

Mr. PFLUGER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 6387, the School and Daycare Protection Act.

This bill establishes a school security coordinating council within the Department of Homeland Security to ensure the coordination of security plans and policies regarding terrorist threats.

Importantly, the bill requires consistent reporting to Congress on metrics regarding the efficacy of such activities and any engagement with the stakeholder community outside of the Federal Government.

Additionally, it ensures that DHS is involved in Federal efforts to maintain and publicize a clearinghouse of resources for schools to assist them in security preparation and planning.

The Federal Government must do all it can to be a resource and to offer support to schools in the face of terrorism.

I commend the gentleman from New Jersey for his leadership on this important issue and ensuring security for all schools.

Mr. Speaker, I urge Members to join me in supporting H.R. 6387, and I yield back the balance of my time.

Mr. PAYNE. Mr. Speaker, I yield myself the balance of my time.

I thank the gentleman for supporting this bill. We know that this is an issue that is of a bipartisan nature. We all want to make sure that our children are safe in school and between home and school.

We all have an interest in getting the best information and resources to school administrators, teachers, and parents to protect our children.

H.R. 6387 focuses on ensuring that DHS is effectively coordinating internally to help combat violence and other terrorist threats facing schools.

Consideration of H.R. 6387 is particularly timely, given how often schools continue to be targeted.

Mr. Speaker, I urge my colleagues to support H.R. 6387, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PAYNE) that the House suspend the rules and pass the bill, H.R. 6387, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

DEPARTMENT OF HOMELAND SECURITY INSPECTOR GENERAL TRANSPARENCY ACT

Mr. PAYNE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5633) to amend the Homeland Security Act of 2002 to enhance transparency regarding reports conducted by the Inspector General of the Department of Homeland Security, and for other purposes, as amended.

The Clerk read the title of the bill. The text of the bill is as follows:

H.R. 5633

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Department of Homeland Security Inspector General Transparency Act".

SEC. 2. OFFICE OF INSPECTOR GENERAL OF THE DEPARTMENT OF HOMELAND SECURITY.

(a) IN GENERAL.—Subtitle B of title VIII of the Homeland Security Act of 2002 is amended by inserting before section 812 the following new section:

"SEC. 811. OFFICE OF INSPECTOR GENERAL.

"(a) PUBLICATION OF REPORTS.—

"(1) IN GENERAL.—Beginning not later than 30 days after the date of the enactment of this section, the Inspector General of the Department shall submit to the appropriate congressional committees any report finalized on and after such date that substantiates—

"(A) a violation of paragraph (8) or (9) of section 2302(b) of title 5, United States Code, section 1034 of title 10, United States Code, or Presidential Personnel Directive-19; or

"(B) an allegation of misconduct, waste, fraud, abuse, or violation of policy within the Department involving a member of the Senior Executive Service or politically appointed official of the Department.

"(2) PUBLIC AVAILABILITY.—

"(A) IN GENERAL.—Concurrent with the submission to the appropriate congressional committees of reports pursuant to paragraph (1), the Inspector General shall, consistent with privacy, civil rights, and civil liberties protections, publish on a publicly available website of the Inspector General each such report.

"(B) EXCEPTION.—The requirement pursuant to subparagraph (A) to publish reports does not apply if section (5)(e)(1) of the Inspector General Act of 1978 applies to any such report.

"(3) REQUIREMENT.—

"(A) IN GENERAL.—The Inspector General of the Department may not redact any portion of a report submitted pursuant to paragraph (1).

"(B) EXCEPTION.—The requirement under subparagraph (A) shall not apply with respect to the name or any other identifying information, including any contextual details not relevant to the audit, inspection, or evaluation at issue that may be used by other employees or officers of the Department to determine the identity of a whistleblower complainant, of a whistleblower complainant who does not consent to the inclusion of such in a report of the Inspector General.

"(b) SEMIANNUAL REPORTING.—Beginning with the first semiannual report transmitted to the appropriate committees or subcommittees of the Congress pursuant to section 5(b) of the Inspector General Act of 1978 that is transmitted after the date of the enactment of this section, each such report shall be accompanied by a list of ongoing audits, inspections, and evaluations of the Department, together with a narrative description relating to each such audit, inspection, or evaluation that identifies the scope of such audit, inspection, or evaluation, as the case may be, as well as the subject office, component, or directorate of the Department. For each such ongoing audit, inspection, or evaluation such narrative description shall include the following:

"(1) Information relating to the source of each such audit, inspection, or evaluation.

"(2) Information regarding whether each such audit, inspection, or evaluation is being conducted independently, jointly, concurrently, or in some other manner.

"(3) In the event each such audit, inspection, or evaluation was initiated due to a referral, the

date on which the Inspector General notified the originator of a referral of the Inspector General's intention to carry out such audit, inspection, or evaluation.

