

A motion to reconsider was laid on the table.

CUSTOMS TRADE PARTNERSHIP AGAINST TERRORISM PILOT PROGRAM ACT OF 2023

Mr. GREEN of Tennessee. Mr. Speaker, I move to suspend the rules and pass the bill (S. 794) to require a pilot program on the participation of non-asset-based third-party logistics providers in the Customs-Trade Partnership Against Terrorism.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 794

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 “Customs Trade Partnership Against Terrorism Pilot Program Act of 2023” or the “CTPAT Pilot Program Act of 2023”.

SEC. 2. DEFINITIONS.

In this Act:

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

(A) the Committee on Homeland Security and Governmental Affairs and the Committee on Finance of the Senate; and

(B) the Committee on Homeland Security and the Committee on Ways and Means of the House of Representatives.

(2) **CTPAT.**—The term “CTPAT” means the Customs Trade Partnership Against Terrorism established under subtitle B of title II of the Security and Accountability for Every Port Act (6 U.S.C. 961 et seq.).

SEC. 3. PILOT PROGRAM ON PARTICIPATION OF THIRD-PARTY LOGISTICS PROVIDERS IN CTPAT.

(a) **ESTABLISHMENT.**—

(1) **IN GENERAL.**—The Secretary of Homeland Security shall carry out a pilot program to assess whether allowing entities described in subsection (b) to participate in CTPAT would enhance port security, combat terrorism, prevent supply chain security breaches, or otherwise meet the goals of CTPAT.

(2) **FEDERAL REGISTER NOTICE.**—Not later than one year after the date of the enactment of this Act, the Secretary shall publish in the Federal Register a notice specifying the requirements for the pilot program required by paragraph (1).

(b) **ENTITIES DESCRIBED.**—An entity described in this subsection is—

(1) a non-asset-based third-party logistics provider that—

(A) arranges international transportation of freight and is licensed by the Department of Transportation; and

(B) meets such other requirements as the Secretary specifies in the Federal Register notice required by subsection (a)(2); or

(2) an asset-based third-party logistics provider that—

(A) facilitates cross border activity and is licensed or bonded by the Federal Maritime Commission, the Transportation Security Administration, U.S. Customs and Border Protection, or the Department of Transportation;

(B) manages and executes logistics services using its own warehousing assets and resources on behalf of its customers; and

(C) meets such other requirements as the Secretary specifies in the Federal Register notice required by subsection (a)(2).

(c) **REQUIREMENTS.**—In carrying out the pilot program required by subsection (a)(1), the Secretary shall—

(1) ensure that—

(A) not more than 10 entities described in paragraph (1) of subsection (b) participate in the pilot program; and

(B) not more than 10 entities described in paragraph (2) of that subsection participate in the program;

(2) provide for the participation of those entities on a voluntary basis;

(3) continue the program for a period of not less than one year after the date on which the Secretary publishes the Federal Register notice required by subsection (a)(2); and

(4) terminate the pilot program not more than 5 years after that date.

(d) **REPORT REQUIRED.**—Not later than 180 days after the termination of the pilot program under subsection (c)(4), the Secretary shall submit to the appropriate congressional committees a report on the findings of, and any recommendations arising from, the pilot program concerning the participation in CTPAT of entities described in subsection (b), including an assessment of participation by those entities.

SEC. 4. REPORT ON EFFECTIVENESS OF CTPAT.

(a) **IN GENERAL.**—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the appropriate congressional committees a report assessing the effectiveness of CTPAT.

(b) **ELEMENTS.**—The report required by subsection (a) shall include the following:

(1) An analysis of—

(A) security incidents in the cargo supply chain during the 5-year period preceding submission of the report that involved criminal activity, including drug trafficking, human smuggling, commercial fraud, or terrorist activity; and

(B) whether those incidents involved participants in CTPAT or entities not participating in CTPAT.

(2) An analysis of causes for the suspension or removal of entities from participating in CTPAT as a result of security incidents during that 5-year period.

(3) An analysis of the number of active CTPAT participants involved in one or more security incidents while maintaining their status as participants.

(4) Recommendations to the Commissioner of U.S. Customs and Border Protection for improvements to CTPAT to improve prevention of security incidents in the cargo supply chain involving participants in CTPAT.

