

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 4433
OFFERED BY MR. CORREA OF CALIFORNIA**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Securing Department
3 of Homeland Security Firearms Act of 2017” or the “Se-
4 curing DHS Firearms Act of 2017”.

5 SEC. 2. DEFINITIONS.

6 In this Act:

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

9 (2) LOST.—The term “lost” includes loss by
10 theft.

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

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

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

1 (4) UNDER SECRETARY FOR MANAGEMENT.—
2 The term “Under Secretary for Management”
3 means the Under Secretary for Management of the
4 Department of Homeland Security.

5 **SEC. 3. INCLUSION OF SECURING FIREARMS AND OTHER**
6 **SENSITIVE ASSETS IN RESPONSIBILITIES OF**
7 **UNDER SECRETARY FOR MANAGEMENT.**

8 Section 701 of the Homeland Security Act of 2002
9 (6 U.S.C. 341) is amended—

10 (1) in subsection (a)(6), by inserting“(including
11 firearms and other sensitive assets)” after “equip-
12 ment”;

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

16 (3) by amending such redesignated subsection
17 (f) to read as follows:

18 “(f) DEFINITIONS.—In this section:

19 “(1) INTEROPERABLE COMMUNICATIONS.—The
20 term ‘interoperable communications’ has the mean-
21 ing given such term in section 7303(g) of the Intel-
22 ligence Reform and Terrorism Prevention Act of
23 2004 (6 U.S.C. 194(g)).

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

1 “(A) that the Department of Homeland
2 Security issues to a Department employee; and

3 “(B) that either the Under Secretary for
4 Management of the Department or a compo-
5 nent head determines requires special control
6 and accounting.”.

7 **SEC. 4. MANAGEMENT DIRECTIVE.**

8 (a) SAFEGUARDING FIREARMS AND SENSITIVE AS-
9 SETS DIRECTIVE.—

10 (1) IN GENERAL.—Not later than 120 days
11 after the date of the enactment of this Act, the
12 Under Secretary for Management shall develop and
13 disseminate a Department-wide directive for achiev-
14 ing adequate security over firearms and other sen-
15 sitive assets across the Department.

16 (2) CONTENTS.—The directive required under
17 subsection (a) shall, at a minimum, include the fol-
18 lowing:

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

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

24 (C) A classification system for all cat-
25 egories of Department-issued badges and cor-

1 responding requirements for safeguarding such
2 assets.

3 (D) Reporting requirements for lost fire-
4 arms and other sensitive assets, including
5 timelines for such reporting, to supervisors,
6 local law enforcement, the Federal Bureau of
7 Investigation's National Crime Information
8 Center, and Department headquarters.

9 (E) Recordkeeping requirements for lost
10 firearms and other sensitive assets in inventory
11 systems, including a timeline for recording such
12 losses.

13 (3) REVIEW AND UPDATE OF DIRECTIVE.—Not
14 later than one year after the issuance of the direc-
15 tive required under subsection (a) the Under Sec-
16 retary for Management shall review and update, as
17 necessary, such directive, including adding a require-
18 ment relating to recording in the inventory systems
19 maintained by each component of the Department
20 the acceptance or transfer of a firearm or other sen-
21 sitive asset by such component.

22 (b) PERSONAL PROPERTY ASSET MANAGEMENT
23 PROGRAM MANUAL.—Together with the issuance of the
24 directive pursuant to subsection (a), the Under Secretary
25 for Management shall disseminate a revised version of the

1 Personal Property Asset Management Program Manual
2 that includes the following:

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

6 (2) Requirements for the issuance of safety
7 locking devices and policies on the use of such as-
8 sets, as applicable.

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

11 (4) Examples, with detail, of how to report and
12 record lost sensitive assets across components of the
13 Department, and an enforcement mechanism to en-
14 sure supervisors maintain such records.

15 (5) A requirement that the file maintained on
16 a lost firearm or other sensitive asset contains both
17 the corresponding police report and the Department
18 report detailing the circumstances surrounding such
19 loss, including information on adherence to safe-
20 guarding procedures.

21 **SEC. 5. COMPONENT RESPONSIBILITIES.**

22 Department component heads shall—

23 (1) comply with Federal law, Federal regula-
24 tions, executive branch guidance, and Department
25 policy, including directives required by this Act, re-

1 lating to the management and oversight of securing
2 firearms and other sensitive assets;

3 (2) review the need for non-law enforcement
4 badges;

5 (3) require component personnel to safeguard
6 firearms and other sensitive assets in accordance
7 with the directive issued by the Under Secretary for
8 Management under section 4;

9 (4) require that component personnel adhere to
10 the procedures and timelines for properly reporting
11 to supervisors lost firearms and other sensitive as-
12 sets;

13 (5) require that lost firearms and other sen-
14 sitive assets are reported to local law enforcement,
15 the Federal Bureau of Investigation's National
16 Crime Information Center, and Department head-
17 quarters in the timeframe established in such direc-
18 tive; and

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

22 **SEC. 6. INSPECTOR GENERAL REVIEW.**

23 The Inspector General of the Department of Home-
24 land Security shall, on an ongoing basis, review implemen-
25 tation of this Act and, not later than 180 days after

1 issuance of the directive under section 4, submit to the
2 Committee on Homeland Security of the House of Rep-
3 resentatives and the Committee on Homeland Security
4 and Governmental Affairs of the Senate a review of the
5 progress and effectiveness of such directive, including an
6 assessment of the adequacy of such directive, as well as
7 the level of compliance among the components of the De-
8 partment to achieve adequate security of sensitive assets
9 across Department components.

