

Suspend the Rules and Pass the Bill, H.R. 5730, With an Amendment

(The amendment strikes all after the enacting clause and inserts a new text)

115TH CONGRESS
2^D SESSION

H. R. 5730

To require testing and evaluation of advanced transportation security screening technologies related to the mission of the Transportation Security Administration, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 9, 2018

Mr. KATKO (for himself, Mr. McCAUL, and Mrs. WATSON COLEMAN) introduced the following bill; which was referred to the Committee on Homeland Security

A BILL

To require testing and evaluation of advanced transportation security screening technologies related to the mission of the Transportation Security Administration, 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 “Transportation Secu-
5 rity Technology Innovation Reform Act of 2018”.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

3 (1) ADMINISTRATION.—The term “Administra-
4 tion” means the Transportation Security Adminis-
5 tration.

6 (2) ADMINISTRATOR.—The term “Adminis-
7 trator” means the Administrator of the Administra-
8 tion.

9 (3) APPROPRIATE CONGRESSIONAL COM-
10 MITTEE.—The term “appropriate congressional com-
11 mittees” means the Committee on Homeland Secu-
12 rity of the House of Representatives and the Com-
13 mittee on Commerce, Science, and Transportation of
14 the Senate.

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

17 **SEC. 3. TRANSPORTATION SYSTEMS INTEGRATION FACIL-
18 ITY.**

19 (a) IN GENERAL.—There is established in the Ad-
20 ministration a Transportation Security Administration
21 Systems Integration Facility (TSIF) for the purposes of
22 testing and evaluating advanced transportation security
23 screening technologies related to the mission of the Ad-
24 ministration. The TSIF shall—

1 (1) evaluate such technologies to enhance the
2 security of transportation systems through screening
3 and threat mitigation and detection;

4 (2) conduct testing of such technologies to sup-
5 port identified mission needs of the Administration
6 and to meet requirements for acquisitions and pro-
7 curement;

8 (3) to the extent practicable, provide original
9 equipment manufacturers with test plans to mini-
10 mize requirement interpretation disputes and adhere
11 to provided test plans;

12 (4) collaborate with other technical laboratories
13 and facilities for purposes of augmenting TSIF's ca-
14 pabilities;

15 (5) deliver advanced transportation security
16 screening technologies that enhance the overall secu-
17 rity of domestic transportation systems; and

18 (6) to the extent practicable, provide funding
19 and promote efforts to enable participation by a
20 small business concern (as such term is described
21 under section 3 of the Small Business Act (15
22 U.S.C. 632)) that has an advanced technology or ca-
23 pability but does not have adequate resources to par-
24 ticipate in testing and evaluation processes.

1 (b) STAFFING AND RESOURCE ALLOCATION.—The
2 Administrator shall ensure adequate staffing and resource
3 allocations for the TSIF in a manner which—

4 (1) prevents unnecessary delays in testing and
5 evaluating advanced transportation security screen-
6 ing technologies for acquisitions and procurement
7 determinations;

8 (2) ensures the issuance of final paperwork cer-
9 tification does not exceed 45 days after the conclu-
10 sion of such testing and evaluation; and

11 (3) collaborates with technology stakeholders to
12 close capabilities gaps in transportation security.

13 (c) TIMEFRAME.—

14 (1) IN GENERAL.—The Administrator shall no-
15 tify the appropriate congressional committees when-
16 ever testing and evaluation by TSIF of an advanced
17 transportation security screening technology under
18 this section exceeds 180 days as determined from
19 the date on which the owner of such technology
20 turned over such technology to the Administration
21 after installation for testing and evaluation pur-
22 poses, as evidenced by a signed Test Readiness Noti-
23 fication from such owner to the Administration.
24 Such notification shall include—

1 (A) information relating to the arrival date
2 of such technology;

3 (B) reasons why the testing and evaluation
4 process has exceeded 180 days; and

5 (C) an estimated time for completion of
6 such testing and evaluation.

7 (2) RETESTING AND EVALUATION.—Advanced
8 transportation security screening technology that
9 fails testing and evaluation by the TSIF may be re-
10 tested and evaluated.

11 (d) RELATIONSHIP TO OTHER DEPARTMENT ENTI-
12 TIES AND FEDERAL AGENCIES.—The authority of the Ad-
13 ministrator under this title shall not affect the authorities
14 or responsibilities of any officer of the Department or of
15 any officer of any other department or agency of the
16 United States with respect to research, development, test-
17 ing, and evaluation, including the authorities and respon-
18 sibilities of the Undersecretary for Science and Technology
19 of the Department and the Countering Weapons of Mass
20 Destruction Office of the Department.

21 **SEC. 4. REVIEW OF TECHNOLOGY ACQUISITIONS PROCESS.**

22 (a) IN GENERAL.—Not later than 180 days after the
23 date of the enactment of this Act, the Administrator shall,
24 in coordination with relevant officials of the Department,
25 conduct a review of existing advanced transportation secu-

1 rity screening technology development, acquisitions, and
2 procurement practices within the Administration. Such re-
3 view shall include—

4 (1) identifying process delays and bottlenecks
5 within the Department and the Administration re-
6 garding how such technology is identified, developed,
7 acquired, and deployed;

8 (2) assessing whether the Administration can
9 better leverage existing resources or processes of the
10 Department for the purposes of technology innova-
11 tion and development;

12 (3) assessing whether the Administration can
13 further encourage innovation and competition among
14 technology stakeholders, including through increased
15 participation of and funding for small business con-
16 cerns (as such term is described under section 3 of
17 the Small Business Act (15 U.S.C. 632));

18 (4) identifying best practices of other Depart-
19 ment components or United States Government enti-
20 ties; and

21 (5) a plan to address problems and challenges
22 identified by such review.

23 (b) BRIEFING.—The Administrator shall provide to
24 the appropriate congressional committees a briefing on the
25 findings of the review required under this section and a

1 plan to address problems and challenges identified by such
2 review.

3 **SEC. 5. ADMINISTRATION ACQUISITIONS AND PROCURE-**
4 **MENT ENHANCEMENT.**

5 (a) IN GENERAL.—The Administrator shall—

6 (1) engage in outreach, coordination, and col-
7 laboration with transportation stakeholders to iden-
8 tify and foster innovation of new advanced transpor-
9 tation security screening technologies;

10 (2) streamline the overall technology develop-
11 ment, testing, evaluation, acquisitions, procurement,
12 and deployment processes of the Administration; and

13 (3) ensure the effectiveness and efficiency of
14 such processes.

15 **SEC. 6. ASSESSMENT.**

16 The Secretary of Homeland Security, in consultation
17 with the Chief Privacy Officer of the Department of
18 Homeland Security, shall submit to the Committee on
19 Homeland Security of the House of Representatives and
20 the Committee on Homeland Security and Governmental
21 Affairs of the Senate a compliance assessment of the
22 Transportation Security Administration's acquisition
23 process relating to the health and safety risks associated
24 with implementation of screening technologies.