Including cost estimate of the Congressional Budget Office]

The Committee on Homeland Security, to whom was referred the bill (H.R. 5065) to direct the Secretary of Homeland Security to notify air carriers and security screening personnel of the Transportation Security Administration of such Administration's guidelines regarding permitting baby formula, breast milk, and juice on airplanes, and for other purposes, having considered the same, report favorably thereon with amendments and recommend that the bill as amended do pass.

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The amendments are as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Bottles and Breastfeeding Equipment Screening Act".

SEC. 2. TSA SECURITY SCREENING GUIDELINES FOR BABY FORMULA, BREAST MILK, PURIFIED DEIONIZED WATER FOR INFANTS, AND JUICE ON AIRPLANES; TRAINING ON SPECIAL PROCEDURES.

Not later than 90 days after the date of the enactment of this Act, the Administrator of the Transportation Security Administration shall—

(1) notify air carriers and security screening personnel of the Transportation Security Administration and personnel of private security companies providing security screening pursuant to section 44920 of title 49, United States Code, of such Administration's guidelines regarding permitting baby formula, breast milk, purified deionized water for infants, and juice on airplanes under the Administration's guidelines known as the 3–1–1 Liquids Rule Exemption; and

(2) in training procedures for security screening personnel of the Administration and private security companies providing security screening pursuant to section 44920 of title 49, United States Code, include training on special screening procedures.

Amend the title so as to read:

A bill to direct the Administrator of the Transportation Security Administration to notify air carriers and security screening personnel of the Transportation Security Administration of such Administration's guidelines regarding permitting baby formula, breast milk, and juice on airplanes, and for other purposes.

PURPOSE AND SUMMARY

The purpose of H.R. 5065 is to direct the Secretary of Homeland Security to notify air carriers and airport security screening personnel of the Administration's guidelines regarding permitting baby formula, breast milk, and juice on airplanes, and for other purposes.

BACKGROUND AND NEED FOR LEGISLATION

The Transportation Security Administration (TSA) prohibits passengers from carrying on containers with liquids over 3.4 ounces. However, exceptions are made for medications and "infant and child nourishments." H.R. 5065 institutionalizes TSA's current policy on child nourishments, found below, into law.

HEARINGS

No hearings were held on H.R. 5065 in the 114th Congress; however the Subcommittee on Transportation Security held a hearing on March 25, 2016, entitled "Risk–Based Security: Assessing the Path Forward for TSA Pre✔™." The Subcommittee received testimony from Hon. John Roth, Inspector General, U.S. Department of Homeland Security; Mr. Kenneth Fletcher, Chief Risk Officer, Transportation Security Administration, U.S. Department of Homeland Security; and Ms. Jennifer Grover, Director, Homeland Security and Justice, U.S. Government Accountability Office.

COMMITTEE CONSIDERATION

The Committee met on September 13, 2016, to consider H.R. 5065, and ordered the measure to be reported to the House

with a favorable recommendation, as amended, by voice vote. The Committee took the following actions:

The following amendments were offered:

An amendment offered by MS. JACKSON LEE (#1) was AGREED TO by voice vote.

Page 2, line 2, after "Breast Milk," insert "Purified Deionized Water for Infants,".

Page 2, line 11, after "breast milk," insert "purified deionized water for infants,".

An amendment offered by MISS RICE (#2) was AGREED TO by voice vote.

Page 2, line 6, strike "Secretary of Homeland Security" and insert "administrator of the Transportation Security Administration".

Page 2, beginning at line 16, strike "all special procedures under the Administration's travel guidelines" and insert "special screening procedures".

Amend the title of the bill so as to read: "A bill to direct the Administrator of the Transportation Security Administration to notify air carriers and security screening personnel of the Transportation Security Administration of such Administration's guidelines regarding permitting baby formula, breast milk, and juice on airplanes, and for other purposes.".

An amendment offered by MISS RICE (#3) was AGREED TO by voice vote.

Page 2, line 10, insert "and personnel of private security companies providing security screening pursuant to section 44920 of title 49, United States Code," before "of".

Page 2, line 15, insert "and personnel of private security companies providing security screening pursuant to section 44920 of title 49, United States Code" after "Administration".

COMMITTEE VOTES

Clause 3(b) of rule XIII of the Rules of the House of Representatives requires the Committee to list the recorded votes on the motion to report legislation and amendments thereto.

