

Union Calendar No.

115TH CONGRESS
1ST SESSION

H. R. 4433

[Report No. 115-]

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

NOVEMBER 16, 2017

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

DECEMBER --, 2017

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italics]

[For text of introduced bill, see copy of bill as introduced on November 16, 2017]

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 2017” or the “Secur-*
6 *ing DHS Firearms Act of 2017”.*

7 **SEC. 2. DEFINITIONS.**

8 *In this Act:*

9 (1) *DEPARTMENT.*—*The term “Department”*
10 *means the Department of Homeland Security.*

11 (2) *LOST.*—*The term “lost” includes loss by*
12 *theft.*

13 (3) *SENSITIVE ASSETS.*—*The term “sensitive as-*
14 *sets” means any asset, regardless of value—*

15 (A) *that the Department of Homeland Secu-*
16 *rity issues to a Department employee; and*

17 (B) *that either the Under Secretary for*
18 *Management of the Department or a component*
19 *head determines requires special control and ac-*
20 *counting.*

21 (4) *UNDER SECRETARY FOR MANAGEMENT.*—*The*
22 *term “Under Secretary for Management” means the*
23 *Under Secretary for Management of the Department*
24 *of Homeland Security.*

1 **SEC. 3. INCLUSION OF SECURING FIREARMS AND OTHER**
2 **SENSITIVE ASSETS IN RESPONSIBILITIES OF**
3 **UNDER SECRETARY FOR MANAGEMENT.**

4 *Section 701 of the Homeland Security Act of 2002 (6*
5 *U.S.C. 341) is amended—*

6 *(1) in subsection (a)(6), by inserting “(including*
7 *firearms and other sensitive assets)” after “equip-*
8 *ment”;*

9 *(2) by redesignating the second subsection (e)*
10 *(relating to the definition of interoperable commu-*
11 *nications) as subsection (f); and*

12 *(3) by amending such redesignated subsection (f)*
13 *to read as follows:*

14 *“(f) DEFINITIONS.—In this section:*

15 *“(1) INTEROPERABLE COMMUNICATIONS.—The*
16 *term ‘interoperable communications’ has the meaning*
17 *given such term in section 7303(g) of the Intelligence*
18 *Reform and Terrorism Prevention Act of 2004 (6*
19 *U.S.C. 194(g)).*

20 *“(2) SENSITIVE ASSETS.—The term ‘sensitive as-*
21 *sets’ means any asset, regardless of value—*

22 *“(A) that the Department of Homeland Se-*
23 *curity issues to a Department employee; and*

24 *“(B) that either the Under Secretary for*
25 *Management of the Department or a component*

1 *head determines requires special control and ac-*
2 *counting.”.*

3 **SEC. 4. MANAGEMENT DIRECTIVE.**

4 *(a) SAFEGUARDING FIREARMS AND SENSITIVE ASSETS*
5 *DIRECTIVE.—*

6 *(1) IN GENERAL.—Not later than 120 days after*
7 *the date of the enactment of this Act, the Under Sec-*
8 *retary for Management shall develop and disseminate*
9 *a Department-wide directive for achieving adequate*
10 *security over firearms and other sensitive assets*
11 *across the Department.*

12 *(2) CONTENTS.—The directive required under*
13 *subsection (a) shall, at a minimum, include the fol-*
14 *lowing:*

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

18 *(B) Requirements for securing Department-*
19 *issued firearms and other sensitive assets.*

20 *(C) A classification system for all categories*
21 *of Department-issued badges and corresponding*
22 *requirements for safeguarding such assets.*

23 *(D) Reporting requirements for lost fire-*
24 *arms and other sensitive assets, including*
25 *timelines for such reporting, to supervisors, local*

1 *law enforcement, the Federal Bureau of Inves-*
2 *tigation's National Crime Information Center,*
3 *and Department headquarters.*

4 *(E) Recordkeeping requirements for lost*
5 *firearms and other sensitive assets in inventory*
6 *systems, including a timeline for recording such*
7 *losses.*

8 *(3) REVIEW AND UPDATE OF DIRECTIVE.—Not*
9 *later than one year after the issuance of the directive*
10 *required under subsection (a) the Under Secretary for*
11 *Management shall review and update, as necessary,*
12 *such directive, including adding a requirement relat-*
13 *ing to recording in the inventory systems maintained*
14 *by each component of the Department the acceptance*
15 *or transfer of a firearm or other sensitive asset by*
16 *such component.*

17 *(b) PERSONAL PROPERTY ASSET MANAGEMENT PRO-*
18 *GRAM MANUAL.—Together with the issuance of the directive*
19 *pursuant to subsection (a), the Under Secretary for Man-*
20 *agement shall disseminate a revised version of the Personal*
21 *Property Asset Management Program Manual that includes*
22 *the following:*

23 *(1) Requirements for component heads to develop*
24 *procedures to safeguard firearms and other sensitive*
25 *assets during on and off-duty time.*

1 (2) *Requirements for the issuance of safety lock-*
2 *ing devices and policies on the use of such assets, as*
3 *applicable.*

4 (3) *Requirements for initial, recurrent, and re-*
5 *medial training on safeguarding such assets.*

6 (4) *Examples, with detail, of how to report and*
7 *record lost sensitive assets across components of the*
8 *Department, and an enforcement mechanism to en-*
9 *sure supervisors maintain such records.*

10 (5) *A requirement that the file maintained on a*
11 *lost firearm or other sensitive asset contains both the*
12 *corresponding police report and the Department re-*
13 *port detailing the circumstances surrounding such*
14 *loss, including information on adherence to safe-*
15 *guarding procedures.*

16 **SEC. 5. COMPONENT RESPONSIBILITIES.**

17 *Department component heads shall—*

18 (1) *comply with Federal law, Federal regula-*
19 *tions, executive branch guidance, and Department*
20 *policy, including directives required by this Act, re-*
21 *lating to the management and oversight of securing*
22 *firearms and other sensitive assets;*

23 (2) *review the need for non-law enforcement*
24 *badges;*

1 (3) *require component personnel to safeguard*
2 *firearms and other sensitive assets in accordance with*
3 *the directive issued by the Under Secretary for Man-*
4 *agement under section 4;*

5 (4) *require that component personnel adhere to*
6 *the procedures and timelines for properly reporting to*
7 *supervisors lost firearms and other sensitive assets;*

8 (5) *require that lost firearms and other sensitive*
9 *assets are reported to local law enforcement, the Fed-*
10 *eral Bureau of Investigation's National Crime Infor-*
11 *mation Center, and Department headquarters in the*
12 *timeframe established in such directive; and*

13 (6) *require that lost firearms and other sensitive*
14 *assets are recorded in inventory systems in the time-*
15 *frame established by such directive.*

16 **SEC. 6. INSPECTOR GENERAL REVIEW.**

17 *The Inspector General of the Department of Homeland*
18 *Security shall, on an ongoing basis, review implementation*
19 *of this Act and, not later than 180 days after issuance of*
20 *the directive under section 4, submit to the Committee on*
21 *Homeland Security of the House of Representatives and the*
22 *Committee on Homeland Security and Governmental Af-*
23 *airs of the Senate a review of the progress and effectiveness*
24 *of such directive, including an assessment of the adequacy*
25 *of such directive, as well as the level of compliance among*

- 1 *the components of the Department to achieve adequate secu-*
- 2 *rity of sensitive assets across Department components.*