"(4) Information relating to the dates on which—

"(A) each such audit, inspection, or evaluation was initiated;

"(B) a draft report relating to each such audit, inspection, or evaluation is scheduled to be submitted to the Secretary for review; and

"(C) a final report relating to each such audit, inspection, or evaluation is scheduled to be submitted to the appropriate congressional committees and published on the website of the Inspector General in accordance with paragraphs (1) and (2), respectively, of subsection (a).

"(5) An explanation for—

"(A) any significant changes to the narrative description of each such audit, inspection, or evaluation, including the identification of the subject office, component, or directorate of the Department; or

"(B) a delay of more than 30 days in the scheduled date for submitting to the Secretary a draft report for review or publishing on the website of the Inspector General of the Department the final report relating to each such audit, inspection, or evaluation.

"(6) Data regarding tips and complaints made to the Inspector General Hotline of the Department or otherwise referred to the Department, including—

"(A) the number and type of tips and complaints regarding fraud, waste, abuse, corruption, financial crimes, civil rights and civil liberty abuse, or other complaints regarding criminal or non-criminal activity associated with fraud, waste, or abuse;

"(B) actions taken by the Department to address or resolve each substantiated tip or complaint;

"(C) the total amount of time it took the Department to so address or resolve each such substantiated tip or complaint;

"(D) the total number of tips and complaints that are substantiated compared with the number of tips and complaints that are unsubstantiated; and

"(E) the percentage of audits, inspections, and evaluations that are initiated as a result of tips and complaints made to the Inspector General Hotline.

"(c) NOTIFICATION TO CONGRESS.—The Inspector General of the Department shall notify the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate if the head of an office or component of the Department does not provide in a timely manner to the Inspector General information or assistance that is requested by the Inspector General to conduct an audit, inspection, or evaluation.

"(d) DEFINITION.—In this section, the term 'appropriate congressional committees' means the Committee on Homeland Security of the House of Representatives, the Committee on Homeland Security and Governmental Affairs of the Senate, and any committee of the House of Representatives or the Senate, respectively, having legislative or oversight jurisdiction under the Rules of the House of Representatives or the Senate, respectively, over the matter concerned."

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 is amended by amending the item relating to section 811 to read as follows:

"Sec. 811. Office of Inspector General."

(c) REPORTS.—

(1) INSPECTOR GENERAL OF DHS.—Not later than one year after the date of the enactment of this Act, the Inspector General of the Department of Homeland Security shall submit to the Committee on Homeland Security of the House

of Representatives, the Committee on Homeland Security and Governmental Affairs of the Senate, and the Comptroller General of the United States a report on the policies, procedures, and internal controls established that ensure compliance with the Quality Standards for Federal Offices of Inspector General from the Council of Inspectors General on Integrity and Efficiency.

(2) COMPTROLLER GENERAL.—Not later than one year after receipt of the report required under paragraph (1), the Comptroller General of the United States shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate an evaluation of such report.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. PAYNE) and the gentleman from Texas (Mr. PFLUGER) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. PAYNE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on this measure.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. PAYNE. Mr. Speaker, I rise in support of H.R. 5633, and yield such time as he may consume to the gentleman from Mississippi (Mr. THOMPSON), the author of this bill and the chairman of the Committee on Homeland Security.

Mr. THOMPSON of Mississippi. Mr. Speaker, I appreciate the gentleman from New Jersey yielding me time.

Mr. Speaker, my bill, H.R. 5633, the Department of Homeland Security Inspector General Transparency Act, seeks to provide Congress and the public greater insight into the findings of the independent body charged with overseeing the third-largest Federal department.

The DHS Office of Inspector General has the dual mission of detecting waste, fraud, and abuse within the Department and promoting economy, efficiency, and effectiveness of Departmental resources.

Since the establishment of the Department in 2003, Congress has looked to the DHS OIG to provide independent, fact-based analysis into departmental programs, activities, and personnel.

Historically, the DHS OIG has provided critical oversight of the Department, including audits of FEMA following Hurricane Katrina, whistleblower retaliation at the Coast Guard, and conditions at Immigration and Customs Enforcement detention facilities.

Troublingly, for the past 2 years, reports regarding substantiated whistleblower retaliation or misconduct by senior DHS officials have been withheld from Congress and the public.

Last year, the Government Accountability Office released a report that

brought to light significant and long-standing operational weaknesses at the DHS OIG that GAO concluded have impacted the quality and timeliness of the OIG's work.

Separately, an independent government watchdog, the Project on Government Oversight, in July 2021, found that the DHS OIG has repeatedly impeded and delayed ongoing investigations into alleged improper handling of intelligence and whistleblower retaliation.

My bill seeks to ensure that the DHS OIG operates in a more transparent manner with Congress and the public.

