

116TH CONGRESS
1ST SESSION

H. R. 1437

To amend the Homeland Security Act of 2002 to require the Under Secretary for Management of the Department of Homeland Security to achieve security of sensitive assets among the components of the Department of Homeland Security, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 28, 2019

Mr. CORREA (for himself and Mr. THOMPSON of Mississippi) introduced the following bill; which was referred to the Committee on Homeland Security

A BILL

To amend the Homeland Security Act of 2002 to require the Under Secretary for Management of the Department of Homeland Security to achieve security of sensitive assets among the components of the Department of Homeland Security, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Securing Department
5 of Homeland Security Firearms Act of 2019” or the “Se-
6 curing DHS Firearms Act of 2019”.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

3 (1) DEPARTMENT.—The term “Department”
4 means the Department of Homeland Security.

5 (2) LOST.—The term “lost” includes loss by
6 theft.

7 (3) SENSITIVE ASSETS.—The term “sensitive
8 assets” means any asset, regardless of value—

9 (A) that the Department of Homeland Se-
10 curity issues to a Department employee; and

11 (B) that either the Under Secretary for
12 Management of the Department or a compo-
13 nent head determines requires special control
14 and accounting.

15 (4) UNDER SECRETARY FOR MANAGEMENT.—
16 The term “Under Secretary for Management”
17 means the Under Secretary for Management of the
18 Department of Homeland Security.

19 **SEC. 3. INCLUSION OF SECURING FIREARMS AND OTHER**
20 **SENSITIVE ASSETS IN RESPONSIBILITIES OF**
21 **UNDER SECRETARY FOR MANAGEMENT.**

22 Section 701 of the Homeland Security Act of 2002
23 (6 U.S.C. 341) is amended—

24 (1) in subsection (a)(6), by inserting “(includ-
25 ing firearms and other sensitive assets)” after
26 “equipment”;

1 (2) by redesignating the second subsection (e)
2 (relating to the definition of interoperable commu-
3 nications) as subsection (f); and

4 (3) by amending such redesignated subsection
5 (f) to read as follows:

6 “(f) DEFINITIONS.—In this section:

7 “(1) INTEROPERABLE COMMUNICATIONS.—The
8 term ‘interoperable communications’ has the mean-
9 ing given such term in section 7303(g) of the Intel-
10 ligence Reform and Terrorism Prevention Act of
11 2004 (6 U.S.C. 194(g)).

12 “(2) SENSITIVE ASSETS.—The term ‘sensitive
13 assets’ means any asset, regardless of value—

14 “(A) that the Department issues to a De-
15 partment employee; and

16 “(B) that either the Under Secretary for
17 Management of the Department or a compo-
18 nent head determines requires special control
19 and accounting.”.

20 **SEC. 4. MANAGEMENT DIRECTIVE.**

21 (a) SAFEGUARDING FIREARMS AND SENSITIVE AS-
22 SETS DIRECTIVE.—

23 (1) IN GENERAL.—Not later than 120 days
24 after the date of the enactment of this Act, the
25 Under Secretary for Management shall develop and

1 disseminate a Department-wide directive for achiev-
2 ing adequate security over firearms and other sen-
3 sitive assets across the Department.

4 (2) CONTENTS.—The directive required under
5 subsection (a) shall, at a minimum, include the fol-
6 lowing:

7 (A) Descriptions of what equipment, in ad-
8 dition to firearms, is classified as a sensitive
9 asset for the purpose of carrying out this Act.

10 (B) Requirements for securing Depart-
11 ment-issued firearms and other sensitive assets.

12 (C) A classification system for all cat-
13 egories of Department-issued badges and cor-
14 responding requirements for safeguarding such
15 assets.

16 (D) Reporting requirements for lost fire-
17 arms and other sensitive assets, including
18 timelines for such reporting, to supervisors,
19 local law enforcement, the Federal Bureau of
20 Investigation's National Crime Information
21 Center, and Department headquarters.

22 (E) Recordkeeping requirements for lost
23 firearms and other sensitive assets in inventory
24 systems, including a timeline for recording such
25 losses.

1 (3) REVIEW AND UPDATE OF DIRECTIVE.—Not
2 later than one year after the issuance of the direc-
3 tive required under subsection (a), the Under Sec-
4 retary for Management shall review and update, as
5 necessary, such directive, including adding a require-
6 ment relating to recording in the inventory systems
7 maintained by each component of the Department
8 the acceptance or transfer of a firearm or other sen-
9 sitive asset by such component.

10 (b) PERSONAL PROPERTY ASSET MANAGEMENT
11 PROGRAM MANUAL.—Together with the issuance of the
12 directive pursuant to subsection (a), the Under Secretary
13 for Management shall disseminate a revised version of the
14 Personal Property Asset Management Program Manual
15 that includes the following:

16 (1) Requirements for component heads to de-
17 velop procedures to safeguard firearms and other
18 sensitive assets during on and off-duty time.

19 (2) Requirements for the issuance of safety
20 locking devices and policies on the use of such as-
21 sets, as applicable.

22 (3) Requirements for initial, recurrent, and re-
23 medial training on safeguarding such assets.

24 (4) Examples, with detail, of how to report and
25 record lost sensitive assets across components of the

1 Department, and an enforcement mechanism to en-
2 sure supervisors maintain such records.

3 (5) A requirement that the file maintained on
4 a lost firearm or other sensitive asset contains both
5 the corresponding police report and the Department
6 report detailing the circumstances surrounding such
7 loss, including information on adherence to safe-
8 guarding procedures.

9 **SEC. 5. COMPONENT RESPONSIBILITIES.**

10 Department component heads shall—

11 (1) comply with Federal law, Federal regula-
12 tions, executive branch guidance, and Department
13 policy, including directives required by this Act, re-
14 lating to the management and oversight of securing
15 firearms and other sensitive assets;

16 (2) review the need for non-law enforcement
17 badges;

18 (3) require component personnel to safeguard
19 firearms and other sensitive assets in accordance
20 with the directive issued by the Under Secretary for
21 Management under section 4;

22 (4) require that component personnel adhere to
23 the procedures and timelines for properly reporting
24 to supervisors lost firearms and other sensitive as-
25 sets;

1 (5) require that lost firearms and other sen-
2 sitive assets are reported to local law enforcement,
3 the Federal Bureau of Investigation's National
4 Crime Information Center, and Department head-
5 quarters in the timeframe established in such direc-
6 tive; and

7 (6) require that lost firearms and other sen-
8 sitive assets are recorded in inventory systems in the
9 timeframe established by such directive.

10 **SEC. 6. INSPECTOR GENERAL REVIEW.**

11 The Inspector General of the Department of Home-
12 land Security shall, on an ongoing basis, review implemen-
13 tation of this Act and, not later than 180 days after
14 issuance of the directive under section 4, submit to the
15 Committee on Homeland Security of the House of Rep-
16 resentatives and the Committee on Homeland Security
17 and Governmental Affairs of the Senate a review of the
18 progress and effectiveness of such directive, including an
19 assessment of the adequacy of such directive, as well as
20 the level of compliance among the components of the De-
21 partment to achieve adequate security of sensitive assets
22 across Department components.

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