

PROVIDING FOR CONSIDERATION OF THE BILL (H.R. 1140) TO ENHANCE THE SECURITY OPERATIONS OF THE TRANSPORTATION SECURITY ADMINISTRATION AND STABILITY OF THE TRANSPORTATION SECURITY WORKFORCE BY APPLYING THE PERSONNEL SYSTEM UNDER TITLE 5, UNITED STATES CODE, TO EMPLOYEES OF THE TRANSPORTATION SECURITY ADMINISTRATION WHO PROVIDE SCREENING OF ALL PASSENGERS AND PROPERTY, AND FOR OTHER PURPOSES; PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES; AND WAIVING A REQUIREMENT OF CLAUSE 6(A) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS REPORTED FROM THE COMMITTEE ON RULES

MARCH 2, 2020.—Referred to the House Calendar and ordered to be printed

Ms. SCANLON, from the Committee on Rules,
submitted the following

R E P O R T

[To accompany H. Res. 877]

The Committee on Rules, having had under consideration House Resolution 877, by a record vote of 7 to 2, report the same to the House with the recommendation that the resolution be adopted.

SUMMARY OF PROVISIONS OF THE RESOLUTION

The resolution provides for consideration of H.R. 1140, the Rights for Transportation Security Officers Act of 2020, under a structured rule. The resolution provides one hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on Homeland Security. The resolution waives all points of order against consideration of the bill. The resolution provides that the amendment in the nature of a substitute recommended by the Committee on Homeland Security now printed in the bill shall be considered as adopted and the bill, as amended, shall be considered as read. The resolution waives all points of order against provisions in the bill, as amended. The resolution makes in order only those amendments printed in this report. Each such amendment may be offered only in the order printed in this report, may be offered only by a Member designated in this report, shall be considered as read, shall be debatable for the time specified in this report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House

or in the Committee of the Whole. The resolution waives all points of order against the amendments printed in this report. The resolution provides one motion to recommit with or without instructions. The resolution provides that it shall be in order at any time on the legislative day of March 5, 2020, for the Speaker to entertain motions that the House suspend the rules as though under clause 1 of rule XV, relating to a measure making supplemental appropriations for the fiscal year ending September 30, 2020.

The resolution waives the requirement of clause 6(a) of rule XIII for a two-thirds vote to consider a report from the Committee on Rules on the same day it is presented to the House with respect to any resolution reported through the legislative day of March 5, 2020, relating to a measure making supplemental appropriations for the fiscal year ending September 30, 2020.

EXPLANATION OF WAIVERS

The waiver of all points of order against consideration of the bill includes a waiver of clause 3(d)(1) of rule XIII, which requires the inclusion of a committee cost estimate in a committee report. A CBO cost estimate on H.R. 1140 was not available at the time the Committee on Homeland Security filed its report.

Although the resolution waives all points of order against provisions in the bill, as amended, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

Although the resolution waives all points of order against the amendments printed in this report, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

COMMITTEE VOTES

The results of each record vote on an amendment or motion to report, together with the names of those voting for and against, are printed below:

Rules Committee record vote No. 255

Motion by Mr. Woodall to report an open rule. Defeated: 2–6

Majority Members	Vote	Minority Members	Vote
Mr. Hastings	Nay	Mr. Cole	
Mrs. Torres		Mr. Woodall	Yea
Mr. Perlmutter		Mr. Burgess	Yea
Mr. Raskin	Nay	Mrs. Lesko	
Ms. Scanlon	Nay		
Mr. Morelle	Nay		
Ms. Shalala	Nay		
Mr. DeSaulnier			
Mr. McGovern, Chairman	Nay		

Rules Committee record vote No. 256

Motion by Ms. Scanlon to report the rule. Adopted: 7–2

Majority Members	Vote	Minority Members	Vote
Mr. Hastings	Yea	Mr. Cole	
Mrs. Torres		Mr. Woodall	Nay
Mr. Perlmutter	Yea	Mr. Burgess	Nay
Mr. Raskin	Yea	Mrs. Lesko	
Ms. Scanlon	Yea		
Mr. Morelle	Yea		

Majority Members	Vote	Minority Members	Vote
Ms. Shalala	Yea		
Mr. DeSaulnier	Yea		
Mr. McGovern, Chairman	Yea		

SUMMARY OF THE AMENDMENTS TO H.R. 1140 MADE IN ORDER

1. González-Colón, Jenniffer (PR): Requires GAO to study rates of pay for Transportation Security Administration employees with duty stations in the territories, Alaska, and Hawaii with those in the contiguous 48 states based on pay systems. (10 minutes)

2. Rose, Max (NY): States that nothing in this Act shall be construed as to contradict existing law regarding terrorism transcending national boundaries, harboring or concealing terrorists, or providing material support to terrorists. (10 minutes)

3. Underwood (IL), Hayes (CT): Ensures the Secretary continues to prevent the hiring of individuals for TSA who have been convicted of a sex crime, an offense involving a minor, a crime of violence, or terrorism. (10 minutes)

