

**AMENDMENT IN THE NATURE OF A SUBSTITUTE  
TO H.R. 2825  
OFFERED BY MR. MCCAUL OF TEXAS**

Strike all after the enacting clause and insert the following:

**1 SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

2 (a) **SHORT TITLE.**—This Act may be cited as the  
3 “Department of Homeland Security Authorization Act of  
4 2017” or the “DHS Authorization Act of 2017”.

5 (b) **TABLE OF CONTENTS.**—The table of contents for  
6 this Act is as follows:

- Sec. 1. Short title; Table of contents.
- Sec. 2. Definition of congressional homeland security committees.

**TITLE I—DEPARTMENT OF HOMELAND SECURITY  
HEADQUARTERS**

- Sec. 101. Homeland security enterprise defined.
- Sec. 102. Functions and components of Headquarters of Department of Homeland Security.
- Sec. 103. Repeal of Director of Shared Services and Office of Counternarcotics Enforcement of Department of Homeland Security.
- Sec. 104. Responsibilities and functions of Chief Privacy Officer.
- Sec. 105. Responsibilities of Chief Financial Officer.
- Sec. 106. Chief Information Officer.
- Sec. 107. Quadrennial Homeland Security review.
- Sec. 108. Office of Strategy, Policy, and Plans.
- Sec. 109. Chief Procurement Officer.
- Sec. 110. Chief Security Officer.
- Sec. 111. Office of Inspector General.
- Sec. 112. Department of Homeland Security Rotation Program.
- Sec. 113. Future Years Homeland Security Program.
- Sec. 114. Field efficiencies plan.
- Sec. 115. Submission to Congress of information regarding reprogramming or transfer of Department of Homeland Security resources to respond to operational surges.
- Sec. 116. Report to Congress on cost savings and efficiency.

Sec. 117. Research and development and CBRNE organizational review.

TITLE II—DEPARTMENT OF HOMELAND SECURITY ACQUISITION  
ACCOUNTABILITY AND EFFICIENCY

Sec. 201. Definitions.

Subtitle A—Acquisition Authorities

Sec. 211. Acquisition authorities for Under Secretary for Management of the Department of Homeland Security.

Sec. 212. Acquisition authorities for Chief Financial Officer of the Department of Homeland Security.

Sec. 213. Acquisition authorities for Chief Information Officer of the Department of Homeland Security.

Sec. 214. Acquisition authorities for Program Accountability and Risk Management.

Subtitle B—Acquisition Program Management Discipline

Sec. 221. Acquisition Review Board.

Sec. 222. Requirements to reduce duplication in acquisition programs.

Sec. 223. Government Accountability Office review of Board and of requirements to reduce duplication in acquisition programs.

Sec. 224. Excluded party list system waivers.

Sec. 225. Inspector General oversight of suspension and debarment.

Subtitle C—Acquisition Program Management Accountability and  
Transparency

Sec. 231. Congressional notification for major acquisition programs.

Sec. 232. Multiyear Acquisition Strategy.

Sec. 233. Acquisition reports.

TITLE III—INTELLIGENCE AND INFORMATION SHARING

Subtitle A—Department of Homeland Security Intelligence Enterprise

Sec. 301. Homeland intelligence doctrine.

Sec. 302. Analysts for the Chief Intelligence Officer.

Sec. 303. Annual homeland terrorist threat assessments.

Sec. 304. Department of Homeland Security data framework.

Sec. 305. Establishment of Insider Threat Program.

Sec. 306. Threat assessment on terrorist use of virtual currency.

Sec. 307. Department of Homeland Security counterterrorism advisory board.

Subtitle B—Stakeholder Information Sharing

Sec. 311. Department of Homeland Security Fusion Center Partnership Initiative.

Sec. 312. Fusion center personnel needs assessment.

Sec. 313. Program for State and local analyst clearances.

Sec. 314. Information technology assessment.

Sec. 315. Department of Homeland Security classified facility inventory and dissemination.

Sec. 316. Terror inmate information sharing.

Sec. 317. Annual report on Office for State and Local Law Enforcement.

- Sec. 318. Annual catalog on Department of Homeland Security training, publications, programs, and services for State, local, and tribal law enforcement agencies.

#### TITLE IV—MARITIME SECURITY

- Sec. 401. Strategic plan to enhance the security of the international supply chain.
- Sec. 402. Container Security Initiative.
- Sec. 403. Cyber at ports.
- Sec. 404. Facility inspection intervals.
- Sec. 405. Recognition of other countries' trusted shipper programs.
- Sec. 406. Updates of maritime operations coordination plan.
- Sec. 407. Evaluation of Coast Guard Deployable Specialized Forces.
- Sec. 408. Cost benefit analysis of co-locating DHS assets.
- Sec. 409. Repeal of interagency operational centers for port security and secure systems of transportation.
- Sec. 410. Conforming and clerical amendments.

#### TITLE V—TRANSPORTATION SECURITY ADMINISTRATION

##### Subtitle A—Administration

- Sec. 501. Amendments to the Homeland Security Act of 2002 and title 5, United States Code.
- Sec. 502. Amendments to title 49, United States Code.
- Sec. 503. Amendments to the Aviation and Transportation Security Act.

##### Subtitle B—Passenger Security and Screening

- Sec. 511. Department of Homeland Security trusted traveler program collaboration.
- Sec. 512. PreCheck Biometric pilot project.
- Sec. 513. Identity and travel document verification.
- Sec. 514. Computed tomography pilot project.
- Sec. 515. Explosives detection canine teams for aviation.
- Sec. 516. Standard operating procedures at airport checkpoints.
- Sec. 517. Traveler redress improvement.
- Sec. 518. Screening in areas other than passenger terminals.
- Sec. 519. Federal Air Marshal Service agreements.
- Sec. 520. Federal Air Marshal mission scheduling automation.
- Sec. 521. Canine detection research and development.
- Sec. 522. International Civil Aviation Organization.
- Sec. 523. Passenger security fee.
- Sec. 524. Last point of departure airport certification.
- Sec. 525. Security standards at foreign airports.
- Sec. 526. Security incident response at airports and surface transportation hubs.
- Sec. 527. Airport security screening opt-out program.
- Sec. 528. Personnel management system review.

##### Subtitle C—Transportation Security Screening Personnel Training and Accountability

- Sec. 531. Transportation security training programs.
- Sec. 532. Alternate new security screening personnel training program cost and feasibility study.

Subtitle D—Airport Access Controls and Perimeter Security

- Sec. 541. Reformation of certain programs of the Transportation Security Administration.
- Sec. 542. Airport perimeter and access control security.

Subtitle E—Air Cargo Security

- Sec. 551. Air cargo advance screening program.
- Sec. 552. Explosives detection canine teams for air cargo security.

Subtitle F—Information Sharing and Cybersecurity

- Sec. 561. Information sharing and cybersecurity.

Subtitle G—Surface Transportation Security

- Sec. 571. Definitions.
- Sec. 572. Surface transportation security assessment and implementation of risk-based strategy.
- Sec. 573. Risk-based budgeting and resource allocation.
- Sec. 574. Surface transportation security management and interagency coordination review.
- Sec. 575. Transparency.
- Sec. 576. TSA counterterrorism asset deployment.
- Sec. 577. Surface transportation security advisory committee.
- Sec. 578. Review of the explosives detection canine team program.
- Sec. 579. Expansion of national explosives detection canine team program.
- Sec. 580. Explosive detection technology.
- Sec. 581. Study on security standards and best practices for United States and foreign passenger transportation systems.
- Sec. 582. Amtrak security upgrades.
- Sec. 583. Study on surface transportation inspectors.
- Sec. 584. Security awareness program.
- Sec. 585. Voluntary use of credentialing.
- Sec. 586. Background records checks for issuance of hazmat licenses.
- Sec. 587. Recurrent vetting for surface transportation credential-holders.
- Sec. 588. Pipeline security study.
- Sec. 589. Repeal of limitation relating to motor carrier security-sensitive material tracking technology.

TITLE VI—EMERGENCY PREPAREDNESS, RESPONSE, AND COMMUNICATIONS

Subtitle A—Grants, Training, Exercises, and Coordination

- Sec. 601. Urban Area Security Initiative.
- Sec. 602. State Homeland Security Grant Program.
- Sec. 603. Grants to directly eligible tribes.
- Sec. 604. Law enforcement terrorism prevention.
- Sec. 605. Prioritization.
- Sec. 606. Allowable uses.
- Sec. 607. Approval of certain equipment.
- Sec. 608. Memoranda of understanding.
- Sec. 609. Grants metrics.
- Sec. 610. Grant management best practices.
- Sec. 611. Prohibition on consolidation.

- Sec. 612. Maintenance of grant investments.
- Sec. 613. Transit security grant program.
- Sec. 614. Port security grant program.
- Sec. 615. National Domestic Preparedness Consortium.
- Sec. 616. Rural Domestic Preparedness Consortium.
- Sec. 617. Emergency support functions.
- Sec. 618. Review of National Incident Management System.
- Sec. 619. Remedial action management program.
- Sec. 620. Cyber preparedness.
- Sec. 621. Major metropolitan area counterterrorism training and exercise grant program.
- Sec. 622. Center for Domestic Preparedness.

Subtitle B—Communications

- Sec. 631. Office of Emergency Communications.
- Sec. 632. Responsibilities of Office of Emergency Communications Director.
- Sec. 633. Annual reporting on activities of the Office of Emergency Communications.
- Sec. 634. National Emergency Communications Plan.
- Sec. 635. Technical edit.
- Sec. 636. Public Safety Broadband Network.
- Sec. 637. Communications training.

Subtitle C—Medical Preparedness

- Sec. 641. Chief Medical Officer.
- Sec. 642. Medical Countermeasures Program.

Subtitle D—Management

- Sec. 651. Mission support.
- Sec. 652. Systems modernization.
- Sec. 653. Strategic human capital plan.

TITLE VII—OTHER MATTERS

- Sec. 701. Technical amendments to the Homeland Security Act of 2002.

1 **SEC. 2. DEFINITION OF CONGRESSIONAL HOMELAND SECURITY**  
2 **COMMITTEES.**

3 In this Act, the term “congressional homeland security  
4 committees” means—

- 5 (1) the Committee on Homeland Security of the  
6 House of Representatives and the Committee on  
7 Homeland Security and Governmental Affairs of the  
8 Senate; and

1           (2) the Committee on Appropriations of the  
2           House of Representatives and the Committee on Ap-  
3           propriations of the Senate.

4       **TITLE        I—DEPARTMENT        OF**  
5       **HOMELAND SECURITY HEAD-**  
6       **QUARTERS**

7       **SEC. 101. HOMELAND SECURITY ENTERPRISE DEFINED.**

8           Section 2 of the Homeland Security Act of 2002 (6  
9       U.S.C. 101) is amended—

10           (1) by redesignating paragraphs (9) through  
11           (20) as paragraphs (10) through (21), respectively;  
12           and

13           (2) by inserting after paragraph (8) the fol-  
14           lowing new paragraph (9):

15           “(9) The term ‘homeland security enterprise’  
16           means any relevant governmental or nongovern-  
17           mental entity involved in homeland security, includ-  
18           ing a Federal, State, or local government official,  
19           private sector representative, academic, or other pol-  
20           icy expert.”.

21       **SEC. 102. FUNCTIONS AND COMPONENTS OF HEAD-**  
22       **QUARTERS OF DEPARTMENT OF HOMELAND**  
23       **SECURITY.**

24           Section 102 of the Homeland Security Act of 2002  
25       (6 U.S.C. 112) is amended—

1 (1) in subsection (c)—

2 (A) in the matter preceding paragraph (1),  
3 by striking “through the Office of State and  
4 Local Coordination (established under section  
5 801)” and inserting “through the Office of  
6 Partnership and Engagement”;

7 (B) in paragraph (2), by striking “and”  
8 after the semicolon at the end;

9 (C) in paragraph (3), by striking the pe-  
10 riod and inserting “; and”; and

11 (D) by adding at the end the following:

12 “(4) entering into agreements with governments  
13 of other countries, in consultation with the Secretary  
14 of State, and international nongovernmental organi-  
15 zations in order to achieve the missions of the De-  
16 partment.”; and

17 (2) by adding at the end the following new sub-  
18 section:

19 “(h) HEADQUARTERS.—

20 “(1) COMPONENTS.—There is in the Depart-  
21 ment a Headquarters. The Department Head-  
22 quarters shall include each of the following:

23 “(A) The Office of the Secretary.

24 “(B) The Office of the Deputy Secretary.

25 “(C) The Executive Secretary.

1           “(D) The Management Directorate, includ-  
2           ing the Office of the Chief Financial Officer.

3           “(E) The Office of Strategy, Policy, and  
4           Plans.

5           “(F) The Office of the General Counsel.

6           “(G) The Office of the Chief Privacy Offi-  
7           cer.

8           “(H) The Office for Civil Rights and Civil  
9           Liberties.

10          “(I) The Office of Operations Coordina-  
11          tion.

12          “(J) The Office of Intelligence and Anal-  
13          ysis.

14          “(K) The Office of Legislative Affairs.

15          “(L) The Office of Public Affairs.

16          “(M) The Office of the Inspector General.

17          “(N) The Office of the Citizenship and Im-  
18          migration Services Ombudsman.

19          “(2) FUNCTIONS.—The Secretary, acting  
20          through the appropriate official of the Headquarters,  
21          shall—

22                 “(A) establish an overall strategy to suc-  
23                 cessfully further the mission of the Department;

24                 “(B) establish initiatives that improve De-  
25                 partment-wide operational performance;



1 “(C) establish mechanisms to—

2 “(i) ensure that components of the  
3 Department comply with Department poli-  
4 cies and fully implement the strategies and  
5 initiatives of the Secretary; and

6 “(ii) require the head of each compo-  
7 nent of the Department and component  
8 chief officers to comply with such policies  
9 and implement such strategies and initia-  
10 tives;

11 “(D) establish annual operational and  
12 management objectives to evaluate the perform-  
13 ance of the Department;

14 “(E) ensure that the Department success-  
15 fully meets operational and management per-  
16 formance objectives through conducting over-  
17 sight of component agencies;

18 “(F) ensure that the strategies, priorities,  
19 investments, and workforce of Department com-  
20 ponents align with Department objectives;

21 “(G) establish and implement policies re-  
22 lated to Department ethics and compliance  
23 standards;

24 “(H) manage and encourage shared serv-  
25 ices across Department components;

1           “(I) lead and coordinate interaction with  
2           Congress and other external organizations; and

3           “(J) carry out other such functions as the  
4           Secretary determines are appropriate.”.

5 **SEC. 103. REPEAL OF DIRECTOR OF SHARED SERVICES AND**  
6           **OFFICE OF COUNTERNARCOTICS ENFORCE-**  
7           **MENT OF DEPARTMENT OF HOMELAND SECU-**  
8           **RITY.**

9           (a) ABOLISHMENT OF DIRECTOR OF SHARED SERV-  
10          ICES.—

11           (1) ABOLISHMENT.—The position of Director of  
12          Shared Services of the Department of Homeland Se-  
13          curity is abolished.

14           (2) CONFORMING AMENDMENT.—The Home-  
15          land Security Act of 2002 is amended by striking  
16          section 475 (6 U.S.C. 295).

17           (3) CLERICAL AMENDMENT.—The table of con-  
18          tents in section 1(b) of such Act is amended by  
19          striking the item relating to section 475.

20          (b) ABOLISHMENT OF THE OFFICE OF COUNTER-  
21          NARCOTICS ENFORCEMENT.—

22           (1) ABOLISHMENT.—The Office of Counter-  
23          narcotics Enforcement is abolished.

24           (2) CONFORMING AMENDMENTS.—The Home-  
25          land Security Act of 2002 is amended—

1 (A) in subparagraph (B) of section  
2 843(b)(1) (6 U.S.C. 413(b)(1)), by striking  
3 “by—” and all that follows through the end of  
4 that subparagraph and inserting “by the Sec-  
5 retary; and”; and

6 (B) by striking section 878 (6 U.S.C.  
7 112).

8 (3) CLERICAL AMENDMENT.—The table of con-  
9 tents in section 1(b) of such Act is amended by  
10 striking the item relating to section 878.

11 **SEC. 104. RESPONSIBILITIES AND FUNCTIONS OF CHIEF**  
12 **PRIVACY OFFICER.**

13 (a) IN GENERAL.—Section 222 of the Homeland Se-  
14 curity Act of 2002 (6 U.S.C. 142) is amended—

15 (1) in subsection (a)—

16 (A) in the matter preceding paragraph  
17 (1)—

18 (i) by inserting “to be the Chief Pri-  
19 vacy Officer of the Department,” after “in  
20 the Department,”; and

21 (ii) by striking “to the Secretary, to  
22 assume” and inserting “to the Secretary.  
23 Such official shall have”;

24 (B) in paragraph (5), by striking “and” at  
25 the end;

1 (C) by striking paragraph (6); and

2 (D) by inserting after paragraph (5) the  
3 following new paragraphs:

4 “(6) developing guidance to assist components  
5 of the Department in developing privacy policies and  
6 practices;

7 “(7) establishing a mechanism to ensure such  
8 components are in compliance with Federal, regu-  
9 latory, statutory, and Department privacy require-  
10 ments, mandates, directives, and policies;

11 “(8) working with the Chief Information Officer  
12 of the Department to identify methods for managing  
13 and overseeing the records, management policies,  
14 and procedures of the Department;

15 “(9) working with components and offices of  
16 the Department to ensure that information sharing  
17 activities incorporate privacy protections;

18 “(10) serving as the Chief FOIA Officer of the  
19 Department for purposes of subsection (j) of section  
20 552 of title 5, United States Code (popularly known  
21 as the Freedom of Information Act), to manage and  
22 process requests related to such section;

23 “(11) developing guidance on procedures to be  
24 followed by individuals making requests for informa-

1       tion under section 552 of title 5, United States  
2       Code;

3           “(12) overseeing the management and proc-  
4       essing of requests for information under section 552  
5       of title 5, United States Code, within Department  
6       Headquarters and relevant Department component  
7       offices;

8           “(13) identifying and eliminating unnecessary  
9       and duplicative actions taken by the Department in  
10      the course of processing requests for information  
11      under section 552 of title 5, United States Code;

12          “(14) preparing an annual report to Congress  
13      that includes—

14           “(A) a description of the activities of the  
15      Department that affect privacy during the fiscal  
16      year covered by the report, including complaints  
17      of privacy violations, implementation of section  
18      552a of title 5, United States Code (popularly  
19      known as the Privacy Act of 1974), internal  
20      controls, and other matters; and

21           “(B) the number of new technology pro-  
22      grams implemented in the Department during  
23      the fiscal year covered by the report, the num-  
24      ber of such programs that the Chief Privacy Of-  
25      ficer has evaluated to ensure that privacy pro-



1           “(b) RESPONSIBILITIES.—The Chief Financial Offi-  
2 cer, in consultation with the Under Secretary for Manage-  
3 ment and the Under Secretary for Intelligence and Anal-  
4 ysis, as appropriate, shall—

5           “(1) oversee Department budget formulation  
6 and execution;

7           “(2) lead and provide guidance on performance-  
8 based budgeting practices for the Department to en-  
9 sure that the Department and its components are  
10 meeting missions and goals;

11           “(3) lead cost-estimating practices for the De-  
12 partment, including the development of policies on  
13 cost estimating and approval of life cycle cost esti-  
14 mates;

15           “(4) coordinate with the Office of Strategy,  
16 Policy, and Plans to ensure that the development of  
17 the budget for the Department is compatible with  
18 the long-term strategic plans, priorities, and policies  
19 of the Secretary;

20           “(5) develop financial management policy for  
21 the Department and oversee the implementation of  
22 such policy, including the establishment of effective  
23 internal controls over financial reporting systems  
24 and processes throughout the Department;

1           “(6) provide guidance for and over financial  
2           system modernization efforts throughout the Depart-  
3           ment;

4           “(7) lead the efforts of the Department related  
5           to financial oversight, including identifying ways to  
6           streamline and standardize business processes;

7           “(8) oversee the costs of acquisition programs  
8           and related activities to ensure that actual and  
9           planned costs are in accordance with budget esti-  
10          mates and are affordable, or can be adequately fund-  
11          ed, over the lifecycle of such programs and activities;  
12          and

13          “(9) fully implement a common accounting  
14          structure to be used across the entire Department  
15          by fiscal year 2020.”.

16 **SEC. 106. CHIEF INFORMATION OFFICER.**

17          (a) IN GENERAL.—Section 703 of the Homeland Se-  
18          curity Act of 2002 (6 U.S.C. 343) is amended—

19                 (1) in subsection (a), by adding at the end the  
20                 following new sentence: “In addition to the functions  
21                 under section 3506(a)(2) of title 44, United States  
22                 Code, the Chief Information Officer shall perform  
23                 the functions set forth in this section and such other  
24                 functions as may be assigned by the Secretary.”;



1           (2) by redesignating subsection (b) as sub-  
2           section (d); and

3           (3) by inserting after subsection (a) the fol-  
4           lowing new subsections:

5           “(b) RESPONSIBILITIES.—In addition to performing  
6           the functions under section 3506 of title 44, United States  
7           Code, the Chief Information Officer shall serve as the lead  
8           technical authority for information technology programs  
9           of the Department and Department components and, in  
10          consultation with the Under Secretary for Management,  
11          shall—

12           “(1) advise and assist the Secretary, heads of  
13          the components of the Department, and other senior  
14          officers in carrying out the responsibilities of the  
15          Department for all activities relating to the budgets,  
16          programs, security, and operations of the informa-  
17          tion technology functions of the Department;

18           “(2) to the extent delegated by the Secretary,  
19          exercise leadership and authority over Department  
20          information technology management and establish  
21          the information technology priorities, policies, proc-  
22          esses, standards, guidelines, and procedures of the  
23          Department to ensure interoperability and standard-  
24          ization of information technology;

1           “(3) maintain a consolidated inventory of the  
2 mission critical and mission essential information  
3 systems of the Department, and develop and main-  
4 tain contingency plans for responding to a disrup-  
5 tion in the operation of any of those information sys-  
6 tems;

7           “(4) maintain the security, visibility, reliability,  
8 integrity, and availability of data and information  
9 technology of the Department;

10           “(5) establish and implement policies and pro-  
11 cedures to effectively monitor and manage  
12 vulnerabilities in the supply chain for purchases of  
13 information technology, in consultation with the  
14 Chief Procurement Officer of the Department;

15           “(6) review contracts and interagency agree-  
16 ments associated with major information technology  
17 investments and information technology investments  
18 that have had cost, schedule, or performance chal-  
19 lenges in the past;

20           “(7) assess the risk of all major information  
21 technology investments and publically report the risk  
22 rating to the Office of Management and Budget; and

23           “(8) carry out any other responsibilities dele-  
24 gated by the Secretary consistent with an effective  
25 information system management function.

1           “(c) STRATEGIC PLANS.—In coordination with the  
2 Chief Financial Officer, the Chief Information Officer  
3 shall develop an information technology strategic plan  
4 every five years and report to the Committee on Homeland  
5 Security and the Committee on Appropriations of the  
6 House of Representatives and the Committee on Home-  
7 land Security and Governmental Affairs and the Com-  
8 mittee on Appropriations of the Senate on the extent to  
9 which—

10           “(1) the budget of the Department aligns with  
11 priorities specified in the information technology  
12 strategic plan;

13           “(2) the information technology strategic plan  
14 informs the budget process of the Department;

15           “(3) information technology priorities were or  
16 were not funded and the reasons for not funding all  
17 priorities in a given fiscal year;

18           “(4) the Department has identified and ad-  
19 dressed skills gaps needed to implement the informa-  
20 tion technology strategic plan; and

21           “(5) unnecessary duplicate information tech-  
22 nology within and across the components of the De-  
23 partment has been eliminated.”.

24           (b) SOFTWARE LICENSING.—

1           (1) SOFTWARE INVENTORY.—Not later than  
2           180 days after the date of the enactment of this Act  
3           and every two years thereafter until 2022, the Chief  
4           Information Officer of the Department of Homeland  
5           Security, in consultation with Department compo-  
6           nent chief information officers, shall—

7                   (A) conduct a Department-wide inventory  
8                   of all existing software licenses held by the De-  
9                   partment, including utilized and unutilized li-  
10                  censes;

11                  (B) assess the needs of the Department  
12                  and the components of the Department for soft-  
13                  ware licenses for the subsequent two fiscal  
14                  years;

15                  (C) examine how the Department can  
16                  achieve the greatest possible economies of scale  
17                  and cost savings in the procurement of software  
18                  licenses;

19                  (D) determine how the use of shared  
20                  cloud-computing services will impact the needs  
21                  for software licenses for the subsequent two fis-  
22                  cal years;

23                  (E) establish plans and estimated costs for  
24                  eliminating unutilized software licenses for the  
25                  subsequent two fiscal years; and

1 (F) submit a copy of each inventory con-  
2 ducted under subparagraph (A) to the Com-  
3 mittee on Homeland Security of the House of  
4 Representatives and the Committee on Home-  
5 land Security and Governmental Affairs of the  
6 Senate.

7 (2) PLAN TO REDUCE SOFTWARE LICENSES.—  
8 If the Chief Information Officer determines through  
9 the inventory conducted under paragraph (1) that  
10 the number of software licenses held by the Depart-  
11 ment and the components of the Department exceed  
12 the needs of the Department, not later than 90 days  
13 after the date on which the inventory is completed,  
14 the Secretary of Homeland Security shall establish a  
15 plan for reducing the number of such software li-  
16 censes to meet needs of the Department.

17 (3) PROHIBITION ON PROCUREMENT OF NEW  
18 SOFTWARE LICENSES.—

19 (A) IN GENERAL.—Except as provided in  
20 subparagraph (B), upon completion of a plan  
21 under paragraph (2), no additional resources  
22 may be obligated for the procurement of new  
23 software licenses for the Department until such  
24 time as the need of the Department exceeds the

1           number of used and unused licenses held by the  
2           Department.

3           (B) EXCEPTION.—The Chief Information  
4           Officer may authorize the purchase of addi-  
5           tional licenses and amend the number of needed  
6           licenses as necessary.

7           (c) COMPTROLLER GENERAL REVIEW.—Not later  
8           than fiscal year 2019, the Comptroller General of the  
9           United States shall review the extent to which the Chief  
10          Information Officer fulfilled all requirements established  
11          in this section and the amendment made by this section.

