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(Original Signature of Member)

115TH CONGRESS
2D SESSION

H. R. 6459

To amend the Homeland Security Act of 2002 to require a strategy to diversify the technology stakeholder marketplace regarding the acquisition by the Transportation Security Administration of security screening technologies, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. THOMPSON of Mississippi introduced the following bill; which was referred to the Committee on _____

A BILL

To amend the Homeland Security Act of 2002 to require a strategy to diversify the technology stakeholder marketplace regarding the acquisition by the Transportation Security Administration of security screening technologies, 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 “TSA Opportunities to
5 Pursue Expanded Networks for Business Act” or the
6 “TSA OPEN for Business Act”.

1 **SEC. 2. STRATEGY.**

2 (a) IN GENERAL.—Subtitle B of title XVI of the
3 Homeland Security Act of 2002 (6 U.S.C. 563 et seq.)
4 is amended by adding at the end following new section:

5 **“SEC. 1617. DIVERSIFIED TECHNOLOGY STAKEHOLDER**
6 **MARKETPLACE.**

7 “(a) IN GENERAL.—Not later than 120 days after
8 the date of the enactment of this section, the Adminis-
9 trator shall submit to the Committee on Homeland Secu-
10 rity of the House of Representatives and the Committee
11 on Commerce, Science, and Transportation of the Senate
12 a strategy to diversify the technology stakeholder market-
13 place that the Administrator relies upon to acquire secu-
14 rity screening technologies, including by increased partici-
15 pation of small business innovators.

16 “(b) CONTENTS.—The strategy required under sub-
17 section (a) shall include the following:

18 “(1) Information on how Administration solici-
19 tation, testing, evaluation, piloting, acquisition, and
20 procurement processes impact the Administrator’s
21 ability to acquire from a technology stakeholder, in-
22 cluding a small business innovator, that has not pre-
23 viously provided technology to the Administration,
24 an innovative technology or capability with the po-
25 tential to enhance transportation security.

1 “(2) Specific actions that the Administrator will
2 take, including modifications to the processes de-
3 scribed in paragraph (1), to foster diversification
4 within the technology stakeholder marketplace, to-
5 gether with information on projected timelines for
6 such actions.

7 “(3) Plans for how the Administrator may, to
8 the extent practicable, assist a small business inno-
9 vator at certain points in such processes, including
10 when such an innovator lacks adequate resources to
11 participate in such processes, to help ensure that an
12 advanced technology or capability can be developed
13 and acquired by the Administrator.

14 “(4) A feasibility assessment of partnering with
15 an organization described in section 501(c)(3) of the
16 Internal Revenue Code of 1986 and exempt from tax
17 under section 501(a) of such Code to help provide
18 venture capital to businesses, particularly small busi-
19 ness innovators, for commercialization of innovative
20 homeland security technologies that are expected to
21 be ready for commercialization in the near term and
22 within 36 months. In conducting such feasibility as-
23 sessment, the Administrator shall consider the fol-
24 lowing:

1 “(A) Establishing an organization de-
2 scribed in section 501(c)(3) of the Internal Rev-
3 enue Code of 1986 and exempt from tax under
4 section 501(a) of such Code, modeled after the
5 In-Q-tel program, as a venture capital partner-
6 ship between the private sector and the intel-
7 ligence community to help businesses, particu-
8 larly small business innovators, commercialize
9 innovative security-related technologies.

10 “(B) Enhanced engagement, either
11 through the Science and Technology Direc-
12 torate of the Department of Homeland Security
13 or directly, with the In-Q-tel program described
14 in subparagraph (A); and

15 “(c) RULE OF CONSTRUCTION.—Nothing in this sec-
16 tion may be construed as requiring changes to the Trans-
17 portation Security Administration standards for security
18 technology.

19 “(d) DEFINITIONS.—In this section:

20 “(1) INTELLIGENCE COMMUNITY.—The term
21 ‘intelligence community’ has the meaning given such
22 term in section 3(4) of the National Security Act of
23 1947 (50 U.S.C. 3003(4)).

24 “(2) SMALL BUSINESS CONCERN.—The term
25 ‘small business concern’ has the meaning described

1 under section 3 of the Small Business Act (15
2 U.S.C. 632)).

3 “(3) SMALL BUSINESS INNOVATOR.—The term
4 ‘small business innovator’ means a stakeholder that
5 is a small business concern that has an advanced
6 transportation security technology or capability.”.

7 (b) COMPTROLLER GENERAL REVIEW.—Not later
8 than one year after the submission of the strategy required
9 under section 1617 of the Homeland Security Act of 2002
10 (as added by subsection (a)), the Comptroller General of
11 the United States shall submit to the Committee on
12 Homeland Security of the House of Representatives and
13 the Committee on Commerce, Science, and Transportation
14 of the Senate a review of the extent to which such strategy
15 addresses the requirements of such section, has resulted
16 in increased participation of small business innovators in
17 the technology stakeholder marketplace, and has resulted
18 in a diversification of the marketplace.

19 (c) CLERICAL AMENDMENT.—The table of contents
20 in section 1(b) of the Homeland Security Act of 2002 is
21 amended by inserting after the item relating to section
22 1616 the following new item:

“Sec. 1617. Diversified technology stakeholder marketplace.”.