SEC. 5. NO ADDITIONAL FUNDS AUTHORIZED.

No additional funds are authorized to be appropriated for the purpose of carrying out this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Tennessee (Mr. GREEN) and the gentleman from California (Mr. CORREA) each will control 20 minutes.

The Chair recognizes the gentleman from Tennessee.

GENERAL LEAVE

Mr. GREEN of Tennessee. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on S. 794.

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

There was no objection.

Mr. GREEN of Tennessee. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of S. 794, the CTPAT Pilot Program Act of

2023, which would establish a pilot program to assess the security benefits of providers in the Customs-Trade Partnership Against Terrorism program. I urge support, and I reserve the balance of my time.

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

Mr. Speaker, I am pleased that we are here today to consider S. 794, the Customs Trade Partnership Against Terrorism Pilot Program Act of 2023. This important legislation will further strengthen the security of cargo shipments arriving in the United States.

As we work to build a resilient supply chain and prevent dangerous threats from reaching our communities, it is critical that customs officers work closely with importers, shippers, carriers, and others to ensure both fast and secure travel. The CTPAT program encourages this.

In response to faster processing at our ports of entry, members of the trade community participating in this program adopt tighter security measures throughout their global supply chain. Today, more than 11,400 companies currently participate in the CTPAT program, accounting for about 52 percent of cargo imports into the United States.

Despite the success of the program, certain third-party logistics providers are excluded from even applying for membership. Further expanding access to CTPAT will help U.S. businesses and improve supply chain security to prevent terrorists and terrorist threats from reaching our communities.

Specifically, this bill establishes a 5-year pilot program to allow certain third-party logistics providers to join this very important program. We hope to see how the participation of third-party logistics providers helps CBP enhance port security and mitigate supply chain breaches.

I thank Senator CORNYN for leading this legislation in the Senate and my colleague, Representative ELISSA SLOTKIN, for leading this legislation in the House.

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

Mr. GREEN of Tennessee. Mr. Speaker, I yield such time as he may consume to the gentleman from Louisiana (Mr. HIGGINS), the chairman of the Subcommittee on Border Security and Enforcement.

Mr. HIGGINS of Louisiana. Mr. Speaker, I thank Chairman GREEN for recognizing me for such time as I may consume, whereas any other Member of Congress would need only about 1 minute to provide this commentary.

Mr. Speaker, I rise in support of S. 794, the CTPAT Pilot Program Act of 2023.

Since 2001, the United States Customs and Border Protection's CTPAT program has been reducing vulnerability throughout the supply chain by incentivizing greater security measures with certified trade partners.

Today, more than 11,400 certified partners have been accepted into the program.

The CTPAT Pilot Program Act of 2023 expands upon this already successful program by requiring CBP to establish a pilot program to assess the benefits of allowing non-asset-based third-party logistics providers, 3PLs, and additional asset-based 3PLs to participate in this program.

Mr. Speaker, I hope all Members will support this critical legislation today, as it strengthens our efforts to combat the threat of terrorism in the global supply chain.

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

Mr. Speaker, this bill would help American businesses thrive and also enhance the safety of our communities. By expanding access to CTPAT, more of our trusted trading partners can expedite cargo into our local communities and our country.

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

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

Mr. Speaker, again, I urge my colleagues to support S. 794, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee (Mr. GREEN) that the House suspend the rules and pass the bill, S. 794.

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

A motion to reconsider was laid on the table.

PRODUCING ADVANCED TECHNOLOGIES FOR HOMELAND SECURITY ACT

Mr. GREEN of Tennessee. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 9459) to amend the Homeland Security Act of 2002 to enable secure and trustworthy technology through other transaction contracting authority, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 9459

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 “Producing Advanced Technologies for Homeland Security Act” or the “PATHS Act”.

SEC. 2. RESEARCH AND DEVELOPMENT ACQUISITION PILOT PROGRAM EXTENSION.