12          (d) COMPLETION OF FIRST DEFINITION OF CAPA-  
13          BILITIES.—Not later than one year after the date of the  
14          enactment of this Act, the Chief Information Officer shall  
15          complete the first information technology strategic plan  
16          required under subsection (c) of section 701 of the Home-  
17          land Security Act of 2002, as added by subsection (a) of  
18          this section.

19       **SEC. 107. QUADRENNIAL HOMELAND SECURITY REVIEW.**

20          (a) IN GENERAL.—Section 707 of the Homeland Se-  
21          curity Act of 2002 (6 U.S.C. 347) is amended—

22                  (1) in subsection (a)(3)—

23                          (A) in subparagraph (B), by striking  
24                          “and” at the end;

1 (B) by redesignating subparagraph (C) as  
2 subparagraph (D); and

3 (C) by inserting after subparagraph (B)  
4 the following new subparagraph (C):

5 “(C) representatives from appropriate ad-  
6 visory committees established pursuant to sec-  
7 tion 871, including the Homeland Security Ad-  
8 visory Council and the Homeland Security  
9 Science and Technology Advisory Committee, or  
10 otherwise established, including the Aviation  
11 Security Advisory Committee established pursu-  
12 ant to section 44946 of title 49, United States  
13 Code; and”;

14 (2) in subsection (b)—

15 (A) in paragraph (2), by inserting before  
16 the semicolon at the end the following: “based  
17 on the risk assessment required pursuant to  
18 subsection (c)(2)(B)”;

19 (B) in paragraph (3)—

20 (i) by inserting “, to the extent prac-  
21 ticable,” after “describe”; and

22 (ii) by striking “budget plan” and in-  
23 serting “resources required”;

24 (C) in paragraph (4)—

1 (i) by inserting “, to the extent prac-  
2 ticable,” after “identify”;

3 (ii) by striking “budget plan required  
4 to provide sufficient resources to success-  
5 fully” and inserting “resources required  
6 to”; and

7 (iii) by striking the semicolon at the  
8 end and inserting “, including any re-  
9 sources identified from redundant, waste-  
10 ful, or unnecessary capabilities and capac-  
11 ities that can be redirected to better sup-  
12 port other existing capabilities and capac-  
13 ities, as the case may be; and”;

14 (D) in paragraph (5), by striking “; and”  
15 and inserting a period; and

16 (E) by striking paragraph (6);

17 (3) in subsection (c)—

18 (A) in paragraph (1), by striking “Decem-  
19 ber 31 of the year” and inserting “60 days  
20 after the date of the submittal of the Presi-  
21 dent’s budget for the fiscal year after the fiscal  
22 year”;

23 (B) in paragraph (2)—



1 (i) in subparagraph (B), by striking  
2 “description of the threats to” and insert-  
3 ing “risk assessment of”;

4 (ii) in subparagraph (C), by inserting  
5 “, as required under subsection (b)(2)” be-  
6 fore the semicolon at the end;

7 (iii) in subparagraph (D)—

8 (I) by inserting “to the extent  
9 practicable,” before “a description”;

10 and

11 (II) by striking “budget plan”  
12 and inserting “resources required”;

13 (iv) in subparagraph (F)—

14 (I) by inserting “to the extent  
15 practicable,” before “a discussion”;

16 and

17 (II) by striking “the status of”;

18 (v) in subparagraph (G)—

19 (I) by inserting “to the extent  
20 practicable,” before “a discussion”;

21 (II) by striking “the status of”;

22 (III) by inserting “and risks” be-  
23 fore “to national homeland”; and

24 (IV) by inserting “and” after the  
25 semicolon at the end;

1 (vi) by striking subparagraph (H);

2 and

3 (vii) by redesignating subparagraph

4 (I) as subparagraph (H);

5 (C) by redesignating paragraph (3) as  
6 paragraph (4); and

7 (D) by inserting after paragraph (2) the  
8 following new paragraph (3):

9 “(3) DOCUMENTATION.—The Secretary shall  
10 retain and, upon request, provide to Congress the  
11 following documentation regarding the quadrennial  
12 homeland security review:

13 “(A) Records regarding the consultation  
14 carried out the pursuant to subsection (a)(3),  
15 including—

16 “(i) all written communications, in-  
17 cluding communications sent out by the  
18 Secretary and feedback submitted to the  
19 Secretary through technology, online com-  
20 munications tools, in-person discussions,  
21 and the interagency process; and

22 “(ii) information on how feedback re-  
23 ceived by the Secretary informed the quad-  
24 rennial homeland security review.

1           “(B) Information regarding the risk as-  
2           sessment, as required under subsection  
3           (c)(2)(B), including—

4                   “(i) the risk model utilized to generate  
5                   the risk assessment;

6                   “(ii) information, including data used  
7                   in the risk model, utilized to generate the  
8                   risk assessment;

9                   “(iii) sources of information, including  
10                  other risk assessments, utilized to generate  
11                  the risk assessment; and

12                  “(iv) information on assumptions,  
13                  weighing factors, and subjective judgments  
14                  utilized to generate the risk assessment,  
15                  together with information on the rationale  
16                  or basis thereof.”; and

17           (4) by redesignating subsection (d) as sub-  
18           section (e); and

19           (5) by inserting after subsection (c) the fol-  
20           lowing new subsection (d):

21           “(d) REVIEW.—Not later than 90 days after the sub-  
22           mission of each report required under subsection (c)(1),  
23           the Secretary shall provide to the Committee on Homeland  
24           Security of the House of Representatives and the Com-  
25           mittee on Homeland Security and Governmental Affairs

1 of the Senate information on the degree to which the find-  
2 ings and recommendations developed in the quadrennial  
3 homeland security review covered by the report were inte-  
4 grated into the acquisition strategy and expenditure plans  
5 for the Department.”.

6 (b) EFFECTIVE DATE.—The amendments made by  
7 this section shall apply with respect to a quadrennial  
8 homeland security review conducted after December 31,  
9 2017.

10 **SEC. 108. OFFICE OF STRATEGY, POLICY, AND PLANS.**

11 (a) IN GENERAL.—Section 709 of the Homeland Se-  
12 curity Act of 2002 (6 U.S.C. 349) is amended—

13 (1) in subsection (a), by adding at the end the  
14 following: “The Office of Strategy, Policy, and Plans  
15 shall include the following components:

16 “(1) The Office of Partnership and Engage-  
17 ment.

18 “(2) The Office of International Affairs.

19 “(3) The Office of Cyber, Infrastructure, and  
20 Resilience Policy.

21 “(4) The Office of Strategy, Planning, Analysis,  
22 and Risk.

23 “(5) The Office of Threat Prevention and Secu-  
24 rity Policy.

1           “(6) The Office of Border, Immigration, and  
2 Trade Policy.”;

3           (2) by redesignating subsections (e) through (g)  
4 as subsections (f) through (h), respectively; and

5           (3) by inserting after subsection (d) the fol-  
6 lowing new subsection (e):

7           “(e) ASSISTANT SECRETARIES AND DIRECTORS.—

8           “(1) ASSISTANT SECRETARY FOR PARTNERSHIP  
9 AND ENGAGEMENT.—The Office of Partnership and  
10 Engagement shall be led by an Assistant Secretary  
11 for Partnership and Engagement appointed by the  
12 Secretary. The Assistant Secretary shall—

13           “(A) lead the efforts of the Department to  
14 incorporate external feedback from stakeholders  
15 into policy and strategic planning efforts, as ap-  
16 propriate;

17           “(B) conduct the activities specified in sec-  
18 tion 2006(b);

19           “(C) advise the Secretary on the effects of  
20 the policies, regulations, processes, and actions  
21 of the Department on the private sector and  
22 create and foster strategic communications with  
23 the private sector to enhance the primary mis-  
24 sion of the Department to protect the home-  
25 land;

1           “(D) coordinate the activities of the De-  
2           partment relating to State and local govern-  
3           ment;

4           “(E) provide State and local governments  
5           with regular information, research, and tech-  
6           nical support to assist local efforts at securing  
7           the homeland; and

8           “(F) perform such other functions as are  
9           established by law or delegated by the Under  
10          Secretary for Policy.

11          “(2) ASSISTANT SECRETARY FOR INTER-  
12          NATIONAL AFFAIRS.—The Office of International  
13          Affairs shall be led by an Assistant Secretary for  
14          International Affairs appointed by the Secretary.  
15          The Assistant Secretary shall—

16               “(A) coordinate international activities  
17               within the Department, including activities car-  
18               ried out by the components of the Department,  
19               in consultation with other Federal officials with  
20               responsibility for counterterrorism and home-  
21               land security matters;

22               “(B) advise, inform, and assist the Sec-  
23               retary with respect to the development and im-  
24               plementation of the policy priorities of the De-  
25               partment, including strategic priorities for the

1 deployment of assets, including personnel, out-  
2 side the United States;

3 “(C) develop, in consultation with the  
4 Under Secretary for Management, guidance for  
5 selecting, assigning, training, and monitoring  
6 overseas deployments of Department personnel,  
7 including minimum standards for pre-deploy-  
8 ment training;

9 “(D) maintain awareness regarding the  
10 international travel of senior officers of the De-  
11 partment and their intent to pursue negotia-  
12 tions with foreign government officials, and re-  
13 view resulting draft agreements; and

14 “(E) perform such other functions as are  
15 established by law or delegated by the Under  
16 Secretary for Policy.”.

17 (b) ABOLISHMENT OF OFFICE OF INTERNATIONAL  
18 AFFAIRS.—

19 (1) IN GENERAL.—The Office of International  
20 Affairs within the Office of the Secretary of Home-  
21 land Security is abolished.

22 (2) TRANSFER OF ASSETS AND PERSONNEL.—  
23 The functions authorized to be performed by such  
24 office as of the day before the date of the enactment  
25 of this Act, and the assets and personnel associated

1 with such functions, are transferred to the head of  
2 the Office of International Affairs provided for by  
3 section 709 of the Homeland Security Act of 2002,  
4 as amended by this section.

5 (3) CONFORMING AMENDMENT.—The Home-  
6 land Security Act of 2002 is amended by striking  
7 section 879 (6 U.S.C. 459).

8 (4) CLERICAL AMENDMENT.—The table of con-  
9 tents in section 1(b) of such Act is amended by  
10 striking the item relating to section 879.

11 (c) TRANSFER OF FUNCTIONS, ASSETS, AND PER-  
12 SONNEL OF OFFICE FOR STATE AND LOCAL LAW EN-  
13 FORCEMENT.—The functions authorized to be performed  
14 by the Office for State and Local Law Enforcement of  
15 the Department of Homeland Security as of the day before  
16 the date of the enactment of this Act, and the assets and  
17 personnel associated with such functions, are transferred  
18 to the head of the Office of Partnership and Engagement  
19 provided for by section 709 of the Homeland Security Act  
20 of 2002, as amended by this section.

21 (d) ABOLISHMENT OF OFFICE FOR STATE AND  
22 LOCAL GOVERNMENT COORDINATION.—

23 (1) IN GENERAL.—The Office for State and  
24 Local Government Coordination of the Department  
25 of Homeland Security is abolished.



1           (2) TRANSFER OF FUNCTIONS AND ASSETS.—

2           The functions authorized to be performed by such  
3           office immediately before the enactment of this Act,  
4           and the assets and personnel associated with such  
5           functions, are transferred to the head of Office of  
6           Partnership and Engagement provided for by section  
7           709 of the Homeland Security Act of 2002, as  
8           amended by this section.

9           (3) CONFORMING AMENDMENT.—The Home-  
10          land Security Act of 2002 is amended by striking  
11          section 801 (6 U.S.C. 631).

12          (4) CLERICAL AMENDMENT.—The table of con-  
13          tents in section 1(b) of such Act is amended by  
14          striking the item relating to section 801.

15          (e) ABOLISHMENT OF SPECIAL ASSISTANT TO SEC-  
16          RETARY OF HOMELAND SECURITY.—

17          (1) IN GENERAL.—The Special Assistant to the  
18          Secretary authorized by section 102(f) of the Home-  
19          land Security Act of 2002 (6 U.S.C. 112(f)), as in  
20          effect immediately before the enactment of this Act,  
21          is abolished.

22          (2) TRANSFER OF FUNCTIONS AND ASSETS.—  
23          The functions authorized to be performed by such  
24          Special Assistant to the Secretary immediately be-  
25          fore the enactment of this Act, and the assets and

1 personnel associated with such functions, are trans-  
2 ferred to the head of the Office of Partnership and  
3 Engagement provided for by section 709 of the  
4 Homeland Security Act of 2002, as amended by this  
5 section.

6 (3) CONFORMING AMENDMENT.—Section 102  
7 of the Homeland Security Act of 2002 (6 U.S.C.  
8 112) is amended by striking subsection (f).

9 (f) CONFORMING AMENDMENTS RELATING TO AS-  
10 SISTANT SECRETARIES.—Subsection (a) of section 103 of  
11 the Homeland Security Act of 2002 (6 U.S.C. 113) is  
12 amended—

13 (1) in the subsection heading, by inserting “;  
14 ASSISTANT SECRETARIES” after “UNDER SECRE-  
15 TARIES”;

16 (2) in paragraph (1), by striking subparagraph  
17 (I) and redesignating subparagraphs (J) and (K) as  
18 subparagraphs (I) and (J), respectively; and

19 (3) by amending paragraph (2) to read as fol-  
20 lows:

21 “(2) ASSISTANT SECRETARIES AND OTHER OF-  
22 FICIALS.—

23 “(A) ADVICE AND CONSENT APPOINT-  
24 MENTS.—The Department shall have the fol-

1           lowing officials appointed by the President, by  
2           and with the advice and consent of the Senate:

3                   “(i) The Assistant Secretary, U.S.  
4                   Immigration and Customs Enforcement.

5                   “(ii) The Administrator, Transpor-  
6                   tation Security Administration.

7                   “(B) OTHER PRESIDENTIAL APPOINT-  
8                   MENTS.—The Department shall have the fol-  
9                   lowing Assistant Secretaries appointed by the  
10                  President:

11                   “(i) The Assistant Secretary, Infra-  
12                   structure Protection.

13                   “(ii) The Assistant Secretary, Office  
14                   of Public Affairs.

15                   “(iii) The Assistant Secretary, Office  
16                   of Legislative Affairs.

17                   “(C) SECRETARIAL APPOINTMENTS.—The  
18                   Department shall have the following Assistant  
19                   Secretaries appointed by the Secretary:

20                   “(i) The Assistant Secretary, Office of  
21                   Cybersecurity and Communications.

22                   “(ii) The Assistant Secretary for  
23                   International Affairs.

24                   “(iii) The Assistant Secretary for  
25                   Partnership and Engagement.

1 “(iv) The Assistant Secretary for  
2 Threat Prevention and Security Policy.

3 “(v) The Assistant Secretary for Bor-  
4 der, Immigration, and Trade Policy.

5 “(vi) The Assistant Secretary for  
6 Cyber, Infrastructure, and Resilience Pol-  
7 icy.

8 “(vii) The Assistant Secretary for  
9 Strategy, Planning, Analysis, and Risk.

10 “(viii) The Assistant Secretary for  
11 State and Local Law Enforcement.”; and

12 (4) by adding at the end the following new  
13 paragraphs:

14 “(3) ASSISTANT SECRETARY, LEGISLATIVE AF-  
15 FAIRS.—The Assistant Secretary, Legislative Affairs  
16 shall oversee one internal reporting structure for en-  
17 gaging with authorizing and appropriating congres-  
18 sional committees.

19 “(4) LIMITATION ON CREATION OF POSI-  
20 TIONS.—No Assistant Secretary position may be cre-  
21 ated in addition to the positions provided for by this  
22 section unless such position is authorized by a stat-  
23 ute enacted after the date of the enactment of the  
24 Department of Homeland Security Authorization  
25 Act of 2017.”.

1 (g) HOMELAND SECURITY ADVISORY COUNCIL.—  
2 Subsection (b) of section 102 of the Homeland Security  
3 Act of 2002 (6 U.S.C. 112) is amended—

4 (1) in paragraph (2), by striking “and” at the  
5 end;

6 (2) in paragraph (3), by striking the period at  
7 the end and inserting “; and”; and

8 (3) by adding at the end the following new  
9 paragraph:

10 “(4) shall establish a Homeland Security Advi-  
11 sory Council to provide advice and recommendations  
12 on homeland-security-related matters.”.

13 (h) PROHIBITION ON NEW OFFICES.—No new office  
14 may be created to perform functions transferred by this  
15 section, other than as provided in section 709 of the  
16 Homeland Security Act of 2002, as amended by this Act.

17 (i) DEFINITIONS.—In this section each of the terms  
18 “functions”, “assets”, and “personnel” has the meaning  
19 given each such term under section 2 of the Homeland  
20 Security Act of 2002 (6 U.S.C. 101).

21 (j) DUPLICATION REVIEW.—

22 (1) REVIEW REQUIRED.—Not later than one  
23 year after the date of the enactment of this Act, the  
24 Secretary of Homeland Security shall complete a re-  
25 view of the functions and responsibilities of each De-

1       partment of Homeland Security component respon-  
2       sible for international affairs to identify and elimi-  
3       nate areas of unnecessary duplication.

4           (2) SUBMITTAL TO CONGRESS.—Not later than  
5       30 days after the completion of the review required  
6       under paragraph (1), the Secretary shall provide the  
7       results of the review to the Committee on Homeland  
8       Security of the House of Representatives and the  
9       Committee on Homeland Security and Governmental  
10      Affairs of the Senate.

11          (3) ACTION PLAN.—Not later than one year  
12      after the date of the enactment of this Act, the Sec-  
13      retary shall submit to the congressional homeland  
14      security committees an action plan, including correc-  
15      tive steps and an estimated date of completion, to  
16      address areas of duplication, fragmentation, and  
17      overlap and opportunities for cost savings and rev-  
18      enue enhancement, as identified by the Government  
19      Accountability Office based on the annual report of  
20      the Government Accountability Office entitled “Ad-  
21      ditional Opportunities to Reduce Fragmentation,  
22      Overlap, and Duplication and Achieve Other Finan-  
23      cial Benefits”.

1 **SEC. 109. CHIEF PROCUREMENT OFFICER.**

2 (a) IN GENERAL.—Title VII of the Homeland Secu-  
3 rity Act of 2002 (6 U.S.C. 341 et seq.) is amended by  
4 adding at the end the following new section:

5 **“SEC. 710. CHIEF PROCUREMENT OFFICER.**

6 “(a) IN GENERAL.—There is in the Department a  
7 Chief Procurement Officer, who shall serve as a senior  
8 business advisor to agency officials on procurement-re-  
9 lated matters and report directly to the Under Secretary  
10 for Management. The Chief Procurement Officer is the  
11 senior procurement executive for purposes of subsection  
12 (c) of section 1702 of title 41, United States Code, and  
13 shall perform procurement functions as specified in such  
14 subsection.

15 “(b) RESPONSIBILITIES.—The Chief Procurement  
16 Officer shall—

17 “(1) delegate or retain contracting authority, as  
18 appropriate;

19 “(2) issue procurement policies and oversee the  
20 heads of contracting activity of the Department to  
21 ensure compliance with those policies;

22 “(3) serve as the main liaison of the Depart-  
23 ment to industry on procurement-related issues;

24 “(4) account for the integrity, performance, and  
25 oversight of Department procurement and con-  
26 tracting functions;

1           “(5) ensure that procurement contracting strat-  
2           egies and plans are consistent with the intent and  
3           direction of the Acquisition Review Board;

4           “(6) oversee a centralized acquisition workforce  
5           certification and training program using, as appro-  
6           priate, existing best practices and acquisition train-  
7           ing opportunities from the Federal Government, pri-  
8           vate sector, or universities and colleges to include  
9           training on how best to identify actions that warrant  
10          referrals for suspension or debarment;

11          “(7) provide input on the periodic performance  
12          reviews of each head of contracting activity of the  
13          Department;

14          “(8) collect baseline data and use such data to  
15          establish performance measures on the impact of  
16          strategic sourcing initiatives on the private sector,  
17          including small businesses;

18          “(9) establish and implement policies and pro-  
19          cedures to effectively monitor and manage  
20          vulnerabilities in the supply chain for all Depart-  
21          ment purchases;

22          “(10) ensure that a fair proportion of the value  
23          of Federal contracts and subcontracts are awarded  
24          to small businesses (in accordance with the procure-  
25          ment contract goals under section 15(g) of the Small



1 Business Act (15 U.S.C. 644(g)), maximize opportu-  
2 nities for small business participation in such con-  
3 tracts, and ensure, to the extent practicable, small  
4 businesses that achieve qualified vendor status for  
5 security-related technologies are provided an oppor-  
6 tunity to compete for contracts for such technology;

7 “(11) conduct oversight of implementation of  
8 administrative agreements to resolve suspension or  
9 debarment proceedings and, upon request, provide  
10 information to the Committee on Homeland Security  
11 of the House of Representatives and the Committee  
12 on Homeland Security and Governmental Affairs of  
13 the Senate about the effectiveness of such agree-  
14 ments at improving contractor responsibility; and

15 “(12) carry out any other procurement duties  
16 that the Under Secretary for Management may des-  
17 ignate.

18 “(c) HEAD OF CONTRACTING ACTIVITY DEFINED.—  
19 In this section the term ‘head of contracting activity’  
20 means an official responsible for the creation, manage-  
21 ment, and oversight of a team of procurement profes-  
22 sionals properly trained, certified, and warranted to ac-  
23 complish the acquisition of products and services on behalf  
24 of the designated components, offices, and organizations

1 of the Department, and as authorized, other government  
2 entities.”.

3 (b) CLERICAL AMENDMENT.—The table of contents  
4 in section 1(b) of such Act is amended by adding at the  
5 end of the items relating to title VII the following new  
6 item:

“Sec. 710. Chief Procurement Officer.”.

7 **SEC. 110. CHIEF SECURITY OFFICER.**

8 (a) IN GENERAL.—Title VII of the Homeland Secu-  
9 rity Act of 2002 (6 U.S.C. 341 et seq.) is further amended  
10 by adding at the end the following new section:

11 **“SEC. 711. CHIEF SECURITY OFFICER.**

12 “(a) IN GENERAL.—There is in the Department a  
13 Chief Security Officer, who shall report directly to the  
14 Under Secretary for Management.

15 “(b) RESPONSIBILITIES.—The Chief Security Officer  
16 shall—

17 “(1) develop and implement the security poli-  
18 cies, programs, and standards of the Department;

19 “(2) identify training and provide education to  
20 Department personnel on security-related matters;  
21 and

22 “(3) provide support to Department compo-  
23 nents on security-related matters.”.

24 (b) CLERICAL AMENDMENT.—The table of contents  
25 in section 1(b) of such Act is further amended by adding

1 at the end of the items relating to title VII the following  
2 new item:

“Sec. 711. Chief Security Officer.”.

3 **SEC. 111. OFFICE OF INSPECTOR GENERAL.**

4 (a) NOTIFICATION.—The heads of offices and compo-  
5 nents of the Department of Homeland Security shall  
6 promptly advise the Inspector General of the Department  
7 of all allegations of misconduct with respect to which the  
8 Inspector General has investigative authority under the  
9 Inspector General Act of 1978. The Inspector General  
10 may waive the notification requirement under this sub-  
11 section with respect to any category or subset of allega-  
12 tions of misconduct.

13 (b) RULE OF CONSTRUCTION.—Nothing in this sec-  
14 tion may be construed as affecting the authority of the  
15 Secretary of Homeland Security under subsection (a) of  
16 section 8I of the Inspector General Act of 1978 (5 U.S.C.  
17 App. 8I).

18 **SEC. 112. DEPARTMENT OF HOMELAND SECURITY ROTA-**  
19 **TION PROGRAM.**

20 (a) ENHANCEMENTS TO THE ROTATION PROGRAM.—  
21 Section 844 of the Homeland Security Act of 2002 (6)  
22 U.S.C. 414(a)) is amended—

23 (1) by striking “(a) ESTABLISHMENT.—”;

1           (2) by redesignating paragraphs (1) through  
2           (5) as subsections (a) through (e), respectively, and  
3           adjusting the margins accordingly;

4           (3) in subsection (a), as so redesignated—

5           (A) by striking “Not later than 180 days  
6           after the date of enactment of this section, the”  
7           and inserting “The”; and

8           (B) by striking “for employees of the De-  
9           partment” and inserting “for certain personnel  
10          within the Department”;

11          (4) in subsection (b), as so redesignated—

12          (A) by redesignating subparagraphs (A)  
13          through (G) as paragraphs (3) through (9), re-  
14          spectively, and adjusting the margins accord-  
15          ingly;

16          (B) by inserting before paragraph (3), as  
17          so redesignated, the following new paragraphs:

18          “(1) seek to foster greater departmental inte-  
19          gration and unity of effort;

20          “(2) seek to help enhance the knowledge, skills,  
21          and abilities of participating personnel with respect  
22          to the programs, policies, and activities of the De-  
23          partment;”;

24          (C) in paragraph (4), as so redesignated,  
25          by striking “middle and senior level”; and

1 (D) in paragraph (7), as so redesignated,  
2 by inserting before “invigorate” the following:  
3 “seek to improve morale and retention through-  
4 out the Department and”;

5 (5) in subsection (c), as redesignated by para-  
6 graph (2)—

7 (A) by redesignating subparagraphs (A)  
8 and (B) as paragraphs (1) and (2), respectively,  
9 and adjusting the margins accordingly; and

10 (B) in paragraph (2), as so redesignated—

11 (i) by striking clause (iii); and

12 (ii) by redesignating clauses (i), (ii),  
13 and (iv) through (viii) as subparagraphs  
14 (A) through (G), respectively, and adjust-  
15 ing the margins accordingly;

16 (6) by redesignating subsections (d) and (e), as  
17 redesignated by paragraph (2), as subsections (e)  
18 and (f), respectively;

19 (7) by inserting after subsection (c) the fol-  
20 lowing new subsection:

21 “(d) ADMINISTRATIVE MATTERS.—In carrying out  
22 the Rotation Program the Secretary shall—

23 “(1) before selecting employees for participation  
24 in the Rotation Program, disseminate information  
25 broadly within the Department about the availability

1 of the Rotation Program, qualifications for partici-  
2 pation in the Rotation Program, including full-time  
3 employment within the employing component or of-  
4 fice not less than one year, and the general provi-  
5 sions of the Rotation Program;

6 “(2) require as a condition of participation in  
7 the Rotation Program that an employee—

8 “(A) is nominated by the head of the com-  
9 ponent or office employing the employee; and

10 “(B) is selected by the Secretary, or the  
11 Secretary’s designee, solely on the basis of rel-  
12 ative ability, knowledge, and skills, after fair  
13 and open competition that assures that all can-  
14 didates receive equal opportunity;

15 “(3) ensure that each employee participating in  
16 the Rotation Program shall be entitled to return,  
17 within a reasonable period of time after the end of  
18 the period of participation, to the position held by  
19 the employee, or a corresponding or higher position,  
20 in the component or office that employed the em-  
21 ployee prior to the participation of the employee in  
22 the Rotation Program;

23 “(4) require that the rights that would be avail-  
24 able to the employee if the employee were detailed  
25 from the employing component or office to another

1 Federal agency or office remain available to the em-  
2 ployee during the employee participation in the Ro-  
3 tation Program; and

4 “(5) require that, during the period of partici-  
5 pation by an employee in the Rotation Program, per-  
6 formance evaluations for the employee—

7 “(A) shall be conducted by officials in the  
8 office or component employing the employee  
9 with input from the supervisors of the employee  
10 at the component or office in which the em-  
11 ployee is placed during that period; and

12 “(B) shall be provided the same weight  
13 with respect to promotions and other rewards  
14 as performance evaluations for service in the of-  
15 fice or component employing the employee.”;  
16 and

17 (8) by adding at the end the following new sub-  
18 section:

19 “(g) INTELLIGENCE ROTATIONAL ASSIGNMENT PRO-  
20 GRAM.—

21 “(1) ESTABLISHMENT.—The Secretary shall es-  
22 tablish an Intelligence Rotational Assignment Pro-  
23 gram as part of the Rotation Program under sub-  
24 section (a).