Specifically, the legislation requires that the DHS OIG, when it substantiates allegations of whistleblower retaliation or misconduct by senior Department officials, provide those reports to Congress and publish them on its website.

This legislation also requires additional reporting by the DHS OIG in its semiannual report to Congress.

When enacted, the semiannual report would be required to include a description of every ongoing audit, inspection, and evaluation, as well as data on the number and types of complaints and tips that OIG receives.

Finally, H.R. 5633 requires the inspector general to notify Congress if the head of any DHS component or office fails to respond to a DHS OIG request in a timely manner.

The Department of Homeland Security Inspector General Transparency Act has bipartisan support and was reported out of committee by voice vote.

Mr. Speaker, I urge my House colleagues to support this legislation.

Mr. PFLUGER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 5633, the Department of Homeland Security Inspector General Transparency Act.

An important element of all Federal departments and agencies, especially DHS, is the Office of the Inspector General. Although we all wish there was no waste, fraud, or abuse within government, the reality is it does exist, and it is the inspector general's mission to help the Department identify and address those issues as much as possible.

I am fully supportive of the critical role that IGs play throughout the Federal Government, including my own time serving in the military. They are vital to ensuring accountability and transparency into each department and agency's activities.

This is especially important in a department like DHS with a mission so vital to the security of our country. DHS is tasked with safeguarding the American people, our homeland, and our values against all enemies foreign and domestic.

To do this on a daily basis, we must ensure that the men and women of the Department are able to focus on their mission, and the IG's office ensures this is done with integrity and honor.

This bill, introduced by Chairman THOMPSON, requires the DHS inspector

general to submit to Congress various reports that until now have not necessarily been provided or available to the public. The American public deserves to know.

The requirements in this bill would help to make the IG's office and its important work more transparent not only to Congress but also to the American people.

I urge Members to join me in supporting H.R. 5633, and I reserve the balance of my time.

Mr. PAYNE. Mr. Speaker, I have no further speakers, and I am prepared to close after the gentleman closes.

□ 1230

Mr. PFLUGER. Mr. Speaker, I have no more speakers, and I am prepared to close. I yield myself such time as I may consume.

Mr. Speaker, just as a side note here, we have been talking about transparency in this bill, and I think it is important that we do keep in mind that this is something that helps us in a nonpartisan way, regardless of the administration, and regardless of "who is in power at that time." It is my sincere hope that this particular bill will actually advocate for the mission of DHS and not for political gain, not for political outcome.

It has been my experience in Federal Government that a well-operating and well-oiled machine within the inspector general's office can help to be that check and that balance. And I think at this point in our history in the Department of Homeland Security, we face threats that we have probably never faced in six or seven decades. And we haven't seen the level and the intensity and the magnitude of those threats since before World War II, in my humble opinion.

I believe, with this piece of legislation, that we can get to a point where the Department of Homeland Security does have that check and that balance, and provides the American public the information that is needed and the transparency that is needed.

Whether it is on issues that are cyber; whether it is on issues that are directly targeting our homeland, or even on border issues, we do deserve transparency, and I think that is what the American public is asking for. I believe that is what this bill would do, and I urge my colleagues to support it.

Mr. Speaker, I have no further speakers on this, and I yield back the balance of my time.

Mr. PAYNE. Mr. Speaker, I yield myself such time as I may consume.

A transparent Office of Inspector General is a critical piece of a functional and effective Department of Homeland Security.

H.R. 5633 seeks to make the DHS OIG more transparent by requiring additional public reporting by the DHS OIG so that the public and Congress know how their tax dollars are spent and can hold the DHS Secretary and other leaders within the department accountable

for wrongdoings by the agency or its personnel.

Mr. Speaker, I urge my colleagues to support this bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PAYNE) that the House suspend the rules and pass the bill, H.R. 5633, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

REPORTING EFFICIENTLY TO PROPER OFFICIALS IN RESPONSE TO TERRORISM ACT OF 2021

Mr. PAYNE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1540) to provide for joint reports by relevant Federal agencies to Congress regarding incidents of terrorism, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1540

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Reporting Efficiently to Proper Officials in Response to Terrorism Act of 2021” or the “REPORT Act”.

SEC. 2. DUTY TO REPORT.

(a) IN GENERAL.—Whenever an act of terrorism occurs in the United States, the Secretary of Homeland Security, the Attorney General, the Director of the Federal Bureau of Investigation, and, as appropriate, the head of the National Counterterrorism Center, shall submit to the appropriate congressional committees, by not later than one year after the completion of the investigation concerning such act by the primary Government agency conducting such investigation, an unclassified report (which may be accompanied by a classified annex) concerning such act.