(a) IN GENERAL.—Section 831 of the Homeland Security Act of 2002 (6 U.S.C. 391) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking “Until September 30, 2024, and subject to subsection (d)” and inserting “Until September 30, 2027, and subject to subsection (c)”; and

(B) by adding at the end the following new paragraph:

“(3) OTHER TRANSACTION AUTHORITY INVOLVING ARTIFICIAL INTELLIGENCE.—Not later than 72 hours after the use or extension of the transaction authority authorized under paragraph (1) involving artificial intelligence technology, the Secretary shall notify the Committee on Appropriations and the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Appropriations and the Committee on Homeland Security of the House of Representatives and offer a briefing explaining the reason for the use or extension.”; and

(2) in subsection (c)(1), in the matter preceding subparagraph (A), by striking “September 30, 2024” and inserting “September 30, 2027”.

(b) REDUCTION IN AMOUNT OF COVERED CONTRACT AWARD.—Subparagraph (A) of section 7113(d)(1) of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (6 U.S.C. 112 note; Public Law 117–263) is amended by striking “\$4,000,000” and inserting “\$1,000,000”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Tennessee (Mr. GREEN) and the gentleman from California (Mr. CORREA) each will control 20 minutes.

The Chair recognizes the gentleman from Tennessee.

GENERAL LEAVE

Mr. GREEN of Tennessee. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 9459.

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

There was no objection.

Mr. GREEN of Tennessee. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 9459, the PATHS Act.

DHS’ other transaction authority is an important tool in the Department’s limited arsenal of mechanisms to acquire innovative new research and prototypes.

This bill also includes some common-sense transparency reforms to DHS’ use of OTA authority.

Mr. Speaker, I commend my colleague, the gentleman from Mississippi (Mr. GUEST), for his work on this measure.

Mr. Speaker, I reserve the balance of my time.

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

Mr. Speaker, this bill would authorize the Department of Homeland Security to continue to use other transaction authority, or OTA, for an additional 3 years.

OTA allows the Department to work with nontraditional government contractors to conduct research and prototype projects outside the framework of the traditional acquisition process.

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DHS’ ability to use OTA expires on September 30, just 1 week from now. Let’s pass this legislation and ensure that this does not happen again.

Mr. Speaker, I reserve the balance of my time.

Mr. GREEN of Tennessee. Mr. Speaker, I yield such time as he may consume to the gentleman from Mississippi (Mr. GUEST) the Congressman who represents my parents and who is the vice chairman of the Committee on Homeland Security.

Mr. GUEST. Mr. Speaker, I rise today in support of H.R. 9459, the Producing Advanced Technologies for Homeland Security Act. I am grateful to my colleagues on the Homeland Security Committee for advancing this bipartisan piece of legislation that I am proud to lead with my friend from Maryland, Congressman GLENN IVEY.

Mr. Speaker, the Department of Homeland Security has a constantly evolving mission, and to meet these needs, the Department was previously granted authority to enter into other transactional agreements, or OTAs. These legally binding agreements allow the Department to engage with non-traditional contractors that would not normally do business with the Federal Government.

This authority allows the Department of Homeland Security to operate quickly and more efficiently. These agreements have allowed entities to produce prototypes of nonintrusive inspection technology that can detect illicit materials hidden inside vehicles crossing the border and has researched machine learning practices to assist U.S. Customs and Border Protection.

The usefulness of this authority has been demonstrated in my home State of Mississippi, as The University of Southern Mississippi was part of a project to develop sensors for unmanned vehicles used by both DHS and the United States Coast Guard.

It is critical that we pass this legislation before the authority expires on September 30.

This bill served as a companion to Senator PETERS’ Senate bill, which passed unanimously out of markup in the Senate in April of this year. It would extend the Department’s OTA authority by 3 years to 2027.

Mr. Speaker, I am also glad to say that this bill provides additional accountability and places guardrails on the current program.

It would require advanced notification to Congress should the authority be used in any advancement of artificial intelligence technology.

It would amend the DHS Contract Reporting Act of 2021 to ensure greater—once again, greater—transparency by reducing the amount of a contract to be reported on the DHS website from \$4 million to \$1 million.

Again, I thank Mr. IVEY for his leadership on this important legislation, and I appreciate Chairman GREEN and the committee staff for their work on this timely and relevant issue.

Mr. Speaker, I urge all Members to support this bill.

Mr. CORREA. Mr. Speaker, I yield such time as he may consume to the