1           “(2) ADMINISTRATION.—The Chief Human  
2           Capital Officer, in conjunction with the Chief Intel-  
3           ligence Officer, shall administer the Intelligence Ro-  
4           tational Assignment Program established pursuant  
5           to paragraph (1).

6           “(3) ELIGIBILITY.—The Intelligence Rotational  
7           Assignment Program established pursuant to para-  
8           graph (1) shall be open to employees serving in ex-  
9           isting analyst positions within the Department’s In-  
10          telligence Enterprise and other Department employ-  
11          ees as determined appropriate by the Chief Human  
12          Capital Officer and the Chief Intelligence Officer.

13          “(4) COORDINATION.—The responsibilities  
14          specified in subsection (c)(2) that apply to the Rota-  
15          tion Program under such subsection shall, as appli-  
16          cable, also apply to the Intelligence Rotational As-  
17          signment Program under this subsection.”.

18          (b) CONGRESSIONAL NOTIFICATION AND OVER-  
19          SIGHT.—Not later than 120 days after the date of the en-  
20          actment of this Act, the Secretary of Homeland Security  
21          shall provide to the Committee on Homeland Security of  
22          the House of Representatives and the Committee on  
23          Homeland Security and Governmental Affairs of the Sen-  
24          ate information about the status of the Homeland Security  
25          Rotation Program authorized by section 844 of the Home-



1 land Security Act of 2002, as amended by subsection (a)  
2 of this section.

3 **SEC. 113. FUTURE YEARS HOMELAND SECURITY PROGRAM.**

4 (a) IN GENERAL.—Section 874 of the Homeland Se-  
5 curity Act of 2002 (6 U.S.C. 454) is amended—

6 (1) in the section heading, by striking “**YEAR**”  
7 and inserting “**YEARS**”;

8 (2) by striking subsection (a) and inserting the  
9 following:

10 “(a) IN GENERAL.—Not later than 60 days after the  
11 date on which the budget of the President is submitted  
12 to Congress under section 1105(a) of title 31, United  
13 States Code, the Secretary shall submit to the Committee  
14 on Homeland Security and Governmental Affairs of the  
15 Senate and the Committee on Homeland Security of the  
16 House of Representatives (referred to in this section as  
17 the ‘appropriate committees’) a Future Years Homeland  
18 Security Program that covers the fiscal year for which the  
19 budget is submitted and the 4 succeeding fiscal years.”;  
20 and

21 (3) by striking subsection (c) and inserting the  
22 following new subsections:

23 “(c) PROJECTION OF ACQUISITION ESTIMATES.—On  
24 and after February 1, 2018, each Future Years Homeland  
25 Security Program shall project—

1           “(1) acquisition estimates for the fiscal year for  
2           which the budget is submitted and the four suc-  
3           ceeding fiscal years, with specified estimates for each  
4           fiscal year, for all major acquisitions by the Depart-  
5           ment and each component of the Department; and

6           “(2) estimated annual deployment schedules for  
7           all physical asset major acquisitions over the five-fis-  
8           cal-year period described in paragraph (1) and the  
9           full operating capability for all information tech-  
10          nology major acquisitions.

11          “(d) SENSITIVE AND CLASSIFIED INFORMATION.—  
12          The Secretary may include with each Future Years Home-  
13          land Security Program a classified or other appropriately  
14          controlled document containing any information required  
15          to be submitted under this section that is restricted from  
16          public disclosure in accordance with Federal law or any  
17          Executive Order.

18          “(e) AVAILABILITY OF INFORMATION TO THE PUB-  
19          LIC.—The Secretary shall make available to the public in  
20          electronic form the information required to be submitted  
21          to the appropriate committees under this section, other  
22          than information described in subsection (d).”.

23          “(b) CLERICAL AMENDMENT.—The table of contents  
24          in section 1(b) of such Act is further amended by striking

1 the item relating to section 874 and inserting the following  
2 new item:

“874. Future Years Homeland Security Program.”.

3 **SEC. 114. FIELD EFFICIENCIES PLAN.**

4 (1) IN GENERAL.—Not later than 270 days  
5 after the date of the enactment of this Act, the Sec-  
6 retary of Homeland Security shall submit to the  
7 Committee on Homeland Security and the Com-  
8 mittee on Transportation and Infrastructure of the  
9 House of Representatives and Committee on Home-  
10 land Security and Governmental Affairs of the Sen-  
11 ate a field efficiencies plan that—

12 (A) examines the facilities and administra-  
13 tive and logistics functions of components of the  
14 Department of Homeland Security located with-  
15 in designated geographic areas; and

16 (B) provides specific recommendations and  
17 an associated cost-benefit analysis for the con-  
18 solidation of the facilities and administrative  
19 and logistics functions of components of the De-  
20 partment within each designated geographic  
21 area.

22 (2) CONTENTS.—The field efficiencies plan sub-  
23 mitted under paragraph (1) shall include the fol-  
24 lowing:

1           (A) An accounting of leases held by the  
2           Department or its components that have ex-  
3           pired in the current fiscal year or will be expir-  
4           ing in the next fiscal year, that have begun or  
5           been renewed in the current fiscal year, or that  
6           the Department or its components plan to sign  
7           or renew in the next fiscal year.

8           (B) For each designated geographic area—

9                   (i) An evaluation of specific facilities  
10                  at which components, or operational enti-  
11                  ties of components, of the Department may  
12                  be closed or consolidated, including consid-  
13                  eration of when leases expire or facilities  
14                  owned by the government become available.

15                   (ii) An evaluation of potential consoli-  
16                  dation with facilities of other Federal,  
17                  State, or local entities, including—

18                           (I) offices;

19                           (II) warehouses;

20                           (III) training centers;

21                           (IV) housing;

22                           (V) ports, shore facilities, and  
23                  airfields;

24                           (VI) laboratories; and

1 (VII) other assets as determined  
2 by the Secretary.

3 (iii) An evaluation of the potential for  
4 the consolidation of administrative and lo-  
5 gistics functions, including—

6 (I) facility maintenance;

7 (II) fleet vehicle services;

8 (III) mail handling and shipping  
9 and receiving;

10 (IV) facility security;

11 (V) procurement of goods and  
12 services;

13 (VI) information technology and  
14 telecommunications services and sup-  
15 port; and

16 (VII) additional ways to improve  
17 unity of effort and cost savings for  
18 field operations and related support  
19 activities as determined by the Sec-  
20 retary.

21 (C) An implementation plan, including—

22 (i) near-term actions that can co-lo-  
23 cate, consolidate, or dispose of property  
24 within 24 months;

1 (ii) identifying long-term occupancy  
2 agreements or leases that cannot be  
3 changed without a significant cost to the  
4 Government; and

5 (iii) how the Department can ensure  
6 it has the capacity, in both personnel and  
7 funds, needed to cover up-front costs to  
8 achieve consolidation and efficiencies.

9 (D) An accounting of any consolidation of  
10 the real estate footprint of the Department or  
11 any component of the Department, including  
12 the co-location of personnel from different com-  
13 ponents, offices, and agencies within the De-  
14 partment.

15 **SEC. 115. SUBMISSION TO CONGRESS OF INFORMATION RE-**  
16 **GARDING REPROGRAMMING OR TRANSFER**  
17 **OF DEPARTMENT OF HOMELAND SECURITY**  
18 **RESOURCES TO RESPOND TO OPERATIONAL**  
19 **SURGES.**

20 (a) IN GENERAL.—Title VII of the Homeland Secu-  
21 rity Act of 2002 is further amended by adding at the end  
22 the following new section:

1 **“SEC. 712. ANNUAL SUBMITTAL TO CONGRESS OF INFOR-**  
2 **MATION ON REPROGRAMMING OR TRANS-**  
3 **FERS OF FUNDS TO RESPOND TO OPER-**  
4 **ATIONAL SURGES.**

5 “For each fiscal year until fiscal year 2023, the Sec-  
6 retary of Homeland Security shall provide to the Com-  
7 mittee on Homeland Security of the House of Representa-  
8 tives and the Committee on Homeland Security and Gov-  
9 ernmental Affairs of the Senate, together with the annual  
10 budget request for the Department, information on—

11 “(1) any circumstance during the year covered  
12 by the report in which the Secretary exercised the  
13 authority to reprogram or transfer funds to address  
14 unforeseen costs, including costs associated with  
15 operational surges; and

16 “(2) any circumstance in which any limitation  
17 on the transfer or reprogramming of funds affected  
18 the ability of the Secretary to address such unfore-  
19 seen costs.”.

20 (b) CLERICAL AMENDMENT.—The table of contents  
21 in section 1(b) of such Act is further amended by adding  
22 at the end of the items relating to title VII the following  
23 new item:

“712. Annual submittal to Congress of information on reprogramming or trans-  
fers of funds to respond to operational surges.”.

1 **SEC. 116. REPORT TO CONGRESS ON COST SAVINGS AND**  
2 **EFFICIENCY.**

3 (a) IN GENERAL.—Not later than two years after the  
4 date of the enactment of this Act, the Secretary of Home-  
5 land Security, acting through the Under Secretary of  
6 Homeland Security for Management, shall submit to the  
7 congressional homeland security committees a report that  
8 includes each of the following:

9 (1) A detailed accounting of the management  
10 and administrative expenditures and activities of  
11 each component of the Department of Homeland Se-  
12 curity and identifies potential cost savings,  
13 avoidances, and efficiencies for those expenditures  
14 and activities.

15 (2) An examination of major physical assets of  
16 the Department, as defined by the Secretary;

17 (3) A review of the size, experience level, and  
18 geographic distribution of the operational personnel  
19 of the Department.

20 (4) Recommendations for adjustments in the  
21 management and administration of the Department  
22 that would reduce deficiencies in the capabilities of  
23 the Department, reduce costs, and enhance effi-  
24 ciencies.



1 (b) FORM OF REPORT.—The report required under  
2 subsection (a) shall be submitted in unclassified form but  
3 may include a classified annex.

4 **SEC. 117. RESEARCH AND DEVELOPMENT AND CBRNE OR-**  
5 **GANIZATIONAL REVIEW.**

6 (a) DEPARTMENT OF HOMELAND SECURITY RE-  
7 SEARCH AND DEVELOPMENT ACTIVITIES.—

8 (1) IN GENERAL.—The Secretary of Homeland  
9 Security shall assess the organization and manage-  
10 ment of the Department of Homeland Security’s re-  
11 search and development activities, and shall develop  
12 and submit to the Committee on Homeland Security  
13 and the Committee on Science, Space, and Tech-  
14 nology of the House of Representatives and the  
15 Committee on Homeland Security and Governmental  
16 Affairs of the Senate, not later than six months  
17 after the date of the enactment of this Act, a pro-  
18 posed organizational structure for the management  
19 of such research and development activities.

20 (2) ORGANIZATIONAL JUSTIFICATION.—The  
21 proposed organizational structure for the manage-  
22 ment of the Department of Homeland Security’s re-  
23 search and development activities included in the as-  
24 sessment required under paragraph (1) shall include  
25 the following:

1 (A) A discussion of the methodology for  
2 determining such proposed organizational struc-  
3 ture.

4 (B) A comprehensive inventory of research  
5 and development activities of the Department,  
6 and the proposed location of each activity under  
7 such proposed organizational structure.

8 (C) Information relating to how such pro-  
9 posed organizational structure will facilitate and  
10 promote enhanced coordination and better col-  
11 laboration between the Under Secretary for  
12 Science and Technology of the Department and  
13 the offices and components of the Department.

14 (D) Information relating to how such pro-  
15 posed organizational structure will support the  
16 development of research and development prior-  
17 ities and capabilities across the Department.

18 (E) A discussion of the resulting cost sav-  
19 ings and efficiencies from such proposed organi-  
20 zational structure.

21 (F) Recommendations for any necessary  
22 statutory changes.

23 (b) DEPARTMENT OF HOMELAND SECURITY CHEM-  
24 ICAL, BIOLOGICAL, RADIOLOGICAL, NUCLEAR, AND EX-  
25 PLOSIVES ACTIVITIES.—

1           (1) IN GENERAL.—The Secretary of Homeland  
2 Security shall assess the organization and manage-  
3 ment of the Department of Homeland Security’s  
4 chemical, biological, radiological, nuclear, and explo-  
5 sives activities, and shall develop and submit to the  
6 Committee on Homeland Security of the House of  
7 Representatives and the Committee on Homeland  
8 Security and Governmental Affairs of the Senate,  
9 not later than six months after the date of the en-  
10 actment of this Act, a proposed organizational struc-  
11 ture to ensure enhanced coordination and provide  
12 strengthened chemical, biological, radiological, nu-  
13 clear, and explosives capabilities in support of home-  
14 land security.

15           (2) ORGANZATIONAL JUSTIFICATION.—The pro-  
16 posed organizational structure for the management  
17 of the Department of Homeland Security’s chemical,  
18 biological, radiological, nuclear, and explosives activi-  
19 ties included in the assessment required under para-  
20 graph (1) shall include the following:

21           (A) A discussion of the methodology for  
22 determining such proposed organizational struc-  
23 ture.

24           (B) A comprehensive inventory of chem-  
25 ical, biological, radiological, nuclear, and explo-

1 sives activities of the Department, and the pro-  
2 posed location of each activity under such pro-  
3 posed organizational structure.

4 (C) Information relating to how such pro-  
5 posed organizational structure will enhance the  
6 development of chemical, biological, radiological,  
7 nuclear, and explosives priorities and capabili-  
8 ties across the Department.

9 (D) A discussion of the resulting cost sav-  
10 ings and efficiencies from such proposed organi-  
11 zational structure.

12 (E) Recommendations for any necessary  
13 statutory changes.

14 **TITLE II—DEPARTMENT OF**  
15 **HOMELAND SECURITY ACQUI-**  
16 **SITION ACCOUNTABILITY**  
17 **AND EFFICIENCY**

18 **SEC. 201. DEFINITIONS.**

19 (a) IN GENERAL.—Subtitle D of title VIII of the  
20 Homeland Security Act of 2002 is amended by inserting  
21 before section 831 the following new section:

22 **“SEC. 830. DEFINITIONS.**

23 “In this subtitle:

1           “(1) The term ‘acquisition’ has the meaning  
2           given such term in section 131 of title 41, United  
3           States Code.

4           “(2) The term ‘acquisition decision authority’  
5           means the authority, held by the Secretary acting  
6           through the Deputy Secretary or Under Secretary  
7           for Management to—

8                   “(A) ensure compliance with Federal law,  
9                   the Federal Acquisition Regulation, and De-  
10                  partment acquisition management directives;

11                  “(B) review (including approving, pausing,  
12                  modifying, or canceling) an acquisition program  
13                  through the life cycle of such program;

14                  “(C) ensure that acquisition program man-  
15                  agers have the resources necessary to success-  
16                  fully execute an approved acquisition program;

17                  “(D) ensure good acquisition program  
18                  management of cost, schedule, risk, and system  
19                  performance of the acquisition program at  
20                  issue, including assessing acquisition program  
21                  baseline breaches and directing any corrective  
22                  action for such breaches; and

23                  “(E) ensure that acquisition program man-  
24                  agers, on an ongoing basis, monitor cost, sched-  
25                  ule, and performance against established base-

1 lines and use tools to assess risks to an acquisi-  
2 tion program at all phases of the life cycle of  
3 such program to avoid and mitigate acquisition  
4 program baseline breaches.

5 “(3) The term ‘acquisition decision event’  
6 means, with respect to an acquisition program, a  
7 predetermined point within each of the acquisition  
8 phases at which the acquisition decision authority  
9 determines whether such acquisition program shall  
10 proceed to the next acquisition phase.

11 “(4) The term ‘acquisition decision memo-  
12 randum’ means, with respect to an acquisition, the  
13 official acquisition decision event record that in-  
14 cludes a documented record of decisions, exit cri-  
15 teria, and assigned actions for such acquisition, as  
16 determined by the person exercising acquisition deci-  
17 sion authority for such acquisition.

18 “(5) The term ‘acquisition program’ means the  
19 process by which the Department acquires, with any  
20 appropriated amounts, by contract for purchase or  
21 lease, property or services (including construction)  
22 that support the missions and goals of the Depart-  
23 ment.

24 “(6) The term ‘acquisition program baseline’,  
25 with respect to an acquisition program, means a

1 summary of the cost, schedule, and performance pa-  
2 rameters, expressed in standard, measurable, quan-  
3 titative terms, which must be met in order to accom-  
4 plish the goals of such program.

5 “(7) The term ‘best practices’, with respect to  
6 acquisition, means a knowledge-based approach to  
7 capability development that includes—

8 “(A) identifying and validating needs;

9 “(B) assessing alternatives to select the  
10 most appropriate solution;

11 “(C) clearly establishing well-defined re-  
12 quirements;

13 “(D) developing realistic cost assessments  
14 and schedules;

15 “(E) securing stable funding that matches  
16 resources to requirements;

17 “(F) demonstrating technology, design,  
18 and manufacturing maturity;

19 “(G) using milestones and exit criteria or  
20 specific accomplishments that demonstrate  
21 progress;

22 “(H) adopting and executing standardized  
23 processes with known success across programs;

1           “(I) establishing an adequate workforce  
2           that is qualified and sufficient to perform nec-  
3           essary functions; and

4           “(J) integrating the capabilities described  
5           in subparagraphs (A) through (I) into the De-  
6           partment’s mission and business operations.

7           “(8) The term ‘breach’, with respect to a major  
8           acquisition program, means a failure to meet any  
9           cost, schedule, or performance threshold specified in  
10          the most recently approved acquisition program  
11          baseline.

12          “(9) The term ‘congressional homeland security  
13          committees’ means—

14               “(A) the Committee on Homeland Security  
15               of the House of Representatives and the Com-  
16               mittee on Homeland Security and Govern-  
17               mental Affairs of the Senate; and

18               “(B) the Committee on Appropriations of  
19               the House of Representatives and of the Sen-  
20               ate.

21          “(10) The term ‘Component Acquisition Execu-  
22          tive’ means the senior acquisition official within a  
23          component who is designated in writing by the  
24          Under Secretary for Management, in consultation  
25          with the component head, with authority and re-



1       sponsibility for leading a process and staff to provide  
2       acquisition and program management oversight, pol-  
3       icy, and guidance to ensure that statutory, regu-  
4       latory, and higher level policy requirements are ful-  
5       filled, including compliance with Federal law, the  
6       Federal Acquisition Regulation, and Department ac-  
7       quisition management directives established by the  
8       Under Secretary for Management.

9               “(11) The term ‘major acquisition program’  
10       means a Department acquisition program that is es-  
11       timated by the Secretary to require an eventual total  
12       expenditure of at least \$300,000,000 (based on fis-  
13       cal year 2017 constant dollars) over its life cycle  
14       cost.”.

15       (b) CLERICAL AMENDMENT.—The table of contents  
16       in section 1(b) of such Act is further amended by inserting  
17       before the item relating to section 831 the following new  
18       item:

      “830. Definitions.”.

## 19   **Subtitle A—Acquisition Authorities**

### 20   **SEC. 211. ACQUISITION AUTHORITIES FOR UNDER SEC-** 21                   **RETARY FOR MANAGEMENT OF THE DEPART-** 22                   **MENT OF HOMELAND SECURITY.**

23       Section 701 of the Homeland Security Act of 2002  
24       (6 U.S.C. 341) is amended—

1 (1) in subsection (a)(2), by inserting “and ac-  
2 quisition management” after “procurement”;

3 (2) by redesignating subsections (d) and (e) as  
4 subsections (e) and (f), respectively; and

5 (3) by inserting after subsection (c) the fol-  
6 lowing new subsection:

7 “(d) ACQUISITION AND RELATED RESPONSIBIL-  
8 ITIES.—

9 “(1) IN GENERAL.—Notwithstanding subsection  
10 (a) of section 1702 of title 41, United States Code,  
11 the Under Secretary for Management is the Chief  
12 Acquisition Officer of the Department. As Chief Ac-  
13 quisition Officer, the Under Secretary shall have the  
14 authorities and perform the functions specified in  
15 subsection (b) of such section and shall perform all  
16 other functions and responsibilities delegated by the  
17 Secretary or described in this subsection.

18 “(2) FUNCTIONS AND RESPONSIBILITIES.—In  
19 addition to the authorities and functions specified in  
20 section 1702(b) of title 41, United States Code, the  
21 functions and responsibilities of the Under Secretary  
22 for Management related to acquisition include the  
23 following:

24 “(A) Advising the Secretary regarding ac-  
25 quisition management activities, taking into ac-

1 count risks of failure to achieve cost, schedule,  
2 or performance parameters, to ensure that the  
3 Department achieves its mission through the  
4 adoption of widely accepted program manage-  
5 ment best practices and standards and, where  
6 appropriate, acquisition innovation best prac-  
7 tices.

8 “(B) Leading the acquisition oversight  
9 body of the Department, the Acquisition Review  
10 Board, and exercising the acquisition decision  
11 authority to approve, pause, modify (including  
12 the rescission of approvals of program mile-  
13 stones), or cancel major acquisition programs,  
14 unless the Under Secretary delegates such au-  
15 thority to a Component Acquisition Executive  
16 pursuant to paragraph (3).

17 “(C) Establishing policies for acquisition  
18 that implement an approach that takes into ac-  
19 count risks of failure to achieve cost, schedule,  
20 or performance parameters that all components  
21 of the Department shall comply with, including  
22 outlining relevant authorities for program man-  
23 agers to effectively manage acquisition pro-  
24 grams.

1           “(D) Ensuring that each major acquisition  
2 program has a Department-approved acquisi-  
3 tion program baseline, pursuant to the Depart-  
4 ment’s acquisition management policy.

5           “(E) Ensuring that the heads of compo-  
6 nents and Component Acquisition Executives  
7 comply with Federal law, the Federal Acquisi-  
8 tion Regulation, and Department acquisition  
9 management directives.

10           “(F) Ensuring that grants and financial  
11 assistance are provided only to individuals and  
12 organizations that are not suspended or  
13 debarred.

14           “(G) Distributing guidance throughout the  
15 Department to ensure that contractors involved  
16 in acquisitions, particularly contractors that ac-  
17 cess the Department’s information systems and  
18 technologies, adhere to relevant Department  
19 policies related to physical and information se-  
20 curity as identified by the Under Secretary for  
21 Management.

22           “(H) Overseeing the Component Acquisi-  
23 tion Executive organizational structure to en-  
24 sure Component Acquisition Executives have

1 sufficient capabilities and comply with Depart-  
2 ment acquisition policies.

3 “(3) DELEGATION OF ACQUISITION DECISION  
4 AUTHORITY.—

5 “(A) LEVEL 3 ACQUISITIONS.—The Under  
6 Secretary for Management may delegate acqui-  
7 sition decision authority in writing to the rel-  
8 evant Component Acquisition Executive for an  
9 acquisition program that has a life cycle cost  
10 estimate of less than \$300,000,000.

11 “(B) LEVEL 2 ACQUISITIONS.—The Under  
12 Secretary for Management may delegate acqui-  
13 sition decision authority in writing to the rel-  
14 evant Component Acquisition Executive for a  
15 major acquisition program that has a life cycle  
16 cost estimate of at least \$300,000,000 but not  
17 more than \$1,000,000,000 if all of the following  
18 requirements are met:

19 “(i) The component concerned pos-  
20 sesses working policies, processes, and pro-  
21 cedures that are consistent with Depart-  
22 ment-level acquisition policy.

23 “(ii) The Component Acquisition Ex-  
24 ecutive concerned has adequate, experi-  
25 enced, and dedicated professional employ-

1           ees with program management training, as  
2           applicable, commensurate with the size of  
3           the acquisition programs and related ac-  
4           tivities delegated to such Component Ac-  
5           quisition Executive by the Under Secretary  
6           for Management.

7                   “(iii) Each major acquisition program  
8                   concerned has written documentation  
9                   showing that it has a Department-ap-  
10                  proved acquisition program baseline and it  
11                  is meeting agreed-upon cost, schedule, and  
12                  performance thresholds.

13                   “(4) RELATIONSHIP TO UNDER SECRETARY  
14                   FOR SCIENCE AND TECHNOLOGY.—

15                   “(A) IN GENERAL.—Nothing in this sub-  
16                   section shall diminish the authority granted to  
17                   the Under Secretary for Science and Tech-  
18                   nology under this Act. The Under Secretary for  
19                   Management and the Under Secretary for  
20                   Science and Technology shall cooperate in mat-  
21                   ters related to the coordination of acquisitions  
22                   across the Department so that investments of  
23                   the Directorate of Science and Technology are  
24                   able to support current and future requirements  
25                   of the components of the Department.