(b) CONTENT OF REPORTS.—A report under this section shall—

(1) include a statement of the facts of the act of terrorism referred to in subsection (a), as known at the time of the report;

(2) identify any gaps in homeland or national security that could be addressed to prevent future acts of terrorism; and

(3) include any recommendations for additional measures that could be taken to improve homeland or national security, including recommendations relating to potential changes in law enforcement practices or changes in law, with particular attention to changes that could help prevent future acts of terrorism.

(c) EXCEPTION.—

(1) IN GENERAL.—If the Secretary of Homeland Security, the Attorney General, the Director of the Federal Bureau of Investigation, or, as appropriate, the head of the National Counterterrorism Center determines any information described in subsection (b) required to be reported in accordance with subsection (a) could jeopardize an ongoing investigation or prosecution, the Secretary, Attorney General, Director, or head, as the case may be—

(A) may withhold from reporting such information; and

(B) shall notify the appropriate congressional committees of such determination.

(2) SAVING PROVISION.—Withholding of information pursuant to a determination under paragraph (1) shall not affect in any manner the responsibility to submit a report required under subsection (a) containing other information described in subsection (b) not subject to such determination.

(d) DEFINITIONS.—In this section:

(1) ACT OF TERRORISM.—The term “act of terrorism” has the meaning given such term in section 3077 of title 18, United States Code.

(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means—

(A) in the House of Representatives—

(i) the Committee on Homeland Security;

(ii) the Committee on the Judiciary; and

(iii) the Permanent Select Committee on Intelligence; and

(B) in the Senate—

(i) the Committee on Homeland Security and Governmental Affairs;

(ii) the Committee on the Judiciary; and

(iii) the Select Committee on Intelligence.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. PAYNE) and the gentleman from Texas (Mr. PFLUGER) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. PAYNE. Mr. Speaker, I ask unanimous consent to that all Members may have 5 legislative days to revise and extend their remarks and include any extraneous materials on this measure.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. PAYNE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 1540, the REPORT Act.

In December of 2015, a terrorist attack in San Bernardino, California, left 14 people dead and 22 wounded. Local law enforcement and first responders were heroes that day, saving lives just as they do every day across this Nation.

When terrorists strike our communities, Americans understandably have questions, and they look to us, their elected Representatives, for answers.

Our constituents want to know whether there were warnings or indications of a potential attack; whether anything could have been done to prevent it; and what can be done to thwart future attacks.

H.R. 1540, the REPORT Act, authored by Congressman PETE AGUILAR, seeks to ensure that Members of Congress can be more responsive to their constituents by requiring better communication by Federal agencies with Congress following an attack.

Specifically, the bill would require the Secretary of Homeland Security, in coordination with the Attorney General and the FBI Director, to submit to Congress an unclassified report within 1 year of completing a terrorism investigation.

The report, which may include a classified annex, must include a statement of facts regarding the attack; information on any homeland or national security gaps that could be addressed to prevent future attacks; and any recommendations for measures, including changes in the law, that would improve homeland or national security.

This vital information needs to be shared by the executive branch with the legislative branch to strengthen our Nation's terrorism response and prevention efforts.

H.R. 1540 is a commonsense measure, and I urge my colleagues to support it. I reserve the balance of my time.

Mr. PFLUGER. Mr. Speaker, I yield myself such time as I may consume.

I rise today in support of H.R. 1540, the Reporting Efficiently to Proper Officials in Response to Terrorism, or the REPORT Act.

Too many times, when a terrorism incident occurs within the United States, consistent and accurate information is not communicated to Congress. Many of us, especially from Texas, experienced this firsthand recently, when a British national, Malik Faisal Akram, took hostages at the Beth Israel Congregation in Colleyville, Texas.

And not only were the initial facts and circumstances of the incident unclear, but many questions remain unanswered regarding Akram's travel and admission into the United States.

This is completely unacceptable. Not only should Congress have all of the necessary information regarding terrorist attacks and other terrorism incidents, but the American people deserve to know what happened and how our government is responding.

The REPORT Act requires the DHS Secretary, the Attorney General, the FBI Director, and the Director of the National Counterterrorism Center, to submit an unclassified report to Congress regarding any incident of terrorism that occurs in the United States. The report must include the following:

A statement of facts; any gaps in our homeland or national security that could be addressed to prevent future acts of terrorism; and recommendations for additional measures, or legislative issues, to improve homeland or national security and prevent future acts of terrorism.

I commend my colleagues, and specifically my colleague from California, for bringing this legislation before the Homeland Security Committee and to the floor today.

I urge Members to join me in supporting H.R. 1540, and I reserve the balance of my time.

Mr. PAYNE. Mr. Speaker, I am pleased to yield 5 minutes to the gentleman from California (Mr. AGUILAR), the author of this commonsense legislation.

Mr. AGUILAR. Mr. Speaker, I want to thank my colleague from New Jersey for yielding some time.