4. Peters (CA), Moulton (MA), Rice, Kathleen (NY): Requires a GAO report to Congress within one year of enactment, studying TSA's recruitment efforts in general, and specifically efforts to recruit veterans and military families. The report will include recommendations to improve such recruitment efforts. (10 minutes)

5. Brown (MD): Reaffirms that the Transportation Security Administration's workforce should be provided protections and benefits under Title 5 because of the critical role they play in securing the nation's transportation systems. (10 minutes)

6. Kim (NJ): Directs the TSA Administrator to engage and consult with entities associated with the Federal Air Marshal Service to address concerns related to (but not limited to) mental health, suicide, morale, and recruitment. (10 minutes)

7. Cisneros (CA): Requires the Secretary of Homeland Security to prioritize the hiring of veterans and related preference eligible individuals, including disabled veterans and widows or widowers of veterans, for positions within the Transportation Security Administration. (10 minutes)

8. Spanberger (VA): Codifies the Administration's ban on TSA employees using or installing the Chinese-owned video app TikTok (or any successor application) on U.S. Government-issued mobile devices. (10 minutes)

9. Schrier (WA): Would ensure the Administrator of TSA in coordination with the Director of CDC and NIAID shall ensure that TSA employees are provided the proper guidance regarding prevention and protections against coronavirus, including guidance and resources. (10 minutes)

TEXT OF AMENDMENTS TO H.R. 1140 MADE IN ORDER

1. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE GONZÁLEZ-COLÓN OF PUERTO RICO OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of section 4, add the following:

(c) GAO STUDY ON TSA PAY RATES.—Not later than the date that is 9 months after the date of enactment of this Act, the Comp-

troller General shall submit a report to Congress on the differences in rates of pay, classified by pay system, between Transportation Security Administration employees—

- (1) with duty stations in the contiguous 48 States; and
- (2) with duty stations outside of such States, including those employees located in any territory or possession of the United States.

2. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE ROSE OF NEW YORK OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of the bill, add the following:

SEC. 7. RULE OF CONSTRUCTION WITH RESPECT TO CERTAIN CRIMES RELATING TO TERRORISM.

Nothing in this Act may be construed to contradict chapter 113B of title 18, United States Code, including with respect to—

- (1) section 2332b (relating to acts of terrorism transcending national boundaries);
- (2) section 2339 (relating to harboring or concealing terrorists); and
- (3) section 2339A (relating to providing material support to terrorists).

3. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE UNDERWOOD OF ILLINOIS OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

Add at the end of section 4, add the following:

(c) **RULE OF CONSTRUCTION.**—During the transition period and after the conversion date, the Secretary shall ensure that the Transportation Security Administration continues to prevent the hiring of individuals who have been convicted of a sex crime, an offense involving a minor, a crime of violence, or terrorism.

4. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE PETERS OF CALIFORNIA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Add at the end the following:

SEC. 7. REPORT BY GAO REGARDING TSA RECRUITMENT.

Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report on the efforts of the Transportation Security Administration regarding recruitment, including recruitment efforts relating to veterans and the dependents of veterans and members of the Armed Forces and the dependents of such members. Such report shall also include recommendations regarding how the Administration may improve such recruitment efforts.

5. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BROWN OF MARYLAND OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Add at the end the following:

SEC. 7. SENSE OF CONGRESS.

It is the sense of Congress that the Transportation Security Administration's personnel system provides insufficient benefits and workplace protections to the workforce that secures the nation's transportation systems and that the Transportation Security Administration's workforce should be provided protections and benefits under title 5, United States Code.

6. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE KIM OF NEW JERSEY OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Add at the end the following:

SEC. 7. ASSISTANCE FOR FEDERAL AIR MARSHAL SERVICE.

The Administrator of the Transportation Security Administration shall engage and consult with public and private entities associated with the Federal Air Marshal Service to address concerns regarding Federal Air Marshals related to the following:

- (1) Mental health.
 - (2) Suicide rates.
 - (3) Morale and recruitment.
 - (4) Any other personnel issues the Administrator determines appropriate.
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7. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE CISNEROS JR. OF CALIFORNIA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Add at the end the following:

SEC. 7. VETERANS HIRING.

The Secretary shall prioritize the hiring of veterans, including disabled veterans, and other preference eligible individuals, including widows and widowers of veterans, as defined in section 2108 of title 5, United States Code, for covered positions.

8. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE SPANBERGER OF VIRGINIA OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

Add at the end the following:

SEC. 7. PROHIBITION ON CERTAIN SOCIAL MEDIA APPLICATION.

Beginning on the date of the enactment of this Act, covered employees may not use or have installed on United States Government-issued mobile devices the social media video application known as "TikTok" or any successor application.

9. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE SCHRIER OF WASHINGTON OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

Add at the end the following:

SEC. 7. PREVENTION AND PROTECTION AGAINST CERTAIN ILLNESS.

The Administrator of the Transportation Security Administration, in coordination with the Director of Centers for Disease Control and Prevention and the Director of the National Institute of Allergy and Infectious Diseases, shall ensure that covered employ-

ees are provided proper guidance regarding prevention and protections against coronavirus, including appropriate resources.