1                   “(B) OPERATIONAL TESTING AND EVALUA-  
2                   TION.—The Under Secretary for Science and  
3                   Technology shall—

4                   “(i) ensure, in coordination with rel-  
5                   evant component heads, that major acqui-  
6                   sition programs—

7                   “(I) complete operational testing  
8                   and evaluation of technologies and  
9                   systems;

10                  “(II) use independent verification  
11                  and validation of operational test and  
12                  evaluation implementation and re-  
13                  sults; and

14                  “(III) document whether such  
15                  programs meet all performance re-  
16                  quirements included in their acquisi-  
17                  tion program baselines;

18                  “(ii) ensure that such operational  
19                  testing and evaluation includes all system  
20                  components and incorporates operators  
21                  into the testing to ensure that systems per-  
22                  form as intended in the appropriate oper-  
23                  ational setting; and

24                  “(iii) determine if testing conducted  
25                  by other Federal agencies and private enti-

1 ties is relevant and sufficient in deter-  
2 mining whether systems perform as in-  
3 tended in the operational setting.

4 “(5) DEFINITIONS.—In this subsection, the  
5 terms ‘acquisition’, ‘best practices’, ‘acquisition deci-  
6 sion authority’, ‘major acquisition program’, ‘acqui-  
7 sition program baseline’, and ‘Component Acquisi-  
8 tion Executive’ have the meanings given such terms  
9 in section 830.”.

10 **SEC. 212. ACQUISITION AUTHORITIES FOR CHIEF FINAN-**  
11 **CIAL OFFICER OF THE DEPARTMENT OF**  
12 **HOMELAND SECURITY.**

13 Paragraph (2) of section 702(b) of the Homeland Se-  
14 curity Act of 2002 (6 U.S.C. 342(b)) is amended by add-  
15 ing at the end the following new subparagraph:

16 “(J) Oversee the costs of acquisition pro-  
17 grams and related activities to ensure that ac-  
18 tual and planned costs are in accordance with  
19 budget estimates and are affordable, or can be  
20 adequately funded, over the life cycle of such  
21 programs and activities.”.



1 **SEC. 213. ACQUISITION AUTHORITIES FOR CHIEF INFORMA-**  
2 **TION OFFICER OF THE DEPARTMENT OF**  
3 **HOMELAND SECURITY.**

4 Section 703 of the Homeland Security Act of 2002  
5 (6 U.S.C. 343) is amended—

6 (1) by redesignating subsection (b) as sub-  
7 section (c); and

8 (2) by inserting after subsection (a) the fol-  
9 lowing new subsection:

10 “(b) **ACQUISITION RESPONSIBILITIES.**—Notwith-  
11 standing section 11315 of title 40, United States Code,  
12 the acquisition responsibilities of the Chief Information  
13 Officer, in consultation with the Under Secretary for Man-  
14 agement, shall include the following:

15 “(1) Oversee the management of the Homeland  
16 Security Enterprise Architecture and ensure that,  
17 before each acquisition decision event (as such term  
18 is defined in section 830), approved information  
19 technology acquisitions comply with departmental in-  
20 formation technology management processes, tech-  
21 nical requirements, and the Homeland Security En-  
22 terprise Architecture, and in any case in which infor-  
23 mation technology acquisitions do not comply with  
24 the Department’s management directives, make rec-  
25 ommendations to the Acquisition Review Board re-  
26 garding such noncompliance.

1           “(2) Be responsible for providing recommenda-  
2           tions to the Acquisition Review Board regarding in-  
3           formation technology programs, and be responsible  
4           for developing information technology acquisition  
5           strategic guidance.”.

6   **SEC. 214. ACQUISITION AUTHORITIES FOR PROGRAM AC-**  
7                           **COUNTABILITY AND RISK MANAGEMENT.**

8           (a) IN GENERAL.—Title VII of the Homeland Secu-  
9           rity Act of 2002 (6 U.S.C. 341 et seq.) is further amended  
10          by adding at the end the following:

11   **“SEC. 713. ACQUISITION AUTHORITIES FOR PROGRAM AC-**  
12                           **COUNTABILITY AND RISK MANAGEMENT.**

13          “(a) ESTABLISHMENT OF OFFICE.—There is in the  
14          Management Directorate of the Department an office to  
15          be known as ‘Program Accountability and Risk Manage-  
16          ment’. The purpose of the office is to—

17                 “(1) provide consistent accountability, stand-  
18                 ardization, and transparency of major acquisition  
19                 programs of the Department; and

20                 “(2) serve as the central oversight function for  
21                 all Department acquisition programs.

22          “(b) RESPONSIBILITIES OF EXECUTIVE DIREC-  
23          TOR.—The Program Accountability and Risk Management  
24          shall be led by an Executive Director to oversee the re-  
25          quirement under subsection (a). The Executive Director

1 shall report directly to the Under Secretary for Manage-  
2 ment, and shall carry out the following responsibilities:

3           “(1) Monitor regularly the performance of De-  
4 partment acquisition programs between acquisition  
5 decision events to identify problems with cost, per-  
6 formance, or schedule that components may need to  
7 address to prevent cost overruns, performance  
8 issues, or schedule delays.

9           “(2) Assist the Under Secretary for Manage-  
10 ment in managing the acquisition programs and re-  
11 lated activities of the Department.

12           “(3) Conduct oversight of individual acquisition  
13 programs to implement Department acquisition pro-  
14 gram policy, procedures, and guidance with a pri-  
15 ority on ensuring the data the office collects and  
16 maintains from Department components is accurate  
17 and reliable.

18           “(4) Serve as the focal point and coordinator  
19 for the acquisition life cycle review process and as  
20 the executive secretariat for the Acquisition Review  
21 Board.

22           “(5) Advise the persons having acquisition deci-  
23 sion authority in making acquisition decisions con-  
24 sistent with all applicable laws and in establishing  
25 clear lines of authority, accountability, and responsi-

1 bility for acquisition decision making within the De-  
2 partment.

3 “(6) Engage in the strategic planning and per-  
4 formance evaluation process required under section  
5 306 of title 5, United States Code, and sections  
6 1105(a)(28), 1115, 1116, and 9703 of title 31,  
7 United States Code, by supporting the Chief Pro-  
8 curement Officer in developing strategies and spe-  
9 cific plans for hiring, training, and professional de-  
10 velopment in order to rectify any deficiency within  
11 the Department’s acquisition workforce.

12 “(7) Develop standardized certification stand-  
13 ards in consultation with the Component Acquisition  
14 Executives for all acquisition program managers.

15 “(8) In the event that a certification or action  
16 of an acquisition program manager needs review for  
17 purposes of promotion or removal, provide input, in  
18 consultation with the relevant Component Acquisi-  
19 tion Executive, into the performance evaluation of  
20 the relevant acquisition program manager and report  
21 positive or negative experiences to the relevant certi-  
22 fying authority.

23 “(9) Provide technical support and assistance  
24 to Department acquisitions and acquisition per-

1       sonnel in conjunction with the Chief Procurement  
2       Officer.

3               “(10) Prepare the Comprehensive Acquisition  
4       Status Report for the Department, as required by  
5       title I of division D of the Consolidated Appropria-  
6       tions Act, 2016 (Public Law 114–113), and make  
7       such report available to the congressional homeland  
8       security committees.

9               “(c) RESPONSIBILITIES OF COMPONENTS.—Each  
10      head of a component shall comply with Federal law, the  
11      Federal Acquisition Regulation, and Department acquisi-  
12      tion management directives established by the Under Sec-  
13      retary for Management. For each major acquisition pro-  
14      gram, each head of a component shall—

15              “(1) define baseline requirements and document  
16      changes to such requirements, as appropriate;

17              “(2) establish a complete life cycle cost estimate  
18      with supporting documentation, including an acquisi-  
19      tion program baseline;

20              “(3) verify each life cycle cost estimate against  
21      independent cost estimates, and reconcile any dif-  
22      ferences;

23              “(4) complete a cost-benefit analysis with sup-  
24      porting documentation;

1           “(5) develop and maintain a schedule that is  
2           consistent with scheduling best practices as identi-  
3           fied by the Comptroller General of the United  
4           States, including, in appropriate cases, an integrated  
5           master schedule; and

6           “(6) ensure that all acquisition program infor-  
7           mation provided by the component is complete, accu-  
8           rate, timely, and valid.

9           “(d) CONGRESSIONAL HOMELAND SECURITY COM-  
10          MITTEES DEFINED.—In this section, the term ‘congres-  
11          sional homeland security committees’ means—

12           “(1) the Committee on Homeland Security of  
13           the House of Representatives and the Committee on  
14           Homeland Security and Governmental Affairs of the  
15           Senate; and

16           “(2) the Committee on Appropriations of the  
17           House of Representatives and the Committee on Ap-  
18           propriations of the Senate.

19          **“SEC. 714. ACQUISITION DOCUMENTATION.**

20           “(a) IN GENERAL.—For each major acquisition pro-  
21           gram, the Executive Director responsible for the prepara-  
22           tion of the Comprehensive Acquisition Status Report, pur-  
23           suant to paragraph (11) of section 710(b), shall require  
24           certain acquisition documentation to be submitted by De-  
25           partment components or offices.

1           “(b) WAIVER.—The Secretary may waive the require-  
2 ment for submission under subsection (a) for a program  
3 for a fiscal year if either—

4           “(1) the program has not—

5           “(A) entered the full rate production phase  
6 in the acquisition life cycle;

7           “(B) had a reasonable cost estimate estab-  
8 lished; and

9           “(C) had a system configuration defined  
10 fully; or

11           “(2) the program does not meet the definition  
12 of ‘capital asset’, as defined by the Director of the  
13 Office of Management and Budget.

14           “(c) CONGRESSIONAL OVERSIGHT.—At the same  
15 time the President’s budget is submitted for a fiscal year  
16 under section 1105(a) of title 31, United States Code, the  
17 Secretary shall submit to the Committee on Homeland Se-  
18 curity of the House of Representatives and Committee on  
19 Homeland Security and Governmental Affairs of the Sen-  
20 ate information on the exercise of authority under sub-  
21 section (b) in the prior fiscal year that includes the fol-  
22 lowing specific information regarding each program for  
23 which a waiver is issued under subsection (b):

24           “(1) The grounds for granting a waiver for that  
25 program.

1 “(2) The projected cost of that program.

2 “(3) The proportion of a component’s annual  
3 acquisition budget attributed to that program, as  
4 available.

5 “(4) Information on the significance of the pro-  
6 gram with respect to the component’s operations and  
7 execution of its mission.”.

8 (b) CLERICAL AMENDMENT.—The table of contents  
9 in section 1(b) of the Homeland Security Act of 2002 is  
10 amended by inserting after the item relating to section  
11 709 the following new items:

“Sec. 713. Acquisition authorities for Program Accountability and Risk Man-  
agement.

“Sec. 714. Acquisition documentation.”.

12 **Subtitle B—Acquisition Program**  
13 **Management Discipline**

14 **SEC. 221. ACQUISITION REVIEW BOARD.**

15 (a) IN GENERAL.—Subtitle D of title VIII of the  
16 Homeland Security Act of 2002 (6 U.S.C. 391 et seq.)  
17 is amended by adding at the end the following new section:

18 **“SEC. 836. ACQUISITION REVIEW BOARD.**

19 “(a) IN GENERAL.—The Secretary shall establish an  
20 Acquisition Review Board (in this section referred to as  
21 the ‘Board’) to—

22 “(1) strengthen accountability and uniformity  
23 within the Department acquisition review process;

24 “(2) review major acquisition programs; and



1 “(3) review the use of best practices.

2 “(b) COMPOSITION.—The Under Secretary for Man-  
3 agement shall serve as chair of the Board. The Secretary  
4 shall also ensure participation by other relevant Depart-  
5 ment officials, including at least two component heads or  
6 their designees, as permanent members of the Board.

7 “(c) MEETINGS.—The Board shall meet regularly for  
8 purposes of ensuring all acquisitions processes proceed in  
9 a timely fashion to achieve mission readiness. The Board  
10 shall convene at the discretion of the Secretary and at any  
11 time—

12 “(1) a major acquisition program—

13 “(A) requires authorization to proceed  
14 from one acquisition decision event to another  
15 throughout the acquisition life cycle;

16 “(B) is in breach of its approved require-  
17 ments; or

18 “(C) requires additional review, as deter-  
19 mined by the Under Secretary for Management;  
20 or

21 “(2) a non-major acquisition program requires  
22 review, as determined by the Under Secretary for  
23 Management.

24 “(d) RESPONSIBILITIES.—The responsibilities of the  
25 Board are as follows:

1           “(1) Determine whether a proposed acquisition  
2           has met the requirements of key phases of the acqui-  
3           sition life cycle framework and is able to proceed to  
4           the next phase and eventual full production and de-  
5           ployment.

6           “(2) Oversee whether a proposed acquisition’s  
7           business strategy, resources, management, and ac-  
8           countability is executable and is aligned to strategic  
9           initiatives.

10          “(3) Support the person with acquisition deci-  
11          sion authority for an acquisition in determining the  
12          appropriate direction for such acquisition at key ac-  
13          quisition decision events.

14          “(4) Conduct systematic reviews of acquisitions  
15          to ensure that such acquisitions are progressing in  
16          compliance with the approved documents for their  
17          current acquisition phases.

18          “(5) Review the acquisition documents of each  
19          major acquisition program, including the acquisition  
20          program baseline and documentation reflecting con-  
21          sideration of tradeoffs among cost, schedule, and  
22          performance objectives, to ensure the reliability of  
23          underlying data.

24          “(6) Ensure that practices are adopted and im-  
25          plemented to require consideration of trade-offs

1 among cost, schedule, and performance objectives as  
2 part of the process for developing requirements for  
3 major acquisition programs prior to the initiation of  
4 the second acquisition decision event, including, at a  
5 minimum, the following practices:

6 “(A) Department officials responsible for  
7 acquisition, budget, and cost estimating func-  
8 tions are provided with the appropriate oppor-  
9 tunity to develop estimates and raise cost and  
10 schedule matters before performance objectives  
11 are established for capabilities when feasible.

12 “(B) Full consideration is given to possible  
13 trade-offs among cost, schedule, and perform-  
14 ance objectives for each alternative.

15 “(e) ACQUISITION PROGRAM BASELINE REPORT RE-  
16 QUIREMENT.—If the person exercising acquisition decision  
17 authority over a major acquisition program approves such  
18 program to proceed into the planning phase before such  
19 program has a Department-approved acquisition program  
20 baseline, the Under Secretary for Management shall cre-  
21 ate and approve an acquisition program baseline report  
22 regarding such approval, and the Secretary shall—

23 “(1) within seven days after an acquisition deci-  
24 sion memorandum is signed, notify in writing the  
25 Committee on Homeland Security of the House of

1 Representatives and the Committee on Homeland  
2 Security and Governmental Affairs of the Senate of  
3 such decision; and

4 “(2) within 60 days after the acquisition deci-  
5 sion memorandum is signed, submit to such commit-  
6 tees a report stating the rationale for such decision  
7 and a plan of action to require an acquisition pro-  
8 gram baseline for such program.

9 “(f) REPORT.—The Under Secretary for Manage-  
10 ment shall provide information to the Committee on  
11 Homeland Security of the House of Representatives and  
12 the Committee on Homeland Security and Governmental  
13 Affairs of the Senate on an annual basis through fiscal  
14 year 2022 on the activities of the Board for the prior fiscal  
15 year that includes information relating to the following:

16 “(1) For each meeting of the Board, any acqui-  
17 sition decision memoranda.

18 “(2) Results of the systematic reviews con-  
19 ducted pursuant to paragraph (4) of subsection (d).

20 “(3) Results of acquisition document reviews re-  
21 quired pursuant to paragraph (5) of subsection (d).

22 “(4) Activities to ensure that practices are  
23 adopted and implemented throughout the Depart-  
24 ment pursuant to paragraph (6) of subsection (d).”.

1 (b) CLERICAL AMENDMENT.—The table of contents  
2 in section 1(b) of the Homeland Security Act of 2002 (6  
3 U.S.C. 101 et seq.) is further amended by adding after  
4 the item relating to section 835 the following new item:  
“Sec. 836. Acquisition Review Board.”.

5 **SEC. 222. REQUIREMENTS TO REDUCE DUPLICATION IN AC-**  
6 **QUISITION PROGRAMS.**

7 (a) IN GENERAL.—Subtitle D of title VIII of the  
8 Homeland Security Act of 2002 (6 U.S.C. 391 et seq.)  
9 is further amended by adding at the end the following new  
10 section:

11 **“SEC. 837. REQUIREMENTS TO REDUCE DUPLICATION IN**  
12 **ACQUISITION PROGRAMS.**

13 “(a) REQUIREMENT TO ESTABLISH POLICIES.—In  
14 an effort to reduce unnecessary duplication and ineffi-  
15 ciency for all Department investments, including major ac-  
16 quisition programs, the Deputy Secretary, in consultation  
17 with the Under Secretary for Management, shall establish  
18 Department-wide policies to integrate all phases of the in-  
19 vestment life cycle and help the Department identify, vali-  
20 date, and prioritize common component requirements for  
21 major acquisition programs in order to increase opportuni-  
22 ties for effectiveness and efficiencies. The policies shall  
23 also include strategic alternatives for developing and facili-  
24 tating a Department component-driven requirements proc-  
25 ess that includes oversight of a development test and eval-

1 uation capability; identification of priority gaps and over-  
2 laps in Department capability needs; and provision of fea-  
3 sible technical alternatives, including innovative commer-  
4 cially available alternatives, to meet capability needs.

5       “(b) MECHANISMS TO CARRY OUT REQUIREMENT.—  
6 The Under Secretary for Management shall coordinate the  
7 actions necessary to carry out subsection (a), using such  
8 mechanisms as considered necessary by the Secretary to  
9 help the Department reduce unnecessary duplication and  
10 inefficiency for all Department investments, including  
11 major acquisition programs.

12       “(c) COORDINATION.—In coordinating the actions  
13 necessary to carry out subsection (a), the Deputy Sec-  
14 retary shall consult with the Under Secretary for Manage-  
15 ment, Component Acquisition Executives, and any other  
16 Department officials, including the Under Secretary for  
17 Science and Technology or his designee, with specific  
18 knowledge of Department or component acquisition capa-  
19 bilities to prevent unnecessary duplication of require-  
20 ments.

21       “(d) ADVISORS.—The Deputy Secretary, in consulta-  
22 tion with the Under Secretary for Management, shall seek  
23 and consider input within legal and ethical boundaries  
24 from members of Federal, State, local, and tribal govern-  
25 ments, nonprofit organizations, and the private sector, as

1 appropriate, on matters within their authority and exper-  
2 tise in carrying out the Department's mission.

3       “(e) MEETINGS.—The Deputy Secretary, in consulta-  
4 tion with the Under Secretary for Management, shall meet  
5 at least quarterly and communicate with components often  
6 to ensure that components do not overlap or duplicate  
7 spending or activities on major investments and acquisi-  
8 tion programs within their areas of responsibility.

9       “(f) RESPONSIBILITIES.—In carrying out this sec-  
10 tion, the responsibilities of the Deputy Secretary, in con-  
11 sultation with the Under Secretary for Management, are  
12 as follows:

13           “(1) To review and validate the requirements  
14 documents of major investments and acquisition pro-  
15 grams prior to acquisition decision events of the in-  
16 vestments or programs.

17           “(2) To ensure the requirements and scope of  
18 a major investment or acquisition program are sta-  
19 ble, measurable, achievable, at an acceptable risk  
20 level, and match the resources planned to be avail-  
21 able.

22           “(3) Before any entity of the Department  
23 issues a solicitation for a new contract, coordinate  
24 with other Department entities as appropriate to

1 prevent unnecessary duplication and inefficiency  
2 and—

3 “(A) to implement portfolio reviews to  
4 identify common mission requirements and  
5 crosscutting opportunities among components  
6 to harmonize investments and requirements and  
7 prevent unnecessary overlap and duplication  
8 among components; and

9 “(B) to the extent practicable, to stand-  
10 ardize equipment purchases, streamline the ac-  
11 quisition process, improve efficiencies, and con-  
12 duct best practices for strategic sourcing.

13 “(4) To ensure program managers of major in-  
14 vestments and acquisition programs conduct anal-  
15 yses, giving particular attention to factors such as  
16 cost, schedule, risk, performance, and operational ef-  
17 ficiency in order to determine that programs work as  
18 intended within cost and budget expectations.

19 “(5) To propose schedules for delivery of the  
20 operational capability needed to meet each Depart-  
21 ment investment and major acquisition program.”.

22 (b) CLERICAL AMENDMENT.—The table of contents  
23 in section 1(b) of the Homeland Security Act of 2002 (6  
24 U.S.C. 101 et seq.) is further amended by adding after  
25 the item relating to section 836 the following new item:

“Sec. 837. Requirements to reduce duplication in acquisition programs.”.



1 **SEC. 223. GOVERNMENT ACCOUNTABILITY OFFICE REVIEW**  
2 **OF BOARD AND OF REQUIREMENTS TO RE-**  
3 **DUCE DUPLICATION IN ACQUISITION PRO-**  
4 **GRAMS.**

5 (a) REVIEW REQUIRED.—The Comptroller General  
6 of the United States shall conduct a review of the effec-  
7 tiveness of the Acquisition Review Board established  
8 under section 836 of the Homeland Security Act of 2002  
9 (as added by section 221) and the requirements to reduce  
10 unnecessary duplication in acquisition programs estab-  
11 lished under section 837 of such Act (as added by section  
12 222) in improving the Department’s acquisition manage-  
13 ment process.

14 (b) SCOPE OF REPORT.—The review shall include the  
15 following:

16 (1) An assessment of the effectiveness of the  
17 Board in increasing program management oversight,  
18 best practices and standards, and discipline among  
19 the components of the Department, including in  
20 working together and in preventing overlap and un-  
21 necessary duplication.

22 (2) An assessment of the effectiveness of the  
23 Board in instilling program management discipline.

24 (3) A statement of how regularly each major  
25 acquisition program is reviewed by the Board, how  
26 often the Board stops major acquisition programs

1 from moving forward in the phases of the acquisition  
2 life cycle process, and the number of major acquisi-  
3 tion programs that have been halted because of  
4 problems with operational effectiveness, schedule  
5 delays, or cost overruns.

6 (4) An assessment of the effectiveness of the  
7 Board in impacting acquisition decisionmaking with-  
8 in the Department, including the degree to which  
9 the Board impacts decision making within other  
10 headquarters mechanisms and bodies involved in the  
11 administration of acquisition activities.

12 (c) REPORT REQUIRED.—Not later than one year  
13 after the date of the enactment of this Act, the Comp-  
14 troller General shall submit to the congressional homeland  
15 security committees a report on the review required by this  
16 section. The report shall be submitted in unclassified form  
17 but may include a classified annex.

18 **SEC. 224. EXCLUDED PARTY LIST SYSTEM WAIVERS.**

19 Not later than five days after the issuance of a waiver  
20 by the Secretary of Homeland Security of Federal require-  
21 ments that an agency not engage in business with a con-  
22 tractor in the Excluded Party List System (or successor  
23 system) as maintained by the General Services Adminis-  
24 tration, the Secretary shall submit to Congress notice of  
25 such waiver and an explanation for a finding by the Sec-

1 retary that a compelling reason exists for issuing such  
2 waiver.

3 **SEC. 225. INSPECTOR GENERAL OVERSIGHT OF SUSPEN-**  
4 **SION AND DEBARMENT.**

5 The Inspector General of the Department of Home-  
6 land Security—

7 (1) may audit decisions about grant and pro-  
8 curement awards to identify instances where a con-  
9 tract or grant was improperly awarded to a sus-  
10 pended or debarred entity and whether corrective ac-  
11 tions were taken to prevent recurrence; and

12 (2) shall review the suspension and debarment  
13 program throughout the Department of Homeland  
14 Security to assess whether suspension and debar-  
15 ment criteria are consistently applied throughout the  
16 Department and whether disparities exist in the ap-  
17 plication of such criteria, particularly with respect to  
18 business size and categories.

19 **Subtitle C—Acquisition Program**  
20 **Management Accountability and**  
21 **Transparency**

22 **SEC. 231. CONGRESSIONAL NOTIFICATION FOR MAJOR AC-**  
23 **QUISITION PROGRAMS.**

24 (a) IN GENERAL.—Subtitle D of title VIII of the  
25 Homeland Security Act of 2002 (6 U.S.C. 391 et seq.)

1 is further amended by adding at the end the following new  
2 section:

3 **“SEC. 838. CONGRESSIONAL NOTIFICATION AND OTHER RE-**  
4 **QUIREMENTS FOR MAJOR ACQUISITION PRO-**  
5 **GRAM BREACH.**

6 “(a) REQUIREMENTS WITHIN DEPARTMENT IN  
7 EVENT OF BREACH.—

8 “(1) NOTIFICATIONS.—

9 “(A) NOTIFICATION OF BREACH.—If a  
10 breach occurs in a major acquisition program,  
11 the program manager for such program shall  
12 notify the Component Acquisition Executive for  
13 such program, the head of the component con-  
14 cerned, the Executive Director of the Program  
15 Accountability and Risk Management division,  
16 the Under Secretary for Management, and the  
17 Deputy Secretary not later than 30 calendar  
18 days after such breach is identified.

19 “(B) NOTIFICATION TO SECRETARY.—If a  
20 breach occurs in a major acquisition program  
21 and such breach results in a cost overrun great-  
22 er than 15 percent, a schedule delay greater  
23 than 180 days, or a failure to meet any of the  
24 performance thresholds from the cost, schedule,  
25 or performance parameters specified in the

1 most recently approved acquisition program  
2 baseline for such program, the Component Ac-  
3 quisition Executive for such program shall no-  
4 tify the Secretary and the Inspector General of  
5 the Department not later than five business  
6 days after the Component Acquisition Executive  
7 for such program, the head of the component  
8 concerned, the Executive Director of the Pro-  
9 gram Accountability and Risk Management Di-  
10 vision, the Under Secretary for Management,  
11 and the Deputy Secretary are notified of the  
12 breach pursuant to subparagraph (A).

13 “(2) REMEDIATION PLAN AND ROOT CAUSE  
14 ANALYSIS.—

15 “(A) IN GENERAL.—If a breach occurs in  
16 a major acquisition program, the program man-  
17 ager for such program shall submit to the head  
18 of the component concerned, the Executive Di-  
19 rector of the Program Accountability and Risk  
20 Management division, and the Under Secretary  
21 for Management in writing a remediation plan  
22 and root cause analysis relating to such breach  
23 and program. Such plan and analysis shall be  
24 submitted at a date established at the discretion  
25 of the Under Secretary for Management.

