

**AMENDMENT TO THE RULES COMMITTEE PRINT  
FOR H.R. 399  
OFFERED BY MR. GOSAR OF ARIZONA**

Strike section 4 and insert the following:

1 **SEC. 4. ESTABLISHMENT OF BORDER SECURITY**  
2 **VERIFICATION COMMISSION.**

3 (a) **IN GENERAL.**—There is established a Border Se-  
4 curity Verification Commission (in this Act referred to as  
5 the “BSVC”).

6 (b) **PURPOSE.**—The BSVC shall certify the accuracy  
7 of the notifications regarding situational awareness and  
8 operational control required from the Secretary pursuant  
9 to section 3(n).

10 (c) **COMPOSITION.**—

11 (1) **MEMBERS.**—The BSVC shall be composed  
12 of 16 members of whom—

13 (A) 3 shall be appointed by the President  
14 of the United States;

15 (B) 2 shall be appointed by the Speaker of  
16 the House of Representatives;

17 (C) 1 shall be appointed by the Minority  
18 Leader of the House of Representatives;

1 (D) 2 shall be appointed by the Majority  
2 Leader of the Senate;

3 (E) 1 shall be appointed by the Minority  
4 Leader of the Senate;

5 (F) 1 shall be appointed by the Secretary  
6 of Defense;

7 (G) 1 shall be appointed by the Secretary  
8 of State;

9 (H) 1 shall be appointed by the Secretary  
10 of Homeland Security;

11 (I) 1 shall be appointed by the Governor of  
12 Arizona;

13 (J) 1 shall be appointed by the Governor  
14 of California;

15 (K) 1 shall be appointed by the Governor  
16 of New Mexico; and

17 (L) 1 shall be appointed by the Governor  
18 of Texas.

19 (2) QUALIFICATIONS.—

20 (A) IN GENERAL.—The members of the  
21 BSVC shall include individuals with State or  
22 national recognition for their expertise in immi-  
23 gration policy, security policy, border enforce-  
24 ment, law enforcement, immigration law, crimi-  
25 nal law, or other similar areas.

1 (B) INCLUSION.—The members of the  
2 BSVC shall include at least one member from  
3 each specified area of expertise listed in sub-  
4 paragraph (A), except that no member of the  
5 BSVC shall be a current Federal employee or  
6 current Member of Congress.

7 (3) DEADLINE FOR APPOINTMENT.—Each  
8 member of the BSVC shall be appointed by not later  
9 than 60 days after the date of the enactment of this  
10 Act.

11 (d) REMOVAL.—Any member of the BSVC may be  
12 removed by the President or by resolution of Congress for  
13 neglect of duty or malfeasance in office, but for no other  
14 cause.

15 (e) VACANCIES; RULES; QUORUM; CHAIRPERSON;  
16 VICE CHAIRPERSON; VOTING.—

17 (1) VACANCIES.—No vacancy on the BSVC  
18 shall impair the right of the remaining members to  
19 exercise all the powers of the BSVC. Any vacancy in  
20 the membership of the BSVC shall be filled within  
21 60 days and in the same manner as the original ap-  
22 pointment.

23 (2) RULES.—The BSVC may establish by ma-  
24 jority vote any other rules for the conduct of busi-  
25 ness, if such rules are not inconsistent with this Act.

1           (3) QUORUM.—A majority of members of the  
2           BSVC shall constitute a quorum to conduct busi-  
3           ness, but the BSVC may establish a lesser quorum  
4           for conducting hearings scheduled by the BSVC.

5           (4) CHAIRPERSON.—The Chairperson shall be  
6           the head of a national laboratory within the Depart-  
7           ment of Homeland Security laboratory network with  
8           prior expertise in border security, appointed by the  
9           President, in coordination with the Speaker and mi-  
10          nority leader of the House of Representatives and  
11          the majority and minority leaders of the Senate.

12          (5) VICE CHAIRPERSON.—The Vice Chair shall  
13          be one of the two appointees chosen by the Speaker  
14          of the House, and the Vice Chair shall act as Chair-  
15          person in the absence or disability of the Chair-  
16          person or in case of a vacancy in the office of the  
17          Chairperson.