No recorded votes were requested during consideration of H.R. 5065.

COMMITTEE OVERSIGHT FINDINGS

Pursuant to clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee has held oversight hearings and made findings that are reflected in this report.

NEW BUDGET AUTHORITY, ENTITLEMENT AUTHORITY, AND TAX EXPENDITURES

In compliance with clause 3(c)(2) of rule XIII of the Rules of the House of Representatives, the Committee finds that H.R. 5065, the Bottles and Breastfeeding Equipment Screening Act, would result in no new or increased budget authority, entitlement authority, or tax expenditures or revenues.

CONGRESSIONAL BUDGET OFFICE ESTIMATE

The Committee adopts as its own the cost estimate prepared by the Director of the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974.

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, September 16, 2016.

Hon. MICHAEL MCCAUL,
Chairman, Committee on Homeland Security,
House of Representatives Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 5065, the Bottles and Breastfeeding Equipment Screening Act.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Megan Carroll.

Sincerely,

KEITH HALL.

Enclosure.

H.R. 5065—Bottles and Breastfeeding Equipment Screening Act

H.R. 5065 would require the Transportation Security Administration (TSA) to notify air carriers, TSA security screening personnel, and other providers of screening services at airports about federal policies that allow baby formula, breast milk, and certain other liquids on airplanes. The bill also would require TSA to ensure that procedures for training federal and nonfederal screening personnel address those and other special screening procedures.

According to TSA, the requirements of H.R. 5065 are consistent with its existing administrative procedures; thus, CBO estimates that enacting H.R. 5065 would not affect the federal budget.

Enacting the legislation would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply.

CBO estimates that enacting H.R. 5065 would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2027.

H.R. 5065 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would not affect the budgets of state, local, or tribal governments.

The CBO staff contact for this estimate is Megan Carroll. The estimate was approved by H. Samuel Papenfuss, Deputy Assistant Director for Budget Analysis.

STATEMENT OF GENERAL PERFORMANCE GOALS AND OBJECTIVES

Pursuant to clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, H.R. 5065 contains the following general performance goals and objectives, including outcome related goals and objectives authorized.

H.R. 5065 requires the TSA to notify all air carriers and airport security screening personnel of the Administration's guidelines known as the 3–1–1 Liquids Rule Exemption. Additionally, the Administrator of the TSA shall include training on special screening procedures in training procedures for security screening. personnel.

DUPLICATIVE FEDERAL PROGRAMS

Pursuant to clause 3(c) of rule XIII, the Committee finds that H.R. 5065 does not contain any provision that establishes or reau-

thorizes a program known to be duplicative of another Federal program.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, AND LIMITED TARIFF BENEFITS

In compliance with rule XXI of the Rules of the House of Representatives, this bill, as reported, contains no congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(e), 9(f), or 9(g) of the rule XXI.

FEDERAL MANDATES STATEMENT

The Committee adopts as its own the estimate of Federal mandates prepared by the Director of the Congressional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act.

PREEMPTION CLARIFICATION

In compliance with section 423 of the Congressional Budget Act of 1974, requiring the report of any Committee on a bill or joint resolution to include a statement on the extent to which the bill or joint resolution is intended to preempt State, local, or Tribal law, the Committee finds that H.R. 5065 does not preempt any State, local, or Tribal law.

DISCLOSURE OF DIRECTED RULE MAKINGS

The Committee estimates that H.R. 5065 would require no directed rule makings.

ADVISORY COMMITTEE STATEMENT

No advisory committees within the meaning of section 5(b) of the Federal Advisory Committee Act were created by this legislation.

APPLICABILITY TO LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act.

SECTION-BY-SECTION ANALYSIS OF THE LEGISLATION

Section 1. Short Title.

This section provides that this bill may be cited as the "Bottles and Breastfeeding Equipment Screening Act".

Section 2. TSA Security Screening Guidelines for Baby Formula, Breast Milk, and Juice on Airplanes; Training on Special Procedures.

This section requires that 90 days after enactment of this Act the Secretary of Homeland Security notify air carriers and airport security screening personnel that baby formula, breast milk, purified deionized water for infants and juice will be permitted under the 3–1–1 Liquids Rule Exception. This section also requires training

procedures for security screening personnel be updated to reflect this change.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

As reported, H.R. 5056 makes no changes to existing law.

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