1           “(B) REMEDIATION PLAN.—The remedi-  
2           ation plan required under this subparagraph  
3           (A) shall—

4                   “(i) explain the circumstances of the  
5                   breach at issue;

6                   “(ii) provide prior cost estimating in-  
7                   formation;

8                   “(iii) include a root cause analysis  
9                   that determines the underlying cause or  
10                  causes of shortcomings in cost, schedule,  
11                  or performance of the major acquisition  
12                  program with respect to which such breach  
13                  has occurred, including the role, if any,  
14                  of—

15                           “(I) unrealistic performance ex-  
16                           pectations;

17                           “(II) unrealistic baseline esti-  
18                           mates for cost or schedule or changes  
19                           in program requirements;

20                           “(III) immature technologies or  
21                           excessive manufacturing or integra-  
22                           tion risk;

23                           “(IV) unanticipated design, engi-  
24                           neering, manufacturing, or technology

1 integration issues arising during pro-  
2 gram performance;

3 “(V) changes to the scope of such  
4 program;

5 “(VI) inadequate program fund-  
6 ing or changes in planned out-year  
7 funding from one 5-year funding plan  
8 to the next 5-year funding plan as  
9 outlined in the Future Years Home-  
10 land Security Program required under  
11 section 874;

12 “(VII) legislative, legal, or regu-  
13 latory changes; or

14 “(VIII) inadequate program  
15 management personnel, including lack  
16 of sufficient number of staff, training,  
17 credentials, certifications, or use of  
18 best practices;

19 “(iv) propose corrective action to ad-  
20 dress cost growth, schedule delays, or per-  
21 formance issues;

22 “(v) explain the rationale for why a  
23 proposed corrective action is recommended;

24 and

1                   “(vi) in coordination with the Compo-  
2                   nent Acquisition Executive for such pro-  
3                   gram, discuss all options considered, in-  
4                   cluding the estimated impact on cost,  
5                   schedule, or performance of such program  
6                   if no changes are made to current require-  
7                   ments, the estimated cost of such program  
8                   if requirements are modified, and the ex-  
9                   tent to which funding from other programs  
10                  will need to be reduced to cover the cost  
11                  growth of such program.

12                  “(3) REVIEW OF CORRECTIVE ACTIONS.—

13                  “(A) IN GENERAL.—The Under Secretary  
14                  for Management shall review the remediation  
15                  plan required under paragraph (2). The Under  
16                  Secretary may approve such plan or provide an  
17                  alternative proposed corrective action within 30  
18                  days of the submission of such plan under such  
19                  paragraph.

20                  “(B) SUBMISSION TO CONGRESS.—Not  
21                  later than 30 days after the review required  
22                  under subparagraph (A) is completed, the  
23                  Under Secretary for Management shall submit  
24                  to the congressional homeland security commit-  
25                  tees the following:



1                   “(i) A copy of the remediation plan  
2                   and the root cause analysis required under  
3                   paragraph (2).

4                   “(ii) A statement describing the cor-  
5                   rective action or actions that have occurred  
6                   pursuant to paragraph (2)(b)(iv) for the  
7                   major acquisition program at issue, with a  
8                   justification for such action or actions.

9                   “(b) REQUIREMENTS RELATING TO CONGRESSIONAL  
10                  NOTIFICATION IF BREACH OCCURS.—

11                  “(1) NOTIFICATION TO CONGRESS.—If a notifi-  
12                  cation to the Secretary is made under subsection  
13                  (a)(1)(B) relating to a breach in a major acquisition  
14                  program, the Under Secretary for Management shall  
15                  notify the congressional homeland security commit-  
16                  tees of such breach in the next quarterly Com-  
17                  prehensive Acquisition Status Report, as required by  
18                  title I of division D of the Consolidated Appropria-  
19                  tions Act, 2016, (Public Law 114–113) following re-  
20                  ceipt by the Under Secretary of notification under  
21                  such subsection.

22                  “(2) SIGNIFICANT VARIANCES IN COSTS OR  
23                  SCHEDULE.—If a likely cost overrun is greater than  
24                  20 percent or a likely delay is greater than 12  
25                  months from the costs and schedule specified in the

1 acquisition program baseline for a major acquisition  
2 program, the Under Secretary for Management shall  
3 include in the notification required in paragraph (1)  
4 a written certification, with supporting explanation,  
5 that—

6 “(A) such program is essential to the ac-  
7 complishment of the Department’s mission;

8 “(B) there are no alternatives to the capa-  
9 bility or asset provided by such program that  
10 will provide equal or greater capability in both  
11 a more cost-effective and timely manner;

12 “(C) the new acquisition schedule and esti-  
13 mates for total acquisition cost are reasonable;  
14 and

15 “(D) the management structure for such  
16 program is adequate to manage and control  
17 cost, schedule, and performance.

18 “(e) CONGRESSIONAL HOMELAND SECURITY COM-  
19 MITTEES DEFINED.—In this section, the term ‘congres-  
20 sional homeland security committees’ means—

21 “(1) the Committee on Homeland Security of  
22 the House of Representatives and the Committee on  
23 Homeland Security and Governmental Affairs of the  
24 Senate; and

1           “(2) the Committee on Appropriations of the  
2           House of Representatives and the Committee on Ap-  
3           propriations of the Senate.”.

4           (b) CLERICAL AMENDMENT.—The table of contents  
5           in section 1(b) of the Homeland Security Act of 2002 is  
6           amended by inserting after the item relating to section  
7           835 the following new item:

          “Sec. 838. Congressional notification and other requirements for major acquisi-  
          tion program breach.”.

8           **SEC. 232. MULTIYEAR ACQUISITION STRATEGY.**

9           (a) IN GENERAL.—Subtitle D of title VIII of the  
10          Homeland Security Act of 2002 (6 U.S.C. 391 et seq.)  
11          is further amended by adding at the end the following new  
12          section:

13          **“SEC. 839. MULTIYEAR ACQUISITION STRATEGY.**

14          “(a) MULTIYEAR ACQUISITION STRATEGY RE-  
15          QUIRED.—

16                 “(1) IN GENERAL.—Not later than one year  
17                 after the date of the enactment of this section, the  
18                 Secretary shall submit to the appropriate congres-  
19                 sional committees and the Comptroller General of  
20                 the United States a multiyear acquisition strategy to  
21                 guide the overall direction of the acquisitions of the  
22                 Department while allowing flexibility to deal with  
23                 ever-changing threats and risks, and to help indus-  
24                 try better understand, plan, and align resources to

1 meet the future acquisition needs of the Depart-  
2 ment. Such strategy shall be updated and included  
3 in each Future Years Homeland Security Program  
4 required under section 874.

5 “(2) FORM.—The strategy required under para-  
6 graph (1) shall be submitted in unclassified form but  
7 may include a classified annex for any sensitive or  
8 classified information if necessary. The Secretary  
9 shall publish such strategy in an unclassified format  
10 that is publicly available.

11 “(b) CONSULTATION.—In developing the strategy re-  
12 quired under subsection (a), the Secretary shall, as the  
13 Secretary determines appropriate, consult with head-  
14 quarters, components, employees in the field, and individ-  
15 uals from industry and the academic community.

16 “(c) CONTENTS OF STRATEGY.—The strategy shall  
17 include the following:

18 “(1) PRIORITIZED LIST.—A systematic and in-  
19 tegrated prioritized list developed by the Under Sec-  
20 retary for Management in coordination with all of  
21 the Component Acquisition Executives of Depart-  
22 ment major acquisition programs that Department  
23 and component acquisition investments seek to ad-  
24 dress, including the expected security and economic  
25 benefit of the program or system that is the subject

1 of acquisition and an analysis of how the security  
2 and economic benefit derived from such program or  
3 system will be measured.

4 “(2) INVENTORY.—A plan to develop a reliable  
5 Department-wide inventory of investments and real  
6 property assets to help the Department—

7 “(A) plan, budget, schedule, and acquire  
8 upgrades of its systems and equipment; and

9 “(B) plan for the acquisition and manage-  
10 ment of future systems and equipment.

11 “(3) FUNDING GAPS.—A plan to address fund-  
12 ing gaps between funding requirements for major ac-  
13 quisition programs and known available resources,  
14 including, to the maximum extent practicable, ways  
15 of leveraging best practices to identify and eliminate  
16 overpayment for items to—

17 “(A) prevent wasteful purchasing;

18 “(B) achieve the greatest level of efficiency  
19 and cost savings by rationalizing purchases;

20 “(C) align pricing for similar items; and

21 “(D) utilize purchase timing and econo-  
22 mies of scale.

23 “(4) IDENTIFICATION OF CAPABILITIES.—An  
24 identification of test, evaluation, modeling, and sim-  
25 ulation capabilities that will be required to—

1           “(A) support the acquisition of tech-  
2 nologies to meet the needs of such strategy;

3           “(B) leverage to the greatest extent pos-  
4 sible emerging technological trends and re-  
5 search and development trends within the pub-  
6 lic and private sectors; and

7           “(C) identify ways to ensure that appro-  
8 priate technology is acquired and integrated  
9 into the Department’s operating doctrine to im-  
10 prove mission performance.

11           “(5) FOCUS ON FLEXIBLE SOLUTIONS.—An as-  
12 sessment of ways the Department can improve its  
13 ability to test and acquire innovative solutions to  
14 allow needed incentives and protections for appro-  
15 priate risk-taking in order to meet its acquisition  
16 needs with resiliency, agility, and responsiveness to  
17 assure homeland security and facilitate trade.

18           “(6) FOCUS ON INCENTIVES TO SAVE TAX-  
19 PAYER DOLLARS.—An assessment of ways the De-  
20 partment can develop incentives for program man-  
21 agers and senior Department acquisition officials  
22 to—

23           “(A) prevent cost overruns;

24           “(B) avoid schedule delays; and

1                   “(C) achieve cost savings in major acquisi-  
2                   tion programs.

3                   “(7) FOCUS ON ADDRESSING DELAYS AND BID  
4                   PROTESTS.—An assessment of ways the Department  
5                   can improve the acquisition process to minimize cost  
6                   overruns in—

7                   “(A) requirements development;

8                   “(B) procurement announcements;

9                   “(C) requests for proposals;

10                  “(D) evaluation of proposals;

11                  “(E) protests of decisions and awards; and

12                  “(F) the use of best practices.

13                  “(8) FOCUS ON IMPROVING OUTREACH.—An  
14                  identification and assessment of ways to increase op-  
15                  portunities for communication and collaboration with  
16                  industry, small and disadvantaged businesses, intra-  
17                  government entities, university centers of excellence,  
18                  accredited certification and standards development  
19                  organizations, and national laboratories to ensure  
20                  that the Department understands the market for  
21                  technologies, products, and innovation that is avail-  
22                  able to meet its mission needs and to inform the De-  
23                  partment’s requirements-setting process before en-  
24                  gaging in an acquisition, including—

1           “(A) methods designed especially to engage  
2           small and disadvantaged businesses, a cost-ben-  
3           efit analysis of the tradeoffs that small and dis-  
4           advantaged businesses provide, information re-  
5           lating to barriers to entry for small and dis-  
6           advantaged businesses, and information relating  
7           to unique requirements for small and disadvan-  
8           taged businesses; and

9           “(B) within the Department Vendor Com-  
10          munication Plan and Market Research Guide,  
11          instructions for interaction by acquisition pro-  
12          gram managers with such entities to—

13                 “(i) prevent misinterpretation of ac-  
14                 quisition regulations; and

15                 “(ii) permit, within legal and ethical  
16                 boundaries, interacting with such entities  
17                 with transparency.

18          “(9) COMPETITION.—A plan regarding competi-  
19          tion under subsection (d).

20          “(10) ACQUISITION WORKFORCE.—A plan re-  
21          garding the Department acquisition workforce under  
22          subsection (e).

23          “(d) COMPETITION PLAN.—The strategy required  
24          under subsection (a) shall also include a plan to address  
25          actions to ensure competition, or the option of competi-



1 tion, for major acquisition programs. Such plan may in-  
2 clude assessments of the following measures in appro-  
3 priate cases if such measures are cost effective:

4 “(1) Competitive prototyping.

5 “(2) Dual-sourcing.

6 “(3) Unbundling of contracts.

7 “(4) Funding of next-generation prototype sys-  
8 tems or subsystems.

9 “(5) Use of modular, open architectures to en-  
10 able competition for upgrades.

11 “(6) Acquisition of complete technical data  
12 packages.

13 “(7) Periodic competitions for subsystem up-  
14 grades.

15 “(8) Licensing of additional suppliers, including  
16 small businesses.

17 “(9) Periodic system or program reviews to ad-  
18 dress long-term competitive effects of program deci-  
19 sions.

20 “(e) ACQUISITION WORKFORCE PLAN.—

21 “(1) ACQUISITION WORKFORCE.—The strategy  
22 required under subsection (a) shall also include a  
23 plan to address Department acquisition workforce  
24 accountability and talent management that identifies  
25 the acquisition workforce needs of each component

1 performing acquisition functions and develops op-  
2 tions for filling such needs with qualified individuals,  
3 including a cost-benefit analysis of contracting for  
4 acquisition assistance.

5 “(2) ADDITIONAL MATTERS COVERED.—The  
6 acquisition workforce plan under this subsection  
7 shall address ways to—

8 “(A) improve the recruitment, hiring,  
9 training, and retention of Department acquisi-  
10 tion workforce personnel, including contracting  
11 officer’s representatives, in order to retain high-  
12 ly qualified individuals who have experience in  
13 the acquisition life cycle, complex procurements,  
14 and management of large programs;

15 “(B) empower program managers to have  
16 the authority to manage their programs in an  
17 accountable and transparent manner as such  
18 managers work with the acquisition workforce;

19 “(C) prevent duplication within Depart-  
20 ment acquisition workforce training and certifi-  
21 cation requirements through leveraging already-  
22 existing training within the Federal Govern-  
23 ment, academic community, or private industry;

24 “(D) achieve integration and consistency  
25 with Government-wide training and accredita-

1           tion standards, acquisition training tools, and  
2           training facilities;

3           “(E) designate the acquisition positions  
4           that will be necessary to support the Depart-  
5           ment acquisition requirements, including in the  
6           fields of—

7                   “(i) program management;

8                   “(ii) systems engineering;

9                   “(iii) procurement, including con-  
10           tracting;

11                   “(iv) test and evaluation;

12                   “(v) life cycle logistics;

13                   “(vi) cost estimating and program fi-  
14           nancial management; and

15                   “(vii) additional disciplines appro-  
16           priate to Department mission needs;

17           “(F) strengthen the performance of con-  
18           tracting officers’ representatives (as defined in  
19           subpart 1.602–2 and subpart 2.101 of the Fed-  
20           eral Acquisition Regulation), including by—

21                   “(i) assessing the extent to which  
22           such representatives are certified and re-  
23           ceive training that is appropriate;

1                   “(ii) assessing what training is most  
2                   effective with respect to the type and com-  
3                   plexity of assignment; and

4                   “(iii) implementing actions to improve  
5                   training based on such assessments; and

6                   “(G) identify ways to increase training for  
7                   relevant investigators and auditors of the De-  
8                   partment to examine fraud in major acquisition  
9                   programs, including identifying opportunities to  
10                  leverage existing Government and private sector  
11                  resources in coordination with the Inspector  
12                  General of the Department.”.

13           (b) CLERICAL AMENDMENT.—The table of contents  
14 in section 1(b) of the Homeland Security Act of 2002 is  
15 amended by inserting after the item relating to section  
16 835 the following new item:

          “Sec. 839. Multiyear acquisition strategy.”.

17           (c) GOVERNMENT ACCOUNTABILITY OFFICE REVIEW  
18 OF MULTI-YEAR ACQUISITION STRATEGY.—

19           (1) REVIEW.—After submission of the first  
20           multiyear acquisition strategy in accordance with  
21           section 839 of the Homeland Security Act of 2002,  
22           as added by subsection (a), after the date of the en-  
23           actment of this Act, the Comptroller General of the  
24           United States shall conduct a review of such plan

1       within 180 days to analyze the viability of such  
2       plan's effectiveness in the following:

3               (A) Complying with the requirements of  
4       such section 839.

5               (B) Establishing clear connections between  
6       Department of Homeland Security objectives  
7       and acquisition priorities.

8               (C) Demonstrating that Department acqui-  
9       sition policy reflects program management best  
10      practices and standards.

11              (D) Ensuring competition or the option of  
12      competition for major acquisition programs.

13              (E) Considering potential cost savings  
14      through using already-existing technologies  
15      when developing acquisition program require-  
16      ments.

17              (F) Preventing duplication within Depart-  
18      ment acquisition workforce training require-  
19      ments through leveraging already-existing train-  
20      ing within the Federal Government, academic  
21      community, or private industry.

22              (G) Providing incentives for acquisition  
23      program managers to reduce acquisition and  
24      procurement costs through the use of best prac-  
25      tices and disciplined program management.

1           (2) DEFINITIONS.—The terms “acquisition”,  
2           “best practices”, and “major acquisition programs”  
3           have the meaning given such terms in section 830  
4           of the Homeland Security Act of 2002, as added by  
5           section 201.

6           (3) REPORT.—Not later than 180 days after  
7           the completion of the review required by subsection  
8           (a), the Comptroller General of the United States  
9           shall submit to the Committee on Homeland Secu-  
10          rity and the Committee on Appropriations of the  
11          House of Representatives and the Committee on  
12          Homeland Security and Governmental Affairs and  
13          the Committee on Appropriations of the Senate a re-  
14          port on the review. Such report shall be submitted  
15          in unclassified form but may include a classified  
16          annex.

17 **SEC. 233. ACQUISITION REPORTS.**

18          (a) IN GENERAL.—Subtitle D of title VIII of the  
19          Homeland Security Act of 2002 (6 U.S.C. 391 et seq.)  
20          is further amended by adding at the end the following new  
21          section:

22 **“SEC. 840. ACQUISITION REPORTS.**

23          “(a) COMPREHENSIVE ACQUISITION STATUS RE-  
24          PORT.—

1           “(1) IN GENERAL.—At the same time as the  
2           President’s budget is submitted for a fiscal year  
3           under section 1105(a) of title 31, United States  
4           Code, the Under Secretary for Management shall  
5           submit to the congressional homeland security com-  
6           mittees an annual comprehensive acquisition status  
7           report. The report shall include the following:

8                   “(A) The information required under the  
9                   heading ‘Office of the Under Secretary for  
10                  Management’ under title I of division D of the  
11                  Consolidated Appropriations Act, 2012 (Public  
12                  Law 112–74) (as required under the Depart-  
13                  ment of Homeland Security Appropriations Act,  
14                  2013 (Public Law 113–6)).

15                  “(B) A listing of programs that have been  
16                  cancelled, modified, paused, or referred to the  
17                  Under Secretary for Management or Deputy  
18                  Secretary for additional oversight or action by  
19                  the Board, Department Office of Inspector  
20                  General, or the Comptroller General.

21                  “(C) A listing of established Executive  
22                  Steering Committees, which provide governance  
23                  of a program or related set of programs and  
24                  lower-tiered oversight, and support between ac-  
25                  quisition decision events and component re-

1 views, including the mission and membership  
2 for each.

3 “(2) INFORMATION FOR MAJOR ACQUISITION  
4 PROGRAMS.—For each major acquisition program,  
5 the report shall include the following:

6 “(A) A narrative description, including  
7 current gaps and shortfalls, the capabilities to  
8 be fielded, and the number of planned incre-  
9 ments or units.

10 “(B) Acquisition Review Board (or other  
11 board designated to review the acquisition) sta-  
12 tus of each acquisition, including the current  
13 acquisition phase, the date of the last review,  
14 and a listing of the required documents that  
15 have been reviewed with the dates reviewed or  
16 approved.

17 “(C) The most current, approved acquisi-  
18 tion program baseline (including project sched-  
19 ules and events).

20 “(D) A comparison of the original acquisi-  
21 tion program baseline, the current acquisition  
22 program baseline, and the current estimate.

23 “(E) Whether or not an independent  
24 verification and validation has been imple-



1           mented, with an explanation for the decision  
2           and a summary of any findings.

3           “(F) A rating of cost risk, schedule risk,  
4           and technical risk associated with the program  
5           (including narrative descriptions and mitigation  
6           actions).

7           “(G) Contract status (including earned  
8           value management data as applicable).

9           “(H) A lifecycle cost of the acquisition,  
10          and time basis for the estimate.

11          “(3) UPDATES.—The Under Secretary shall  
12          submit quarterly updates to such report not later  
13          than 45 days after the completion of each quarter.

14          “(b) QUARTERLY PROGRAM ACCOUNTABILITY RE-  
15          PORT.—The Under Secretary for Management shall pre-  
16          pare a quarterly program accountability report to meet the  
17          mandate of the Department to perform program health  
18          assessments and improve program execution and govern-  
19          ance. The report shall be submitted to the congressional  
20          homeland security committees.

21          “(c) CONGRESSIONAL HOMELAND SECURITY COM-  
22          MITTEES DEFINED.—In this section, the term ‘congres-  
23          sional homeland security committees’ means—

24                 “(1) the Committee on Homeland Security of  
25                 the House of Representatives and the Committee on

1 Homeland Security and Governmental Affairs of the  
2 Senate; and

3 “(2) the Committee on Appropriations of the  
4 House of Representatives and the Committee on Ap-  
5 propriations of the Senate.”.

6 (b) CLERICAL AMENDMENT.—The table of contents  
7 in section 1(b) of such Act is further amended by inserting  
8 after the item relating to section 839 the following new  
9 item:

“840. Acquisition reports.”.

10 **TITLE III—INTELLIGENCE AND**  
11 **INFORMATION SHARING**  
12 **Subtitle A—Department of Home-**  
13 **land Security Intelligence En-**  
14 **terprise**

15 **SEC. 301. HOMELAND INTELLIGENCE DOCTRINE.**

16 (a) IN GENERAL.—Subtitle A of title II of the Home-  
17 land Security Act of 2002 (6 U.S.C. 121 et seq.) is amend-  
18 ed by adding at the end the following new section:

19 **“SEC. 210G. HOMELAND INTELLIGENCE DOCTRINE.**

20 “(a) IN GENERAL.—Not later than 180 days after  
21 the date of the enactment of this section, the Secretary,  
22 acting through the Chief Intelligence Officer of the De-  
23 partment, in coordination with intelligence components of  
24 the Department, the Office of the General Counsel, the  
25 Privacy Office, and the Office for Civil Rights and Civil

1 Liberties, shall develop and disseminate written Depart-  
2 ment-wide guidance for the processing, analysis, produc-  
3 tion, and dissemination of homeland security information  
4 (as such term is defined in section 892) and terrorism in-  
5 formation (as such term is defined in section 1016 of the  
6 Intelligence Reform and Terrorism Prevention Act of  
7 2004 (6 U.S.C. 485)).

8 “(b) CONTENTS.—The guidance required under sub-  
9 section (a) shall, at a minimum, include the following:

10 “(1) A description of guiding principles and  
11 purposes of the Department’s intelligence enterprise.

12 “(2) A summary of the roles and responsibil-  
13 ities of each intelligence component of the Depart-  
14 ment and programs of the intelligence components of  
15 the Department in the processing, analysis, produc-  
16 tion, or dissemination of homeland security informa-  
17 tion and terrorism information, including relevant  
18 authorities and restrictions applicable to each intel-  
19 ligence component of the Department and programs  
20 of each such intelligence components.

21 “(3) Guidance for the processing, analysis, and  
22 production of such information.

23 “(4) Guidance for the dissemination of such in-  
24 formation, including within the Department, among  
25 and between Federal departments and agencies,

1 among and between State, local, tribal, and terri-  
2 torial governments, including law enforcement, and  
3 with foreign partners and the private sector.

4 “(5) An assessment and description of how the  
5 dissemination to the intelligence community (as such  
6 term is defined in section 3(4) of the National Secu-  
7 rity Act of 1947 (50 U.S.C. 3003(4))) and Federal  
8 law enforcement of homeland security information  
9 and terrorism information assists such entities in  
10 carrying out their respective missions.

11 “(c) FORM.—The guidance required under subsection  
12 (a) shall be submitted in unclassified form, but may in-  
13 clude a classified annex.

14 “(d) ANNUAL REVIEW.—For each of the five fiscal  
15 years beginning with the fiscal year that begins after the  
16 date of the enactment of this section, the Secretary shall  
17 conduct a review of the guidance required under sub-  
18 section (a) and, as appropriate, revise such guidance.”.

19 (b) 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 210F the following new item:

“Sec. 210G. Homeland intelligence doctrine.”.

1 **SEC. 302. ANALYSTS FOR THE CHIEF INTELLIGENCE OFFI-**  
2 **CER.**

3 Paragraph (1) of section 201(e) of the Homeland Se-  
4 curity Act of 2002 (6 U.S.C. 121(e)) is amended by add-  
5 ing at the end the following new sentence: “The Secretary  
6 shall also provide the Chief Intelligence Officer with a  
7 staff having appropriate expertise and experience to assist  
8 the Chief Intelligence Officer.”.

9 **SEC. 303. ANNUAL HOMELAND TERRORIST THREAT ASSESS-**  
10 **MENTS.**

11 (a) IN GENERAL.—Subtitle A of title II of the Home-  
12 land Security Act of 2002 (6 U.S.C. 121 et seq.), as  
13 amended by section 301 of this Act, is further amended  
14 by adding at the end the following new section:

15 **“SEC. 210H. HOMELAND TERRORIST THREAT ASSESS-**  
16 **MENTS.**

17 “(a) IN GENERAL.—Not later than 180 days after  
18 the date of the enactment of this section and for each of  
19 the next five fiscal years (beginning in the fiscal year that  
20 begins after the date of the enactment of this section) the  
21 Secretary, acting through the Under Secretary for Intel-  
22 ligence and Analysis, and using departmental information,  
23 including component information, and information pro-  
24 vided through State and major urban area fusion centers,  
25 shall conduct an assessment of the terrorist threat to the  
26 homeland.

1           “(b) CONTENTS.—Each assessment under subsection  
2 (a) shall include the following:

3           “(1) Empirical data assessing terrorist activi-  
4 ties and incidents over time in the United States, in-  
5 cluding terrorist activities and incidents planned or  
6 supported by persons outside of the United States  
7 targeting the homeland.