18          (6) VOTING ON PROPOSALS.—Any proposal of  
19          the BSVC must be approved by the majority of ap-  
20          pointed members present.

21          (7) TIE VOTE.—In the event of a tie vote of the  
22          BSVC, the Chairperson (or, in the absence of the  
23          Chairperson, the Vice Chair) vote shall cast the de-  
24          ciding vote.

25          (f) POWERS.—

1           (1) MEETINGS.—The BSVC shall meet on the  
2 call of the chairperson. The BSVC shall meet and  
3 begin operations not later than 180 days after the  
4 date of the enactment of this Act.

5           (2) RULES.—The BSVC may establish by ma-  
6 jority vote any other rules for the conduct of busi-  
7 ness, if such rules are not inconsistent with this Act.

8           (3) PUBLIC HEARINGS.—

9           (A) IN GENERAL.—The BSVC shall hold  
10 not fewer than two public hearings during each  
11 calendar year.

12           (B) WITNESS TESTIMONY.—In holding the  
13 hearings required under subparagraph (A), the  
14 BSVC shall request the public testimony of  
15 Federal, State, and local officials, and any pri-  
16 vate citizen or organization the BSVC deter-  
17 mines is relevant to carrying out its mission.

18           (4) AUTHORITY TO INFORM RESEARCH PRIOR-  
19 ITIES FOR DATA COLLECTION.—The BSVC may ad-  
20 vise the Administration and Congress, simulta-  
21 neously, on priorities for efficient data collection on  
22 border enforcement so that operations may be im-  
23 proved prior to legal adoption of full report on  
24 BSVC recommendations.

1           (5) SECURITY CLEARANCES.—A member or em-  
2           ployee of the BSVC shall receive an appropriate se-  
3           curity clearance, as determined by the BSVC in con-  
4           sultation with the Secretary of Homeland Security,  
5           that is commensurate with the sensitivity of the clas-  
6           sified information to which such member or em-  
7           ployee will be given access by reason of membership  
8           in or employment by the BSVC.

9           (6) OBTAINING OFFICIAL DATA.—The BSVC  
10          may secure directly from any department or agency  
11          of the United States information necessary to enable  
12          it to carry out this section. Upon request of the  
13          Chairperson, the head of that department or agency  
14          shall furnish that information to the BSVC on an  
15          agreed upon schedule.

16          (7) POSTAL SERVICES.—The BSVC may use  
17          the United States mails in the same manner and  
18          under the same conditions as other departments and  
19          agencies of the Federal Government.

20          (8) GIFTS.—The BSVC may not accept, use,  
21          and dispose of gifts or donations of services or prop-  
22          erty.

23          (9) OFFICE SPACE AND ASSISTANCE.—Upon  
24          the request of the BSVC, the Secretary of Homeland

1 Security shall provide reasonable and appropriate of-  
2 fice space, supplies, and administrative assistance.

3 (g) PERSONNEL MATTERS.—

4 (1) PROHIBITION ON COMPENSATION.—Mem-  
5 bers of the BSVC may not receive pay, allowances,  
6 or benefits from the Federal Government by reason  
7 of their service on the BSVC.

8 (2) TRAVEL EXPENSES.—The members of the  
9 BSVC shall be allowed travel expenses, including per  
10 diem in lieu of subsistence, at rates authorized for  
11 employees of agencies under subchapter I of chapter  
12 57 of title 5, United States Code, while away from  
13 their homes or regular places of business in the per-  
14 formance of services for the BSVC.

15 (3) DETAIL OF FEDERAL EMPLOYEES.—With  
16 the affirmative vote of a majority of the members of  
17 the BSVC, any Federal Government employee, with  
18 the approval of the head of the appropriate Federal  
19 agency or congressional office, may be detailed to  
20 the BSVC without reimbursement, and such detail  
21 shall be without interruption or loss of civil service  
22 status, salary, benefits, or privileges.

1           (h) TERMINATION.—The BSVC shall terminate after  
2 determining the accuracy of the seventh annual metrics  
3 submission required under subsection (n)(2) of section 3.