8           “(2) An evaluation of current terrorist tactics,  
9 as well as ongoing and possible future changes in  
10 terrorist tactics.

11           “(3) An assessment of criminal activity encoun-  
12 tered or observed by officers or employees of compo-  
13 nents in the field which is suspected of financing ter-  
14 rorist activity.

15           “(4) Detailed information on all individuals de-  
16 nied entry to or removed from the United States as  
17 a result of material support provided to a foreign  
18 terrorist organization (as such term is used in sec-  
19 tion 219 of the Immigration and Nationality Act (8  
20 U.S.C. 1189)).

21           “(5) The efficacy and spread of foreign ter-  
22 rorist organization propaganda, messaging, or re-  
23 cruitment.

1           “(6) An assessment of threats, including cyber  
2           threats, to the homeland, including to critical infra-  
3           structure and Federal civilian networks.

4           “(7) An assessment of current and potential  
5           terrorism and criminal threats posed by individuals  
6           and organized groups seeking to unlawfully enter the  
7           United States.

8           “(8) An assessment of threats to the transpor-  
9           tation sector, including surface and aviation trans-  
10          portation systems.

11          “(c) ADDITIONAL INFORMATION.—The assessments  
12          required under subsection (a)—

13                 “(1) shall, to the extent practicable, utilize ex-  
14                 isting component data collected from the field; and

15                 “(2) may incorporate relevant information and  
16                 analysis from other agencies of the Federal Govern-  
17                 ment, agencies of State and local governments (in-  
18                 cluding law enforcement agencies), as well as the  
19                 private sector, disseminated in accordance with  
20                 standard information sharing procedures and poli-  
21                 cies.

22          “(d) FORM.—The assessments required under sub-  
23          section (a) shall be shared with the appropriate congres-  
24          sional committees and submitted in classified form, but—

25                 “(1) shall include unclassified summaries; and

1           “(2) may include unclassified annexes, if appro-  
2           priate.”.

3           (b) CONFORMING AMENDMENT.—Subsection (d) of  
4 section 201 of the Homeland Security Act of 2002 (6  
5 U.S.C. 121) is amended by adding at the end the following  
6 new paragraph:

7           “(27) To carry out section 210H (relating to  
8           homeland terrorist threat assessments).”.

9           (c) CLERICAL AMENDMENT.—The table of contents  
10 of the Homeland Security Act of 2002 is amended by in-  
11 serting after the item relating to section 210F the fol-  
12 lowing new item:

          “Sec. 210H. Homeland terrorist threat assessments.”.

13 **SEC. 304. DEPARTMENT OF HOMELAND SECURITY DATA**  
14 **FRAMEWORK.**

15           (a) IN GENERAL.—The Secretary of Homeland Secu-  
16 rity shall develop a data framework to integrate existing  
17 Department of Homeland Security datasets and systems,  
18 as appropriate, for access by authorized personnel in a  
19 manner consistent with relevant legal authorities and pri-  
20 vacy, civil rights, and civil liberties policies and protec-  
21 tions. In developing such framework, the Secretary shall  
22 ensure, in accordance with all applicable statutory and  
23 regulatory requirements, the following information is in-  
24 cluded:



1           (1) All information acquired, held, or obtained  
2           by an office or component of the Department that  
3           falls within the scope of the information sharing en-  
4           vironment, including homeland security information,  
5           terrorism information, weapons of mass destruction  
6           information, and national intelligence.

7           (2) Any information or intelligence relevant to  
8           priority mission needs and capability requirements of  
9           the homeland security enterprise, as determined ap-  
10          propriate by the Secretary.

11          (b) DATA FRAMEWORK ACCESS.—

12           (1) IN GENERAL.—The Secretary of Homeland  
13          Security shall ensure that the data framework re-  
14          quired under this section is accessible to employees  
15          of the Department of Homeland Security who the  
16          Secretary determines—

17                   (A) have an appropriate security clearance;

18                   (B) are assigned to perform a function  
19                   that requires access to information in such  
20                   framework; and

21                   (C) are trained in applicable standards for  
22                   safeguarding and using such information.

23           (2) GUIDANCE.—The Secretary of Homeland  
24          Security shall—

1 (A) issue guidance for Department of  
2 Homeland Security employees authorized to ac-  
3 cess and contribute to the data framework pur-  
4 suant to paragraph (1); and

5 (B) ensure that such guidance enforces a  
6 duty to share between offices and components  
7 of the Department when accessing or contrib-  
8 uting to such framework for mission needs.

9 (3) EFFICIENCY.—The Secretary of Homeland  
10 Security shall instruct components of the Depart-  
11 ment of Homeland Security to make available infor-  
12 mation through the data framework under this sec-  
13 tion in a machine-readable format, to the greatest  
14 extent practicable.

15 (c) EXCLUSION OF INFORMATION.—The Secretary of  
16 Homeland Security may exclude from the data framework  
17 information that the Secretary determines access to or the  
18 confirmation of the existence of could—

19 (1) jeopardize the protection of sources, meth-  
20 ods, or activities;

21 (2) compromise a criminal or national security  
22 investigation;

23 (3) be inconsistent with the other Federal laws  
24 or regulations; or

1           (4) be duplicative or not serve an operational  
2           purpose if included in such framework.

3           (d) SAFEGUARDS.—The Secretary of Homeland Se-  
4           curity shall incorporate into the data framework systems  
5           capabilities for auditing and ensuring the security of infor-  
6           mation included in such framework. Such capabilities shall  
7           include the following:

8           (1) Mechanisms for identifying insider threats.

9           (2) Mechanisms for identifying security risks.

10          (3) Safeguards for privacy, civil rights, and civil  
11          liberties.

12          (e) DEADLINE FOR IMPLEMENTATION.—Not later  
13          than two years after the date of the enactment of this Act,  
14          the Secretary of Homeland Security shall ensure the com-  
15          pletion of the data framework required under this section  
16          and that such framework includes all appropriate informa-  
17          tion in existence within the Department of Homeland Se-  
18          curity.

19          (f) NOTICE TO CONGRESS.—

20               (1) OPERATIONAL NOTIFICATION.—Not later  
21               than 60 days after the date on which the data  
22               framework required under this section is fully oper-  
23               ational, the Secretary of Homeland Security shall  
24               provide notice to the appropriate congressional com-  
25               mittees of such.

1           (2) REGULAR STATUS.—The Secretary shall  
2 submit to the appropriate congressional committees  
3 regular updates on the status of the data framework  
4 required under this section, including, when applica-  
5 ble, the use of such data framework to support clas-  
6 sified operations.

7 (g) DEFINITIONS.—In this section:

8           (1) FINISHED ANALYSIS.—The term “finished  
9 analysis” means any document, briefing, report, or  
10 presentation for which an analyst has evaluated, in-  
11 terpreted, integrated, or placed into context informa-  
12 tion that falls within the scope of the information  
13 sharing environment, including homeland security  
14 information, terrorism information, weapons of mass  
15 destruction information, and national intelligence.

16           (2) INTELLIGENCE COMPONENT OF THE DE-  
17 PARTMENT.—The term “intelligence component of  
18 the Department” has the meaning given such term  
19 in section 2(11) of the Homeland Security Act of  
20 2002 (6 U.S.C. 101(11)).

21           (3) NATIONAL INTELLIGENCE.—The term “na-  
22 tional intelligence” has the meaning given such term  
23 in section 3(5) of the National Security Act of 1947  
24 (50 U.S.C. 3003(5)).

1           (4) APPROPRIATE CONGRESSIONAL COM-  
2           MITTEE.—The term “appropriate congressional com-  
3           mittee” has the meaning given such term in section  
4           2(2) of the Homeland Security Act of 2002 (6  
5           U.S.C. 101(11)).

6 **SEC. 305. ESTABLISHMENT OF INSIDER THREAT PROGRAM.**

7           (a) IN GENERAL.—Title I of the Homeland Security  
8           Act of 2002 (6 U.S.C. 111 et seq.) is amended by adding  
9           at the end the following new section:

10 **“SEC. 104. INSIDER THREAT PROGRAM.**

11           “(a) ESTABLISHMENT.—The Secretary shall estab-  
12           lish an Insider Threat Program within the Department.  
13           Such Program shall—

14                   “(1) provide training and education for Depart-  
15                   ment personnel to identify, prevent, mitigate, and re-  
16                   spond to insider threat risks to the Department’s  
17                   critical assets;

18                   “(2) provide investigative support regarding po-  
19                   tential insider threats that may pose a risk to the  
20                   Department’s critical assets; and

21                   “(3) conduct risk mitigation activities for in-  
22                   sider threats.

23           “(b) STEERING COMMITTEE.—

24                   “(1) IN GENERAL.—The Secretary shall estab-  
25                   lish a Steering Committee within the Department.

1       The Under Secretary for Intelligence and Analysis  
2       shall serve as the Chair of the Steering Committee.  
3       The Chief Security Officer shall serve as the Vice  
4       Chair. The Steering Committee shall be comprised  
5       of representatives of the Office of Intelligence and  
6       Analysis, the Office of the Chief Information Officer,  
7       the Office of the General Counsel, the Office for  
8       Civil Rights and Civil Liberties, the Privacy Office,  
9       the Office of the Chief Human Capital Officer, the  
10      Office of the Chief Financial Officer, the Federal  
11      Protective Service, the Office of the Chief Procure-  
12      ment Officer, the Science and Technology Direc-  
13      torate, and other components or offices of the De-  
14      partment as appropriate. Such representatives shall  
15      meet on a regular basis to discuss cases and issues  
16      related to insider threats to the Department’s crit-  
17      ical assets, in accordance with subsection (a).

18           “(2) RESPONSIBILITIES.—Not later than one  
19      year after the date of the enactment of this section,  
20      the Under Secretary for Intelligence and Analysis  
21      and the Chief Security Officer, in coordination with  
22      the Steering Committee established pursuant to  
23      paragraph (1), shall—

24           “(A) develop a holistic strategy for Depart-  
25      ment-wide efforts to identify, prevent, mitigate,

1 and respond to insider threats to the Depart-  
2 ment's critical assets;

3 “(B) develop a plan to implement the in-  
4 sider threat measures identified in the strategy  
5 developed under subparagraph (A) across the  
6 components and offices of the Department;

7 “(C) document insider threat policies and  
8 controls;

9 “(D) conduct a baseline risk assessment of  
10 insider threats posed to the Department's crit-  
11 ical assets;

12 “(E) examine existing programmatic and  
13 technology best practices adopted by the Fed-  
14 eral Government, industry, and research insti-  
15 tutions to implement solutions that are vali-  
16 dated and cost-effective;

17 “(F) develop a timeline for deploying work-  
18 place monitoring technologies, employee aware-  
19 ness campaigns, and education and training  
20 programs related to identifying, preventing,  
21 mitigating, and responding to potential insider  
22 threats to the Department's critical assets;

23 “(G) require the Chair and Vice Chair of  
24 the Steering Committee to consult with the  
25 Under Secretary for Science and Technology

1 and other appropriate stakeholders to ensure  
2 the Insider Threat Program is informed, on an  
3 ongoing basis, by current information regarding  
4 threats, beset practices, and available tech-  
5 nology; and

6 “(H) develop, collect, and report metrics  
7 on the effectiveness of the Department’s insider  
8 threat mitigation efforts.

9 “(c) DEFINITIONS.—In this section:

10 “(1) CRITICAL ASSETS.—The term ‘critical as-  
11 sets’ means the people, facilities, information, and  
12 technology required for the Department to fulfill its  
13 mission.

14 “(2) INSIDER.—The term ‘insider’ means—

15 “(A) any person who has access to classi-  
16 fied national security information and is em-  
17 ployed by, detailed to, or assigned to the De-  
18 partment, including members of the Armed  
19 Forces, experts or consultants to the Depart-  
20 ment, industrial or commercial contractors, li-  
21 censees, certificate holders, or grantees of the  
22 Department, including all subcontractors, per-  
23 sonal services contractors, or any other category  
24 of person who acts for or on behalf of the De-  
25 partment, as determined by the Secretary; or



1           “(B) State, local, tribal, territorial, and  
2           private sector personnel who possess security  
3           clearances granted by the Department.

4           “(3) INSIDER THREAT.—The term ‘insider  
5           threat’ means the threat that an insider will use his  
6           or her authorized access, wittingly or unwittingly, to  
7           do harm to the security of the United States, includ-  
8           ing damage to the United States through espionage,  
9           terrorism, the unauthorized disclosure of classified  
10          national security information, or through the loss or  
11          degradation of departmental resources or capabili-  
12          ties.”.

13          (b) REPORTING.—

14               (1) IN GENERAL.—Not later than two years  
15               after the date of the enactment of section 104 of the  
16               Homeland Security Act of 2002 (as added by sub-  
17               section (a) of this section) and the biennially there-  
18               after for the next four years, the Secretary of Home-  
19               land Security shall submit to the Committee on  
20               Homeland Security and the Permanent Select Com-  
21               mittee on Intelligence of the House of Representa-  
22               tives and the Committee on Homeland Security and  
23               Governmental Affairs and the Select Committee on  
24               Intelligence of the Senate a report on how the De-  
25               partment of Homeland Security and its components

1 and offices have implemented the strategy developed  
2 pursuant to subsection (b)(2)(A) of such section  
3 104, the status of the Department’s risk assessment  
4 of critical assets, the types of insider threat training  
5 conducted, the number of Department employees  
6 who have received such training, and information on  
7 the effectiveness of the Insider Threat Program (es-  
8 tablished pursuant to subsection (a) of such section  
9 104), based on metrics developed, collected, and re-  
10 ported pursuant to subsection (b)(2)(H) of such sec-  
11 tion 104.

12 (2) DEFINITIONS.—In this subsection, the  
13 terms “critical assets”, “insider”, and “insider  
14 threat” have the meanings given such terms in sec-  
15 tion 104 of the Homeland Security Act of 2002 (as  
16 added by subsection (a) of this section).

17 (c) CLERICAL AMENDMENT.—The table of contents  
18 in section 1(b) of the Homeland Security Act of 2002 is  
19 amended by inserting after the item relating to section  
20 103 the following new item:

“Sec. 104. Insider Threat Program.”.

21 **SEC. 306. THREAT ASSESSMENT ON TERRORIST USE OF**  
22 **VIRTUAL CURRENCY.**

23 (a) IN GENERAL.—Not later than 120 days after the  
24 date of the enactment of this Act, the Under Secretary  
25 of Homeland Security for Intelligence and Analysis, as au-

1 thORIZED by section 201(b)(1) of the Homeland Security  
2 Act of 2002 (6 U.S.C. 121), shall, in coordination with  
3 appropriate Federal partners, develop and disseminate a  
4 threat assessment regarding the actual and potential  
5 threat posed by individuals using virtual currency to carry  
6 out activities in furtherance of an act of terrorism, includ-  
7 ing the provision of material support or resources to a for-  
8 eign terrorist organization. Consistent with the protection  
9 of classified and confidential unclassified information, the  
10 Under Secretary shall share the threat assessment devel-  
11 oped under this section with State, local, and tribal law  
12 enforcement officials, including officials that operate with-  
13 in State, local, and regional fusion centers through the De-  
14 partment of Homeland Security State, Local, and Re-  
15 gional Fusion Center Initiative established in section 210A  
16 of the Homeland Security Act of 2002 (6 U.S.C. 124h).

17 (b) DEFINITIONS.—In this section:

18 (1) FOREIGN TERRORIST ORGANIZATION.—The  
19 term “foreign terrorist organization” means an or-  
20 ganization designated as a foreign terrorist organiza-  
21 tion under section 219 of the Immigration and Na-  
22 tionality Act (8 U.S.C. 1189).

23 (2) VIRTUAL CURRENCY.—The term “virtual  
24 currency” means a digital representation of value

1 that functions as a medium of exchange, a unit of  
2 account, or a store of value.

3 **SEC. 307. DEPARTMENT OF HOMELAND SECURITY**  
4 **COUNTERTERRORISM ADVISORY BOARD.**

5 (a) IN GENERAL.—Subtitle A of title II of the Home-  
6 land Security Act of 2002 (6 U.S.C. 121 et seq.), as  
7 amended by sections 301 and 303 of this Act, is further  
8 amended by adding at the end the following new section:  
9 **“SEC. 210I. DEPARTMENTAL COORDINATION ON COUNTER-**  
10 **TERRORISM.**

11 “(a) ESTABLISHMENT.—There is in the Department  
12 a board to be composed of senior representatives of de-  
13 partmental operational components and headquarters ele-  
14 ments. The purpose of the board shall be to coordinate  
15 and integrate departmental intelligence, activities, and  
16 policy related to the counterterrorism mission and func-  
17 tions of the Department.

18 “(b) CHARTER.—There shall be a charter to govern  
19 the structure and mission of the board. Such charter shall  
20 direct the board to focus on the current threat environ-  
21 ment and the importance of aligning departmental  
22 counterterrorism activities under the Secretary’s guidance.  
23 The charter shall be reviewed and updated every four  
24 years, as appropriate.

25 “(c) MEMBERS.—

1           “(1) CHAIR.—The Secretary shall appoint a  
2           Coordinator for Counterterrorism within the Depart-  
3           ment who will serve as the chair of the board.

4           “(2) ADDITIONAL MEMBERS.—The Secretary  
5           shall appoint additional members of the board from  
6           among the following:

7                   “(A) The Transportation Security Admin-  
8                   istration.

9                   “(B) U.S. Customs and Border Protection.

10                   “(C) U.S. Immigration and Customs En-  
11                   forcement.

12                   “(D) The Federal Emergency Management  
13                   Agency.

14                   “(E) The Coast Guard.

15                   “(F) United States Citizenship and Immi-  
16                   gration Services.

17                   “(G) The United States Secret Service.

18                   “(H) The National Protection and Pro-  
19                   grams Directorate.

20                   “(I) The Office of Operations Coordina-  
21                   tion.

22                   “(J) The Office of the General Counsel.

23                   “(K) The Office of Intelligence and Anal-  
24                   ysis.

25                   “(L) The Office of Policy.

1           “(M) The Science and Technology Direc-  
2           torate.

3           “(N) Other departmental offices and pro-  
4           grams as determined appropriate by the Sec-  
5           retary.

6           “(d) MEETINGS.—The board shall meet on a regular  
7           basis to discuss intelligence and coordinate ongoing threat  
8           mitigation efforts and departmental activities, including  
9           coordination with other Federal, State, local, tribal, terri-  
10          torial, and private sector partners, and shall make rec-  
11          ommendations to the Secretary.

12          “(e) TERRORISM ALERTS.—The board shall advise  
13          the Secretary on the issuance of terrorism alerts pursuant  
14          to section 203 of this Act.

15          “(f) PROHIBITION ON ADDITIONAL FUNDS.—No ad-  
16          ditional funds are authorized to carry out this section.”.

17          (b) CLERICAL AMENDMENT.—The table of contents  
18          in section 1(b) of the Homeland Security Act of 2002 is  
19          amended by inserting after the item relating to section  
20          210H the following new item:

          “Sec. 210I. Departmental coordination on counterterrorism.”.

21          (c) REPORT.—Not later than 90 days after the date  
22          of the enactment of this Act, the Secretary of Homeland  
23          Security, acting through the Coordinator for Counterter-  
24          rorism, shall submit to the Committee on Homeland Secu-  
25          rity of the House of Representatives and the Committee

1 on Homeland Security and Governmental Affairs of the  
2 Senate a report on the status and activities of the board  
3 established under section 210I of the Homeland Security  
4 Act of 2002, as added by subsection (a) of this section.

5 **Subtitle B—Stakeholder**  
6 **Information Sharing**

7 **SEC. 311. DEPARTMENT OF HOMELAND SECURITY FUSION**  
8 **CENTER PARTNERSHIP INITIATIVE.**

9 (a) IN GENERAL.—Section 210A of the Homeland  
10 Security Act of 2002 (6 U.S.C. 124h) is amended—

11 (1) by amending the section heading to read as  
12 follows:

13 **“SEC. 210A. DEPARTMENT OF HOMELAND SECURITY FU-**  
14 **SION CENTER PARTNERSHIP INITIATIVE.”;**

15 (2) in subsection (a), by adding at the end the  
16 following new sentence: “Beginning on the date of  
17 the enactment of the Department of Homeland Se-  
18 curity Authorization Act of 2017, such Initiative  
19 shall be known as the ‘Department of Homeland Se-  
20 curity Fusion Center Partnership Initiative’.”;

21 (3) by amending subsection (b) to read as fol-  
22 lows:

23 **“(b) INTERAGENCY SUPPORT AND COORDINATION.—**  
24 **Through the Department of Homeland Security Fusion**  
25 **Center Partnership Initiative, in coordination with prin-**

1 cipal officials of fusion centers in the National Network  
2 of Fusion Centers and the officers designated as the  
3 Homeland Security Advisors of the States, the Secretary  
4 shall—

5           “(1) coordinate with the heads of other Federal  
6           departments and agencies to provide operational and  
7           intelligence advice and assistance to the National  
8           Network of Fusion Centers;

9           “(2)(A) support the integration of fusion cen-  
10          ters into the information sharing environment;

11          “(B) conduct outreach to such fusion centers to  
12          identify any gaps in information sharing; and

13          “(C) consult with other Federal agencies to de-  
14          velop methods to address any such gaps, as appro-  
15          priate;

16          “(3)(A) identify Federal databases and  
17          datasets, including databases and datasets used, op-  
18          erated, or managed by Department components, the  
19          Federal Bureau of Investigation, and the Depart-  
20          ment of the Treasury, that are appropriate, in ac-  
21          cordance with Federal laws and policies, to address  
22          any gaps identified pursuant to paragraph (2), for  
23          inclusion in the information sharing environment;  
24          and



1           “(B) coordinate with the appropriate Federal  
2           agency to deploy or access such databases and  
3           datasets;

4           “(4) support the maturation and sustainment  
5           of the National Network of Fusion Centers;

6           “(5) reduce inefficiencies and maximize the ef-  
7           fectiveness of Federal resource support to the Na-  
8           tional Network of Fusion Centers;

9           “(6) provide analytic and reporting advice and  
10          assistance to the National Network of Fusion Cen-  
11          ters;

12          “(7) review information within the scope of the  
13          information sharing environment, including home-  
14          land security information, terrorism information,  
15          and weapons of mass destruction information, that  
16          is gathered by the National Network of Fusion Cen-  
17          ters and incorporate such information, as appro-  
18          priate, into the Department’s own such information;

19          “(8) provide for the effective dissemination of  
20          information within the scope of the information  
21          sharing environment to the National Network of Fu-  
22          sion Centers;

23          “(9) facilitate close communication and coordi-  
24          nation between the National Network of Fusion

1 Centers and the Department and other Federal de-  
2 partments and agencies;

3 “(10) provide the National Network of Fusion  
4 Centers with expertise on Department resources and  
5 operations;

6 “(11) coordinate the provision of training and  
7 technical assistance to the National Network of Fu-  
8 sion Centers and encourage participating fusion cen-  
9 ters to take part in terrorism threat-related exercises  
10 conducted by the Department;

11 “(12) ensure, to the greatest extent practicable,  
12 that support for the National Network of Fusion  
13 Centers is included as a national priority in applica-  
14 ble homeland security grant guidance;

15 “(13) ensure that each fusion center in the Na-  
16 tional Network of Fusion Centers has a privacy pol-  
17 icy approved by the Chief Privacy Officer of the De-  
18 partment and a civil rights and civil liberties policy  
19 approved by the Officer for Civil Rights and Civil  
20 Liberties of the Department;

21 “(14) coordinate the nationwide suspicious ac-  
22 tivity report initiative to ensure information gath-  
23 ered by the National Network of Fusion Centers is  
24 incorporated as appropriate;

1           “(15) lead Department efforts to ensure fusion  
2           centers in the National Network of Fusion Centers  
3           are the primary focal points for the sharing of home-  
4           land security information, terrorism information,  
5           and weapons of mass destruction information with  
6           State, local, tribal, and territorial entities to the  
7           greatest extent practicable;

8           “(16) develop and disseminate best practices on  
9           the appropriate levels for staffing at fusion centers  
10          in the National Network of Fusion Centers of quali-  
11          fied representatives from State, local, tribal, and ter-  
12          ritorial law enforcement, fire, emergency medical,  
13          and emergency management services, and public  
14          health disciplines, as well as the private sector; and

15          “(17) carry out such other duties as the Sec-  
16          retary determines appropriate.”;

17          (4) in subsection (c)—

18                 (A) by striking so much as precedes para-  
19                 graph (3)(B) and inserting the following:

20          “(c) RESOURCE ALLOCATION.—

21                 “(1) INFORMATION SHARING AND PERSONNEL  
22                 ASSIGNMENT.—

23                         “(A) INFORMATION SHARING.—The Under  
24                         Secretary for Intelligence and Analysis shall en-  
25                         sure that, as appropriate—

1           “(i) fusion centers in the National  
2           Network of Fusion Centers have access to  
3           homeland security information sharing sys-  
4           tems; and

5           “(ii) Department personnel are de-  
6           ployed to support fusion centers in the Na-  
7           tional Network of Fusion Centers in a  
8           manner consistent with the Department’s  
9           mission and existing statutory limits.

10          “(B) PERSONNEL ASSIGNMENT.—Depart-  
11          ment personnel referred to in subparagraph  
12          (A)(ii) may include the following:

13                 “(i) Intelligence officers.

14                 “(ii) Intelligence analysts.

15                 “(iii) Other liaisons from components  
16                 and offices of the Department, as appro-  
17                 priate.

18          “(C) MEMORANDA OF UNDERSTANDING.—  
19          The Under Secretary for Intelligence and Anal-  
20          ysis shall negotiate memoranda of under-  
21          standing between the Department and a State  
22          or local government, in coordination with the  
23          appropriate representatives from fusion centers  
24          in the National Network of Fusion Centers, re-  
25          garding the exchange of information between

1 the Department and such fusion centers. Such  
2 memoranda shall include the following:

3 “(i) The categories of information to  
4 be provided by each entity to the other en-  
5 tity that are parties to any such memo-  
6 randa.

7 “(ii) The contemplated uses of the ex-  
8 changed information that is the subject of  
9 any such memoranda.

10 “(iii) The procedures for developing  
11 joint products.

12 “(iv) The information sharing dispute  
13 resolution processes.

14 “(v) Any protections necessary to en-  
15 sure the exchange of information accords  
16 with applicable law and policies.

17 “(2) SOURCES OF SUPPORT.—

18 “(A) IN GENERAL.—Information shared  
19 and personnel assigned pursuant to paragraph  
20 (1) may be shared or provided, as the case may  
21 be, by the following Department components  
22 and offices, in coordination with the respective  
23 component or office head and in consultation  
24 with the principal officials of fusion centers in  
25 the National Network of Fusion Centers:

1 “(i) The Office of Intelligence and  
2 Analysis.

3 “(ii) The Office of Infrastructure Pro-  
4 tection.

5 “(iii) The Transportation Security  
6 Administration.

7 “(iv) U.S. Customs and Border Pro-  
8 tection.

9 “(v) U.S. Immigration and Customs  
10 Enforcement.

11 “(vi) The Coast Guard.

12 “(vii) Other components or offices of  
13 the Department, as determined by the Sec-  
14 retary.

15 “(B) COORDINATION WITH OTHER FED-  
16 ERAL AGENCIES.—The Under Secretary for In-  
17 telligence and Analysis shall coordinate with ap-  
18 propriate officials throughout the Federal Gov-  
19 ernment to ensure the deployment to fusion  
20 centers in the National Network of Fusion Cen-  
21 ters of representatives with relevant expertise of  
22 other Federal departments and agencies.

23 “(3) RESOURCE ALLOCATION CRITERIA.—

24 “(A) IN GENERAL.—The Secretary shall  
25 make available criteria for sharing information

1 and deploying personnel to support a fusion  
2 center in the National Network of Fusion Cen-  
3 ters in a manner consistent with the Depart-  
4 ment’s mission and existing statutory limits.”;  
5 and

6 (B) in paragraph (4)(B), in the matter  
7 preceding clause (i), by inserting “in which  
8 such fusion center is located” after “region”;  
9 (5) in subsection (d)—

10 (A) in paragraph (3), by striking “and” at  
11 the end;

12 (B) in paragraph (4)—

13 (i) by striking “government” and in-  
14 serting “governments”; and

15 (ii) by striking the period at the end  
16 and inserting “; and”; and

17 (C) by adding at the end the following new  
18 paragraph:

19 “(5) utilize Department information, including  
20 information held by components and offices, to de-  
21 velop analysis focused on the mission of the Depart-  
22 ment under section 101(b).”;

23 (6) in subsection (e)—

24 (A) by amending paragraph (1) to read as  
25 follows:

1           “(1) IN GENERAL.—To the greatest extent  
2           practicable, the Secretary shall make it a priority to  
3           allocate resources, including deployed personnel,  
4           under this section from U.S. Customs and Border  
5           Protection, U.S. Immigration and Customs Enforce-  
6           ment, and the Coast Guard to support fusion centers  
7           in the National Network of Fusion Centers located  
8           in jurisdictions along land or maritime borders of  
9           the United States in order to enhance the integrity  
10          of and security at such borders by helping Federal,  
11          State, local, tribal, and territorial law enforcement  
12          authorities to identify, investigate, and otherwise  
13          interdict persons, weapons, and related contraband  
14          that pose a threat to homeland security.”; and

15                 (B) in paragraph (2), in the matter pre-  
16                 ceding subparagraph (A), by striking “partici-  
17                 pating State, local, and regional fusion centers”  
18                 and inserting “fusion centers in the National  
19                 Network of Fusion Centers”;

20                 (7) in subsection (j)—

21                         (A) in paragraph (4), by striking “and” at  
22                         the end;

23                         (B) by redesignating paragraph (5) as  
24                         paragraph (6); and



1 (C) by inserting after paragraph (4) the  
2 following new paragraph:

3 “(5) the term ‘National Network of Fusion  
4 Centers’ means a decentralized arrangement of fu-  
5 sion centers intended to enhance individual State  
6 and urban area fusion centers’ ability to leverage the  
7 capabilities and expertise of all fusion centers for the  
8 purpose of enhancing analysis and homeland secu-  
9 rity information sharing nationally; and”;

10 (8) by striking subsection (k).

11 (b) ACCOUNTABILITY REPORT.—Not later than one  
12 year after the date of the enactment of this Act and annu-  
13 ally thereafter through 2024, the Under Secretary for In-  
14 telligence and Analysis of the Department of Homeland  
15 Security shall report to the Committee on Homeland Secu-  
16 rity and the Permanent Select Committee on Intelligence  
17 of the House of Representatives and the Committee on  
18 Homeland Security and Governmental Affairs and the Se-  
19 lect Committee on Intelligence of the Senate on the efforts  
20 of the Office of Intelligence and Analysis of the Depart-  
21 ment and other relevant components and offices of the De-  
22 partment to enhance support provided to fusion centers  
23 in the National Network of Fusion Centers, including  
24 meeting the requirements specified in section 210A of the

1 Homeland Security Act of 2002 (6 U.S.C. 124h), as  
2 amended by subsection (a) of this section.

3 (c) CLERICAL AMENDMENT.—The table of contents  
4 in section 1(b) of the Homeland Security Act of 2002 is  
5 amended by striking the item relating to section 210A and  
6 inserting the following new item:

“Sec. 210A. Department of Homeland Security Fusion Center Partnership Initiative.”.

7 (d) REFERENCE.—Any reference in any law, rule, or  
8 regulation to the “Department of Homeland Security  
9 State, Local, and Regional Fusion Center Initiative” shall  
10 be deemed to be a reference to the “Department of Home-  
11 land Security Fusion Center Partnership Initiative”.

12 **SEC. 312. FUSION CENTER PERSONNEL NEEDS ASSESS-**  
13 **MENT.**

14 (a) IN GENERAL.—Not later than 120 days after the  
15 date of the enactment of this Act, the Comptroller General  
16 of the United States shall conduct an assessment of De-  
17 partment of Homeland Security personnel assigned to fu-  
18 sion centers pursuant to subsection (c) of section 210A  
19 of the Homeland Security Act of 2002 (6 U.S.C. 124h),  
20 as amended by section 311 of this Act, including an as-  
21 sessment of whether deploying additional Department per-  
22 sonnel to such fusion centers would enhance the Depart-  
23 ment’s mission under section 101(b) of such Act and the

1 National Network of Fusion Centers. The assessment re-  
2 quired under this subsection shall include the following:

3 (1) Information on the current deployment of  
4 the Department's personnel to each fusion center.

5 (2) Information on the roles and responsibilities  
6 of the Department's Office of Intelligence and Anal-  
7 ysis intelligence officers, intelligence analysts, senior  
8 reports officers, reports officers, and regional direc-  
9 tors deployed to fusion centers.

10 (3) Information on Federal resources, in addi-  
11 tion to personnel, provided to each fusion center.

12 (4) An analysis of the optimal number of per-  
13 sonnel the Office of Intelligence and Analysis should  
14 deploy to fusion centers, including a cost-benefit  
15 analysis comparing deployed personnel with techno-  
16 logical solutions to support information sharing.

17 (5) An assessment of fusion centers located in  
18 jurisdictions along land and maritime borders of the  
19 United States, and the degree to which deploying  
20 personnel, as appropriate, from U.S. Customs and  
21 Border Protection, U.S. Immigration and Customs  
22 Enforcement, and the Coast Guard to such fusion  
23 centers would enhance the integrity and security at  
24 such borders by helping Federal, State, local, tribal,  
25 and territorial law enforcement authorities to iden-



1 Homeland Security to provide eligibility for access to in-  
2 formation classified as Top Secret for State, local, tribal,  
3 and territorial analysts located in fusion centers shall be  
4 consistent with the need to know requirements pursuant  
5 to Executive Order No. 13526 (50 U.S.C. 3161 note).

6 (b) REPORT.—Not later than two years after the date  
7 of the enactment of this Act, the Under Secretary of Intel-  
8 ligence and Analysis of the Department of Homeland Se-  
9 curity, in consultation with the Director of National Intel-  
10 ligence, shall submit to the Committee on Homeland Secu-  
11 rity and the Permanent Select Committee on Intelligence  
12 of the House of Representatives and the Committee on  
13 Homeland Security and Governmental Affairs and the Se-  
14 lect Committee on Intelligence of the Senate a report on  
15 the following:

16 (1) The process by which the Under Secretary  
17 of Intelligence and Analysis determines a need to  
18 know pursuant to Executive Order No. 13526 to  
19 sponsor Top Secret clearances for appropriate State,  
20 local, tribal, and territorial analysts located in fusion  
21 centers.

22 (2) The effects of such Top Secret clearances  
23 on enhancing information sharing with State, local,  
24 tribal, and territorial partners.

1           (3) The cost for providing such Top Secret  
2 clearances for State, local, tribal, and territorial ana-  
3 lysts located in fusion centers, including training  
4 and background investigations.

5           (4) The operational security protocols, training,  
6 management, and risks associated with providing  
7 such Top Secret clearances for State, local, tribal,  
8 and territorial analysts located in fusion centers.

9           (c) DEFINITION.—In this section, the term “fusion  
10 center” has the meaning given such term in subsection  
11 (j) of section 210A of the Homeland Security Act of 2002  
12 (6 U.S.C. 124h).

13 **SEC. 314. INFORMATION TECHNOLOGY ASSESSMENT.**

14           (a) IN GENERAL.—The Under Secretary of Intel-  
15 ligence and Analysis of the Department of Homeland Se-  
16 curity, in collaboration with the Chief Information Officer  
17 of the Department and representatives from the National  
18 Network of Fusion Centers, shall conduct an assessment  
19 of information systems (as such term is defined in section  
20 3502 of title 44, United States Code) used to share home-  
21 land security information between the Department and fu-  
22 sion centers in the National Network of Fusion Centers  
23 and make upgrades to such systems, as appropriate. Such  
24 assessment shall include the following:

1           (1) An evaluation of the accessibility and ease  
2 of use of such systems by fusion centers in the Na-  
3 tional Network of Fusion Centers.

4           (2) A review to determine how to establish im-  
5 proved interoperability of departmental information  
6 systems with existing information systems used by  
7 fusion centers in the National Network of Fusion  
8 Centers.

9           (3) An evaluation of participation levels of de-  
10 partmental components and offices of information  
11 systems used to share homeland security information  
12 with fusion centers in the National Network of Fu-  
13 sion Centers.

14       (b) DEFINITIONS.—In this section:

15           (1) FUSION CENTER.—The term “fusion cen-  
16 ter” has the meaning given such term in subsection  
17 (j) of section 210A of the Homeland Security Act of  
18 2002 (6 U.S.C. 124h).

19           (2) NATIONAL NETWORK OF FUSION CEN-  
20 TERS.—The term “National Network of Fusion Cen-  
21 ters” has the meaning given such term in subsection  
22 (j) of section 210A of the Homeland Security Act of  
23 2002 (6 U.S.C. 124h), as amended by section 311  
24 of this Act.

1 **SEC. 315. DEPARTMENT OF HOMELAND SECURITY CLASSI-**  
2 **FIED FACILITY INVENTORY AND DISSEMINA-**  
3 **TION.**

4 (a) IN GENERAL.—The Secretary of Homeland Secu-  
5 rity shall, to the extent practicable—

6 (1) maintain an inventory of those Department  
7 of Homeland Security facilities that the Department  
8 certifies to house classified infrastructure or systems  
9 at the secret level and above;

10 (2) update such inventory on a regular basis;  
11 and

12 (3) share part or all of such inventory with—

13 (A) Department personnel who have been  
14 granted the appropriate security clearance;

15 (B) non-Federal governmental personnel  
16 who have been granted a Top Secret security  
17 clearance; and

18 (C) other personnel as determined appro-  
19 priate by the Secretary.

20 (b) INVENTORY.—The inventory of facilities de-  
21 scribed in subsection (a) may include—

22 (1) the location of such facilities;

23 (2) the attributes of such facilities (including  
24 the square footage of, the total capacity of, the num-  
25 ber of workstations in, and the number of conference  
26 rooms in, such facilities);



1 (3) the entities that operate such facilities; and

2 (4) the date of establishment of such facilities.

3 **SEC. 316. TERROR INMATE INFORMATION SHARING.**

4 (a) IN GENERAL.—The Secretary of Homeland Security,  
5 rity, in coordination with the Attorney General and in consultation  
6 sultation with other appropriate Federal officials, shall, as  
7 appropriate, share with State, local, and regional fusion  
8 centers through the Department of Homeland Security  
9 Fusion Center Partnership Initiative under section 210A  
10 of the Homeland Security Act of 2002 (6 U.S.C. 124h),  
11 as amended by section 311 of this Act, as well as other  
12 relevant law enforcement entities, release information  
13 from a Federal correctional facility, including the name,  
14 charging date, and expected place and date of release, of  
15 certain individuals who may pose a terrorist threat.

16 (b) SCOPE.—The information shared pursuant to  
17 subsection (a) shall be—

18 (1) for homeland security purposes; and

19 (2) regarding individuals convicted of a Federal  
20 crime of terrorism (as such term is defined in section  
21 tion 2332b of title 18, United States Code).

22 (c) PERIODIC THREAT ASSESSMENTS.—Consistent  
23 with the protection of classified information and controlled  
24 unclassified information, the Secretary of Homeland Security  
25 rity shall coordinate with appropriate Federal officials to

1 provide State, local, and regional fusion centers described  
2 in subsection (a) with periodic assessments regarding the  
3 overall threat from known or suspected terrorists currently  
4 incarcerated in a Federal correctional facility, including  
5 the assessed risks of such populations engaging in ter-  
6 rorist activity upon release.

7 (d) **PRIVACY PROTECTIONS.**—Prior to affecting the  
8 information sharing described in subsection (a), the Sec-  
9 retary shall receive input and advice from the Officer for  
10 Civil Rights and Civil Liberties, the Officer for Privacy  
11 and the Chief Intelligence Officer of the Department.

12 (e) **RULE OF CONSTRUCTION.**—Nothing in this sec-  
13 tion may be construed as requiring the establishment of  
14 a list or registry of individuals convicted of terrorism.

15 **SEC. 317. ANNUAL REPORT ON OFFICE FOR STATE AND**  
16 **LOCAL LAW ENFORCEMENT.**

17 Subsection (b) of section 2006 of the Homeland Se-  
18 curity Act of 2002 (6 U.S.C. 607) is amended—

19 (1) by redesignating paragraph (5) as para-  
20 graph (6); and

21 (2) by inserting after paragraph (4) the fol-  
22 lowing new paragraph:

23 “(5) **ANNUAL REPORT.**—For each of fiscal  
24 years 2018 through 2022, the Assistant Secretary  
25 for State and Local Law Enforcement shall submit

1 to the Committee on Homeland Security of the  
2 House of Representatives and the Committee on  
3 Homeland Security and Governmental Affairs of the  
4 Senate a report on the activities of the Office for  
5 State and Local Law Enforcement. Each such re-  
6 port shall include, for the fiscal year covered by the  
7 report, a description of each of the following:

8 “(A) Efforts to coordinate and share infor-  
9 mation regarding Department and component  
10 agency programs with State, local, and tribal  
11 law enforcement agencies.

12 “(B) Efforts to improve information shar-  
13 ing through the Homeland Security Information  
14 Network by appropriate component agencies of  
15 the Department and by State, local, and tribal  
16 law enforcement agencies.

17 “(C) The status of performance metrics  
18 within the Office of State and Local Law En-  
19 forcement to evaluate the effectiveness of ef-  
20 forts to carry out responsibilities set forth with-  
21 in the subsection.

22 “(D) Any feedback from State, local, and  
23 tribal law enforcement agencies about the Of-  
24 fice, including the mechanisms utilized to collect  
25 such feedback.

1           “(E) Efforts to carry out all other respon-  
2           sibilities of the Office of State and Local Law  
3           Enforcement.”.

4 **SEC. 318. ANNUAL CATALOG ON DEPARTMENT OF HOME-**  
5 **LAND SECURITY TRAINING, PUBLICATIONS,**  
6 **PROGRAMS, AND SERVICES FOR STATE,**  
7 **LOCAL, AND TRIBAL LAW ENFORCEMENT**  
8 **AGENCIES.**

9           Paragraph (4) of section 2006(b) of the Homeland  
10 Security Act of 2002 (6 U.S.C. 607(b)) is amended—

11           (1) in subparagraph (E), by striking “and” at  
12           the end;

13           (2) in subparagraph (F), by striking the period  
14           and inserting “; and”; and

15           (3) by adding at the end the following new sub-  
16           paragraph:

17           “(G) produce an annual catalog that sum-  
18           marizes opportunities for training, publications,  
19           programs, and services available to State, local,  
20           and tribal law enforcement agencies from the  
21           Department and from each component and of-  
22           fice within the Department and, not later than  
23           30 days after the date of such production, dis-  
24           seminate the catalog, including by—

1 “(i) making such catalog available to  
2 State, local, and tribal law enforcement  
3 agencies, including by posting the catalog  
4 on the website of the Department and co-  
5 operating with national organizations that  
6 represent such agencies;

7 “(ii) making such catalog available  
8 through the Homeland Security Informa-  
9 tion Network; and

10 “(iii) submitting such catalog to the  
11 Committee on Homeland Security of the  
12 House of Representatives and the Com-  
13 mittee on Homeland Security and Govern-  
14 mental Affairs of the Senate.”.

## 15 **TITLE IV—MARITIME SECURITY**

### 16 **SEC. 401. STRATEGIC PLAN TO ENHANCE THE SECURITY OF** 17 **THE INTERNATIONAL SUPPLY CHAIN.**

18 Paragraph (2) of section 201(g) of the Security and  
19 Accountability for Every Port Act of 2006 (6 U.S.C.  
20 941(g)) is amended to read as follows:

21 “(2) UPDATES.—Not later than 270 days after  
22 the date of the enactment of this paragraph and  
23 every three years thereafter, the Secretary shall sub-  
24 mit to the appropriate congressional committees a

1 report that contains an update of the strategic plan  
2 required by subsection (a).”.

3 **SEC. 402. CONTAINER SECURITY INITIATIVE.**

4 Subsection (l) of section 205 of the Security and Ac-  
5 countability for Every Port Act of 2006 (6 U.S.C. 945)  
6 is amended—

7 (1) by striking “(1) IN GENERAL.—Not later  
8 than September 30, 2007,” and inserting “Not later  
9 than 270 days after the date of the enactment of the  
10 Border and Maritime Security Coordination Im-  
11 provement Act,”;

12 (2) by redesignating subparagraphs (A) through  
13 (H) as paragraphs (1) through (8), respectively, and  
14 by moving the margins of such paragraphs (as so re-  
15 designated) two ems to the left; and

16 (3) by striking paragraph (2).

17 **SEC. 403. CYBER AT PORTS.**

18 (a) CYBERSECURITY ENHANCEMENTS TO MARITIME  
19 SECURITY ACTIVITIES.—Subparagraph (B) of section  
20 70112(a)(2) of title 46, United States Code, is amended—

21 (1) by redesignating clauses (i) through (iii) as  
22 clauses (ii) and (iv), respectively; and

23 (2) by inserting before clause (ii) the following  
24 new clause:

1           “(i) shall facilitate the sharing of information  
2 relating to cybersecurity risks and incidents (as such  
3 terms are defined in section 227 of the Homeland  
4 Security Act of 2002 (6 U.S.C. 148)) to address  
5 port-specific cybersecurity risks and incidents, which  
6 may include the establishment of a working group of  
7 members of such committees to address such port-  
8 specific cybersecurity risks and incidents;”.

9           (b) VULNERABILITY ASSESSMENTS AND SECURITY  
10 PLANS.—Title 46, United States Code, is amended—

11           (1) in subparagraph (C) of section 70102(b)(1),  
12 by inserting “cybersecurity,” after “physical secu-  
13 rity,”; and

14           (2) in subparagraph (C) of section  
15 70103(e)(3)—

16           (A) in clause (i), by inserting “cybersecu-  
17 rity,” after “physical security,”;

18           (B) in clause (iv), by striking “and” after  
19 the semicolon at the end;

20           (C) by redesignating clause (v) as clause  
21 (vi); and

22           (D) by inserting after clause (iv) the fol-  
23 lowing new clause:

24           “(v) prevention, management, and response to cyber-  
25 security risks and incidents (as such terms are defined in

1 section 227 of the Homeland Security Act of 2002 (6  
2 U.S.C. 148)); and”.

3 **SEC. 404. FACILITY INSPECTION INTERVALS.**

4 Subparagraph (D) of section 70103(c)(4) of title 46,  
5 United States Code, is amended to read as follows:

6 “(D) subject to the availability of appro-  
7 priations, verify the effectiveness of each such  
8 facility security plan periodically, but not less  
9 than one time per year without notice, and  
10 more frequently as determined necessary, in a  
11 risk based manner, with or without notice to  
12 the facility.”.

13 **SEC. 405. RECOGNITION OF OTHER COUNTRIES’ TRUSTED**  
14 **SHIPPER PROGRAMS.**

15 (a) IN GENERAL.—Section 218 of the Security and  
16 Accountability for Every Port Act of 2006 (6 U.S.C. 968)  
17 is amended to read as follows:

18 **“SEC. 218. RECOGNITION OF OTHER COUNTRIES’ TRUSTED**  
19 **SHIPPER PROGRAMS.**

20 “Not later than 30 days before signing an arrange-  
21 ment between the United States and a foreign government  
22 providing for mutual recognition of supply chain security  
23 practices which might result in the utilization of benefits  
24 described in section 214, 215, or 216, the Secretary  
25 shall—



1           “(1) notify the appropriate congressional com-  
2           mittees of the proposed terms of such arrangement;  
3           and

4           “(2) determine, in consultation with the Com-  
5           missioner, that such foreign government’s supply  
6           chain security program provides comparable security  
7           as that provided by C-TPAT.”.

8           (b) CLERICAL AMENDMENT.—The table of contents  
9           in section 1(b) of the Security and Accountability for  
10          Every Port Act of 2006 is amended by amending the item  
11          relating to section 218 to read as follows:

          “Sec. 218. Recognition of other countries’ trusted shipper programs.”.

12       **SEC. 406. UPDATES OF MARITIME OPERATIONS COORDINA-**  
13                               **TION PLAN.**

14          (a) IN GENERAL.—Subtitle C of title IV of the  
15          Homeland Security Act of 2002 (6 U.S.C. 231 et seq.)  
16          is amended by adding at the end the following new section:

17       **“SEC. 434. UPDATES OF MARITIME OPERATIONS COORDI-**  
18                               **NATION PLAN.**

19          “Not later than 180 days after the date of the enact-  
20          ment of this section and biennially thereafter, the Sec-  
21          retary shall submit to the Committee on Homeland Secu-  
22          rity and the Committee on Transportation and Infrastruc-  
23          ture of the House of Representatives and the Committee  
24          on Homeland Security and Governmental Affairs of the  
25          Senate a maritime operations coordination plan for the co-

1 ordination and cooperation of maritime operations under-  
2 taken by components and offices of the Department with  
3 responsibility for maritime security missions. Such plan  
4 shall update the maritime operations coordination plan re-  
5 leased by the Department in July 2011, and shall address  
6 the following:

7           “(1) Coordination of planning, integration of  
8 maritime operations, and development of joint mari-  
9 time domain awareness efforts of any component or  
10 office of the Department with responsibility for mar-  
11 itime homeland security missions.

12           “(2) Maintaining effective information sharing  
13 and, as appropriate, intelligence integration, with  
14 Federal, State, and local officials and the private  
15 sector, regarding threats to maritime security.

16           “(3) Cooperation and coordination with other  
17 departments and agencies of the Federal Govern-  
18 ment, and State and local agencies, in the maritime  
19 environment, in support of maritime homeland secu-  
20 rity missions.

21           “(4) Work conducted within the context of  
22 other national and Department maritime security  
23 strategic guidance.”.

24           (b) CLERICAL AMENDMENT.—The table of contents  
25 in section 1(b) of the Homeland Security Act of 2002 is

1 amended by adding after the item relating to section 433  
2 the following new item:

“Sec. 434. Updates of maritime operations coordination plan.”.

3 **SEC. 407. EVALUATION OF COAST GUARD DEPLOYABLE**  
4 **SPECIALIZED FORCES.**

5 (a) IN GENERAL.—Not later than one year after the  
6 date of the enactment of this Act, the Comptroller General  
7 of the United States shall submit to the Committee on  
8 Homeland Security and the Committee on Transportation  
9 and Infrastructure of the House of Representatives and  
10 the Committee on Homeland Security and Governmental  
11 Affairs and the Committee on Commerce, Science, and  
12 Transportation of the Senate a report that describes and  
13 assesses the state of the Coast Guard’s Deployable Spe-  
14 cialized Forces (in this section referred to as the “DSF”).  
15 Such report shall include, at a minimum, the following ele-  
16 ments:

17 (1) For each of the past three fiscal years, and  
18 for each type of DSF, the following:

19 (A) A cost analysis, including training, op-  
20 erating, and travel costs.

21 (B) The number of personnel assigned.

22 (C) The total number of units.

23 (D) The total number of operations con-  
24 ducted.

1 (E) The number of operations requested by  
2 each of the following:

3 (i) The Coast Guard.

4 (ii) Other components or offices of the  
5 Department of Homeland Security.

6 (iii) Other Federal departments or  
7 agencies.

8 (iv) State agencies.

9 (v) Local agencies.

10 (F) The number of operations fulfilled by  
11 the entities specified in subparagraph (E).

12 (2) An examination of alternative distributions  
13 of DSFs, including the feasibility, cost (including  
14 cost savings), and impact on mission capability of  
15 such distributions, including at a minimum the fol-  
16 lowing:

17 (A) Combining DSFs, primarily focused on  
18 counterdrug operations, under one centralized  
19 command.

20 (B) Distributing counter-terrorism and  
21 anti-terrorism capabilities to DSFs in each  
22 major United States port.

23 (b) DEPLOYABLE SPECIALIZED FORCE DEFINED.—  
24 In this section, the term “Deployable Specialized Force”  
25 means a unit of the Coast Guard that serves as a quick

1 reaction force designed to be deployed to handle counter-  
2 drug, counter-terrorism, and anti-terrorism operations or  
3 other maritime threats to the United States.

4 **SEC. 408. COST BENEFIT ANALYSIS OF CO-LOCATING DHS**  
5 **ASSETS.**

6 (a) IN GENERAL.—For any location in which U.S.  
7 Customs and Border Protection’s Office of Air and Marine  
8 Operations is based within 45 miles of locations where any  
9 other Department of Homeland Security agency also oper-  
10 ates air and marine assets, the Secretary of Homeland Se-  
11 curity shall conduct a cost-benefit analysis to consider the  
12 potential cost of and savings derived from co-locating avia-  
13 tion and maritime operational assets of the Office of Air  
14 and Marine Operations at facilities where other agencies  
15 of the Department operate such assets. In analyzing such  
16 potential cost savings achieved by sharing aviation and  
17 maritime facilities, such analysis shall consider, at a min-  
18 imum, the following factors:

19 (1) Potential enhanced cooperation derived  
20 from Department personnel being co-located.

21 (2) Potential costs of, and savings derived  
22 through, shared maintenance and logistics facilities  
23 and activities.

24 (3) Joint use of base and facility infrastructure,  
25 such as runways, hangars, control towers, operations

1 centers, piers and docks, boathouses, and fuel de-  
2 pots.

3 (4) Potential operational costs of co-locating  
4 aviation and maritime assets and personnel.

5 (5) Short term moving costs required in order  
6 to co-locate facilities.

7 (6) Acquisition and infrastructure costs for en-  
8 larging current facilities, as needed.

9 (b) REPORT.—Not later than one year after the date  
10 of the enactment of this Act, the Secretary of Homeland  
11 Security shall submit to the Committee on Homeland Se-  
12 curity and the Committee on Transportation and Infra-  
13 structure of the House of Representatives and the Com-  
14 mittee on Homeland Security and Governmental Affairs  
15 of the Senate a report summarizing the results of the cost-  
16 benefit analysis required under subsection (a) and any  
17 planned actions based upon such results.

18 **SEC. 409. REPEAL OF INTERAGENCY OPERATIONAL CEN-**  
19 **TERS FOR PORT SECURITY AND SECURE SYS-**  
20 **TEMS OF TRANSPORTATION.**

21 Sections 70107A and 70116 of title 46, United  
22 States Code, are repealed.

1 **SEC. 410. CONFORMING AND CLERICAL AMENDMENTS.**

2 (a) SECTIONS.—The following provisions of the Secu-  
3 rity and Accountability for Every Port Act of 2006 (Public  
4 Law 109–347) are amended as follows:

5 (1) By striking section 105.

6 (2) By redesignating sections 106 and 107 as  
7 sections 105 and 106, respectively.

8 (3) By striking section 108.

9 (4) By redesignating sections 109 and 110 as  
10 sections 107 and 108, respectively.

11 (5) In section 121 (6 U.S.C. 921)—

12 (A) by striking subsections (c), (d), and  
13 (e); and

14 (B) redesignating subsections (f), (g), (h),  
15 and (i) as subsections (c), (d), (e), and (f), re-  
16 spectively.

17 (6) By striking sections 122 and 127 (6 U.S.C.  
18 922 and ).

19 (7) By redesignating sections 123, 124, 125,  
20 126, and 128 as sections 122, 123, 124, 125, and  
21 126, respectively.

22 (8) In section 233 (6 U.S.C. 983), by striking  
23 subsection (c).

24 (9) By striking section 235 (6 U.S.C. 984).

25 (10) By redesignating section 236 as section  
26 235.

1 (11) By striking sections 701 and 708 (and the  
2 item relating to such section in the table of contents  
3 of such Act).

4 (12) By redesignating sections 702, 703, 704,  
5 705, 706, 707, and 709 as sections 701, 702, 703,  
6 704, 705, 706, and 707, respectively.

7 (b) TABLE OF CONTENTS.—

8 (1) SECURITY AND ACCOUNTABILITY FOR  
9 EVERY PORT ACT OF 2006.—The table of contents of  
10 the Security and Accountability for Every Port Act  
11 of 2006 (Public Law 109–347) is amended as fol-  
12 lows:

13 (A) In the list of items relating to subtitle  
14 A of title I, by striking the items relating to  
15 sections 105 through 110 and inserting the fol-  
16 lowing new items:

“Sec. 105. Prohibition of issuance of transportation security cards to persons convicted of certain felonies.

“Sec. 106. Long-range vessel tracking.

“Sec. 107. Notice of arrival for foreign vessels on the Outer Continental Shelf.

“Sec. 108. Enhanced crewmember identification.”.

17 (B) In the list of items relating to subtitle  
18 C of title I, by striking the items relating to  
19 sections 122 through 128 and inserting the fol-  
20 lowing new items:

“Sec. 122. Random searches of containers.

“Sec. 123. Work stoppages and employee-employer disputes.

“Sec. 124. Threat assessment screening of port truck drivers.

“Sec. 125. Border Patrol unit for United States Virgin Islands.

“Sec. 126. Center of Excellence for Maritime Domain Awareness.”.



1 (C) In the list of items relating to subtitle  
 2 C of title II, by striking the items relating to  
 3 sections 235 and 236 and inserting the fol-  
 4 lowing new item:

“Sec. 235. Information sharing relating to supply chain security cooperation.”.

5 (D) In the list of items relating to title  
 6 VII, by striking the items relating to sections  
 7 701 through 709 and inserting the following  
 8 new items:

“Sec. 701. Disclosures regarding homeland security grants.

“Sec. 702. Trucking security.

“Sec. 703. Air and Marine Operations of the Northern Border Air Wing.

“Sec. 704. Phaseout of vessels supporting oil and gas development.

“Sec. 705. Coast Guard property in Portland, Maine.

“Sec. 706. Methamphetamine and methamphetamine precursor chemicals.

“Sec. 707. Protection of health and safety during disasters.”.

9 (2) TITLE 46.—In the list of items relating to  
 10 the analysis for chapter 701 of title 46, United  
 11 States Code, by striking the items relating to sec-  
 12 tions 70107A and 70116.

13 **TITLE V—TRANSPORTATION**  
 14 **SECURITY ADMINISTRATION**

15 **Subtitle A—Administration**

16 **SEC. 501. AMENDMENTS TO THE HOMELAND SECURITY ACT**  
 17 **OF 2002 AND TITLE 5, UNITED STATES CODE.**

18 (a) HOMELAND SECURITY ACT OF 2002.—Para-  
 19 graph (1) of section 103(a) of the Homeland Security Act  
 20 of 2002, as amended by section 108 of this Act, is further

1 amended by adding at the end the following new subpara-  
2 graph:

3           “(K) An Administrator of the Transpor-  
4           tation Security Administration, in accordance  
5           with section 114 of title 49, United States  
6           Code.”.

7           (b) INCLUSION IN EXECUTIVE SCHEDULE.—Section  
8 5315 of title 5, United States Code, is amended by adding  
9 at the end the following:

10          “Administrator of the Transportation Security Ad-  
11          ministration, Department of Homeland Security.”.

12 **SEC. 502. AMENDMENTS TO TITLE 49, UNITED STATES**  
13 **CODE.**

14           (a) AMENDMENTS.—Section 114 of title 49, United  
15 States Code, is amended—

16           (1) in subsection (a), by striking “Department  
17           of Transportation” and inserting “Department of  
18           Homeland Security”;

19           (2) in subsection (b)(1), by striking “Under  
20           Secretary of Transportation for Security” and in-  
21           serting “Administrator of the Transportation Secu-  
22           rity Administration”;

23           (3) by striking “Under Secretary” each place it  
24           appears and inserting “Administrator”;

1           (4) in subsection (b), in the heading, by strik-  
2           ing “UNDER SECRETARY” and inserting “ADMINIS-  
3           TRATOR”;

4           (5) in subsection (e)(4), by striking “Secretary  
5           of Transportation” and inserting “Secretary of  
6           Homeland Security”;

7           (6) in subsection (f)—

8                 (A) in paragraph (6), by striking “Man-  
9                 agers” and inserting “Directors”; and

10                (B) in paragraph (14), by inserting “air  
11                carriers or” before “foreign air carriers”;

12           (7) in subsection (g)—

13                 (A) by striking “the Secretary” each place  
14                 it appears and inserting “the Secretary of  
15                 Homeland Security”; and

16                 (B) in paragraph (3), by striking “The  
17                 Secretary” and inserting “The Secretary of  
18                 Homeland Security”;

19           (8) in subsection (j)(1)(D), by striking “the  
20           Secretary” and inserting “the Secretary of Home-  
21           land Security”;

22           (9) in subsection (l)—

23                 (A) in paragraph (2)(A), by striking “the  
24                 Secretary” and inserting “the Secretary of  
25                 Homeland Security”; and

1 (B) in paragraph (4)(B), by striking “the  
2 Administrator under subparagraph (A)” and in-  
3 serting “the Administrator of the Federal Avia-  
4 tion Administration under subparagraph (A)”;  
5 (10) in subsection (m)—

6 (A) in the heading, by striking “UNDER  
7 SECRETARY” and inserting “ADMINISTRATOR”;  
8 and

9 (B) in paragraph (1), in the heading, by  
10 striking “UNDER SECRETARY” and inserting  
11 “ADMINISTRATOR”;

12 (11) in subsection (n), by striking “Department  
13 of Transportation” and inserting “Department of  
14 Homeland Security”;

15 (12) in subsection (o), by striking “Department  
16 of Transportation” and inserting “Department of  
17 Homeland Security”;

18 (13) in subsection (p)(4), by striking “Sec-  
19 retary of Transportation” and inserting “Secretary  
20 of Homeland Security”;

21 (14) by redesignating subsections (u), (v), and  
22 (w) as subsections (t), (cc), and (dd), respectively;  
23 and

24 (15) by inserting after subsection (t), as so re-  
25 designated, the following new subsections:

1           “(u) DEPUTY ADMINISTRATOR.—There is established  
2 in the Transportation Security Administration a Deputy  
3 Administrator, who shall assist the Administrator in the  
4 management of the Transportation Security Administra-  
5 tion.

6           “(v) OFFICE OF PUBLIC AFFAIRS.—

7                 “(1) ESTABLISHMENT.—There is established in  
8 the Transportation Security Administration an Of-  
9 fice of Public Affairs (in this subsection referred to  
10 as the ‘Office’).

11                “(2) ASSISTANT ADMINISTRATOR.—The head of  
12 the Office shall be the Assistant Administrator for  
13 Public Affairs, who shall report to the Administrator  
14 of the Transportation Security Administration or the  
15 Administrator’s designee.

16                “(3) FUNCTIONS.—The Office shall be respon-  
17 sible for facilitating understanding of the Transpor-  
18 tation Security Administration’s mission by commu-  
19 nicating with internal and external audiences in a  
20 timely, accurate, and transparent manner.

21           “(w) OFFICE OF CIVIL RIGHTS, CIVIL LIBERTIES,  
22 AND TRAVELER ENGAGEMENT.—

23                 “(1) ESTABLISHMENT.—There is established in  
24 the Transportation Security Administration an Of-  
25 fice of Civil Rights, Civil Liberties, and Traveler En-

1 gagement (in this subsection referred to as the ‘Of-  
2 fice’).

3 “(2) ASSISTANT ADMINISTRATOR.—The head of  
4 the Office shall be the Assistant Administrator for  
5 Civil Rights, Civil Liberties, and Traveler Engage-  
6 ment, who shall report to the Administrator of the  
7 Transportation Security Administration or the Ad-  
8 ministrator’s designee.

9 “(2) FUNCTIONS.—The Office shall be respon-  
10 sible for ensuring that the traveling public is treated  
11 in a fair and lawful manner.

12 “(x) OFFICE OF LEGISLATIVE AFFAIRS.—

13 “(1) ESTABLISHMENT.—There is established in  
14 the Transportation Security Administration an Of-  
15 fice of Legislative Affairs (in this subsection referred  
16 to as the ‘Office’).

17 “(2) ASSISTANT ADMINISTRATOR.—The head of  
18 the Office shall be the Assistant Administrator for  
19 Legislative Affairs, who shall report to the Adminis-  
20 trator of the Transportation Security Administration  
21 or the Administrator’s designee.

22 “(3) FUNCTIONS.—The Office shall be respon-  
23 sible for developing and implementing strategies  
24 within the Transportation Security Administration

1 to achieve congressional approval or authorization of  
2 the Administration's programs and policies.

3 “(y) OFFICE OF FINANCE AND ADMINISTRATION.—

4 “(1) ESTABLISHMENT.—There is established in  
5 the Transportation Security Administration an Of-  
6 fice of Finance and Administration (in this sub-  
7 section referred to as the ‘Office’).

8 “(2) CHIEF FINANCIAL OFFICER.—The head of  
9 the Office shall be the Chief Financial Officer, who  
10 shall report to the Administrator of the Transpor-  
11 tation Security Administration or the Administra-  
12 tor's designee.

13 “(3) FUNCTIONS.—The Office shall be respon-  
14 sible for financial, budgetary, and administrative ac-  
15 tivities that support the mission of the Transpor-  
16 tation Security Administration.

17 “(z) OFFICE OF THE CHIEF OF OPERATIONS.—

18 “(1) ESTABLISHMENT.—There is established in  
19 the Transportation Security Administration an Of-  
20 fice of the Chief of Operations (in this subsection re-  
21 ferred to as the ‘Office’).

22 “(2) CHIEF OF OPERATIONS.—The head of the  
23 Office shall be the Chief of Operations, who shall re-  
24 port to the Administrator of the Transportation Se-

1 security Administration or the Administrator’s des-  
2 ignee.

3 “(3) FUNCTIONS.—The Office shall be respon-  
4 sible for the following:

5 “(A) Conducting protection, response, de-  
6 tection, assessment, and investigation activities  
7 in airports and other transportation facilities  
8 and deploying Federal Air Marshals on United  
9 States aircraft traveling domestically and inter-  
10 nationally.

11 “(B) Identifying, analyzing, and mitigating  
12 risk by assessing vulnerabilities at international  
13 locations to determine risk, evaluating risk im-  
14 pacts to determine mitigation activities, and  
15 executing mitigation activities to reduce risk to  
16 the United States.

17 “(C) Providing security and intelligence  
18 professionals with timely information in order  
19 to prevent a terrorist attack against the trans-  
20 portation systems of the United States.

21 “(D) Developing security policies and plans  
22 that reduce the risk of catastrophic terrorist at-  
23 tacks.

24 “(E) Providing risk-based, adaptive secu-  
25 rity that includes airport checkpoint and bag-



1           gage screening operations, regulatory compli-  
2           ance, cargo inspections, and other specialized  
3           programs designed to secure transportation.

4           “(F) Safeguarding the transportation sys-  
5           tems of the United States through the qualifica-  
6           tion and delivery of innovative security capabili-  
7           ties.

8           “(aa) OFFICE OF THE CHIEF OF MISSION SUP-  
9           PORT.—

10           “(1) ESTABLISHMENT.—There is established in  
11           the Transportation Security Administration an Of-  
12           fice of the Chief of Mission Support (in this sub-  
13           section referred to as the ‘Office’).

14           “(2) CHIEF OF MISSION SUPPORT.—The head  
15           of the Office shall be the Chief of Mission Support,  
16           who shall report to the Administrator of the Trans-  
17           portation Security Administration or the Adminis-  
18           trator’s designee.

19           “(3) FUNCTIONS.—The Office shall be respon-  
20           sible for the following:

21           “(A) Negotiating and awarding contracts  
22           and other procurement vehicles that improve  
23           the Transportation Security Administration’s  
24           capabilities.

1           “(B) Providing strategic, sustainable, and  
2 comprehensive programs and services that at-  
3 tract, build, and inspire a talented workforce.

4           “(C) Overseeing the development, delivery,  
5 and evaluation of training programs for Trans-  
6 portation Security Administration employees.

7           “(D) Providing information technologies  
8 and services that enable global transportation  
9 security.

10          “(E) Ensuring the integrity, efficiency,  
11 and effectiveness of the Transportation Security  
12 Administration’s workforce, operations, and  
13 programs through objective audits, covert test-  
14 ing, inspections, and criminal investigations.

15          “(F) Ensuring consistency in misconduct  
16 penalty determinations and an expeditious and  
17 fair adjudication process.

18          “(G) Building the Transportation Security  
19 Administration’s capabilities by managing the  
20 acquisition, testing, deployment, and  
21 sustainment of security technology and other  
22 acquisition programs.

23          “(bb) OFFICE OF THE CHIEF COUNSEL.—

24                 “(1) ESTABLISHMENT.—There is established in  
25 the Transportation Security Administration an Of-

1        fice of the Chief Counsel (in this subsection referred  
2        to as the ‘Office’).

3            “(2) CHIEF COUNSEL.—The head of the Office  
4        shall be the Chief Counsel for the Transportation  
5        Security Administration, who shall report to the  
6        General Counsel of the Department of Homeland  
7        Security.

8            “(3) FUNCTIONS.—The Office shall be respon-  
9        sible for providing legal advice and services across  
10       the Transportation Security Administration.”.

11        (b) SECTION 115.—Subsection (c) of section 115 of  
12       title 49, United States Code, is amended—

13            (1) in paragraph (1), by striking “Under Sec-  
14       retary of Transportation for security” and inserting  
15       “Administrator of the Transportation Security Ad-  
16       ministration”; and

17            (2) in paragraph (6), by striking “Under Sec-  
18       retary” and inserting “Administrator of the Trans-  
19       portation Security Administration”.

20        (c) SECTION 40119.—Section 40119 of title 49,  
21       United States Code, is amended—

22            (1) in subsection (a), by striking “Under Sec-  
23       retary of Transportation for Security” and inserting  
24       “Administrator of the Transportation Security Ad-  
25       ministration”;

1 (2) in subsection (b)(4)—

2 (A) by inserting “of the Federal Aviation  
3 Administration” after “Administrator”; and

4 (B) by inserting “Federal Aviation” before  
5 “Administration”; and

6 (3) in subsection (c), by striking “Under Sec-  
7 retary” and inserting “Administrator of the Trans-  
8 portation Security Administration”.

9 (d) SECTION 44901.—Section 44901 of title 49,  
10 United States Code, is amended—

11 (1) by striking “Under Secretary of Transpor-  
12 tation for Security” each place it appears and insert-  
13 ing “Administrator of the Transportation Security  
14 Administration”;

15 (2) by striking “Under Secretary” each place it  
16 appears and inserting “Administrator of the Trans-  
17 portation Security Administration”;

18 (3) by striking “Assistant Secretary (Transpor-  
19 tation Security Administration)” each place it ap-  
20 pears and inserting “Administrator of the Transpor-  
21 tation Security Administration”;

22 (4) by striking “Assistant Secretary” each place  
23 it appears and inserting “Administrator of the  
24 Transportation Security Administration”; and

1           (5) in subsection (d), by striking “Senate Com-  
2       mittee on Commerce, Science, and Transportation  
3       and the House of Representatives Committee on  
4       Transportation” each place it appears and inserting  
5       “the Committee on Commerce, Science, and Trans-  
6       portation and the Committee on Homeland Security  
7       and Governmental Affairs of the Senate and the  
8       Committee on Transportation and Infrastructure  
9       and the Committee on Homeland Security of the  
10      House of Representatives”.

11      (e) SECTION 44902.—Section 44902 of title 49,  
12      United States Code, is amended—

13           (1) in subsection (a), by striking “Under Sec-  
14      retary of Transportation for Security” and inserting  
15      “Administrator of the Transportation Security Ad-  
16      ministration”; and

17           (2) in subsection (b), by striking “Under Sec-  
18      retary” and inserting “Administrator of the Trans-  
19      portation Security Administration”.

20      (f) SECTION 44903.—Section 44903 of title 49,  
21      United States Code, is amended—

22           (1) in subsection (b)(1), by striking “Secretary  
23      of Transportation” and inserting “Secretary of  
24      Homeland Security”;

1           (2) in subsection (c)(2)(C), by striking “Sec-  
2           retary of Transportation” and inserting “Secretary  
3           of Homeland Security”;

4           (3) in subsection (d), in the matter preceding  
5           paragraph (1), by striking “Secretary of Transpor-  
6           tation” and inserting “Secretary of Homeland Secu-  
7           rity”;

8           (4) in subsection (g)—

9                 (A) in paragraph (1)(A), in the heading,  
10                by striking “UNDER SECRETARY” and inserting  
11                “ADMINISTRATOR”; and

12               (B) in paragraph (2), by striking “Under  
13                Secretary’s” each place it appears and inserting  
14                “Transportation Security Administration Ad-  
15                ministrators”;

16           (5) in subsection (h)—

17                 (A) in paragraph (3), by inserting “of  
18                Homeland Security” after “Secretary”;

19                (B) in paragraph (6)(C), in the matter  
20                preceding clause (i), by inserting “of Homeland  
21                Security” after “Secretary”;

22           (6) in subsection (i)(1), by striking “, after re-  
23           ceiving the recommendations of the National Insti-  
24           tute of Justice,”;

25           (7) in subsection (j)—

1 (A) in paragraph (1)—

2 (i) in the matter preceding subpara-  
3 graph (A), by striking “Under Secretary  
4 for Transportation Security” and inserting  
5 “Administrator of the Transportation Se-  
6 curity Administration”; and

7 (ii) in the matter following subpara-  
8 graph (E), by striking “Secretary of  
9 Transportation” and inserting “Secretary  
10 of Homeland Security”; and

11 (B) in paragraph (2), by striking “Sec-  
12 retary of Transportation” each place it appears  
13 and inserting “Secretary of Homeland Secu-  
14 rity”;

15 (8) in subsection (l)(1), by striking “Under Sec-  
16 retary for Border and Transportation Security of  
17 the Department of Homeland Security” and insert-  
18 ing “Administrator of the Transportation Security  
19 Administration”;

20 (9) by striking “Under Secretary of Transpor-  
21 tation for Security” each place it appears and insert-  
22 ing “Administrator of the Transportation Security  
23 Administration”;

1           (10) by striking “Under Secretary” each place  
2           it appears and inserting “Administrator of the  
3           Transportation Security Administration”;

4           (11) by striking “Assistant Secretary of Home-  
5           land Security (Transportation Security Administra-  
6           tion)” each place it appears and inserting “Adminis-  
7           trator of the Transportation Security Administra-  
8           tion”; and

9           (12) by striking “Assistant Secretary” each  
10          place it appears and inserting “Administrator of the  
11          Transportation Security Administration”.

12          (g) SECTION 44904.—Section 44904 of title 49,  
13          United States Code, is amended—

14           (1) in subsection (a), by striking “Under Sec-  
15           retary of Transportation for Security” and inserting  
16           “Administrator of the Transportation Security Ad-  
17           ministration”;

18           (2) by striking “Under Secretary” each place it  
19           appears and inserting “Administrator of the Trans-  
20           portation Security Administration”; and

21           (3) in subsection (d) by striking “Assistant Sec-  
22           retary of Homeland Security (Transportation Secu-  
23           rity Administration)” and inserting “Administrator  
24           of the Transportation Security Administration”.



1 (h) SECTION 44905.—Section 44905 of title 49,  
2 United States Code, is amended—

3 (1) in subsection (a), by striking “Secretary of  
4 Transportation” and inserting “Secretary of Home-  
5 land Security”;

6 (2) in subsection (b), by striking “Under Sec-  
7 retary of Transportation for Security” and inserting  
8 “Administrator of the Transportation Security Ad-  
9 ministration”; and

10 (3) by striking “Under Secretary” each place it  
11 appears and inserting “Administrator of the Trans-  
12 portation Security Administration”.

13 (i) SECTION 44906.—Section 44906 of title 49,  
14 United States Code, is amended—

15 (1) by striking “Under Secretary of Transpor-  
16 tation for Security” and inserting “Administrator of  
17 the Transportation Security Administration”; and

18 (2) by striking “Under Secretary” each place it  
19 appears and inserting “Administrator”.

20 (j) SECTION 44908.—Section 44908 of title 49,  
21 United States Code, is amended by striking “Secretary of  
22 Transportation” each place it appears and inserting “Sec-  
23 retary of Homeland Security”.

24 (k) SECTION 44909.—Section 44909 of title 49,  
25 United States Code, is amended—

1           (1) by striking “Under Secretary” each place it  
2           appears and inserting “Administrator of the Trans-  
3           portation Security Administration”; and

4           (2) by striking “the Customs Service” each  
5           place it appears and inserting “U.S. Customs and  
6           Border Protection”.

7           (l) SECTION 44911.—Section 44911 of title 49,  
8           United States Code, is amended—

9           (1) in subsection (a)—

10           (A) in paragraphs (1) through (10), by  
11           striking “the” each place it appears and insert-  
12           ing “The”; and

13           (B) by inserting the following at the end  
14           the following new paragraphs:

15           “(11) The Coast Guard Intelligence.

16           “(12) The Department of Homeland Security.

17           “(13) The National Geospatial-Intelligence  
18           Agency.

19           “(14) The National Reconnaissance Office.”;

20           (2) in subsection (b)—

21           (A) by striking “Secretary of Transpor-  
22           tation” and inserting “Secretary of Homeland  
23           Security”; and

24           (B) by striking “Under Secretary of  
25           Transportation for Security” and inserting

1 “Administrator of the Transportation Security  
2 Administration”;

3 (3) in subsection (d), by striking “the Sec-  
4 retary” and inserting “the Secretary of Homeland  
5 Security”; and

6 (4) in subsection (e)—

7 (A) by striking “the Secretary” and insert-  
8 ing “the Secretary of Homeland Security”; and

9 (B) by striking “Under Secretary” each  
10 place it appears and inserting “Administrator  
11 of the Transportation Security Administration”.

12 (m) SECTION 44912.—Section 44912 of title 49,  
13 United States Code, is amended—

14 (1) in subsection (a)—

15 (A) in paragraph (1), by striking “Under  
16 Secretary of Transportation for Security” and  
17 inserting “Administrator of the Transportation  
18 Security Administration”; and

19 (B) in paragraph (3), by striking “Sec-  
20 retary of Transportation” and inserting “Sec-  
21 retary of Homeland Security”;

22 (2) by striking “Under Secretary” each place it  
23 appears and inserting “Administrator of the Trans-  
24 portation Security Administration”.

1           (n) SECTION 44913.—Section 44913 of title 49,  
2 United States Code, is amended—

3           (1) in subsection (a)—

4                   (A) in paragraph (1), by striking “Under  
5 Secretary of Transportation for Security” and  
6 inserting “Administrator of the Transportation  
7 Security Administration”; and

8                   (B) in paragraph (2), by striking “the  
9 Committee on Transportation and Infrastruc-  
10 ture” and inserting “the Committee on Home-  
11 land Security”;

12           (2) in subsection (b), by striking “Secretary of  
13 Transportation” and inserting “Secretary of Home-  
14 land Security”; and

15           (3) by striking “Under Secretary” each place it  
16 appears and inserting “Administrator of the Trans-  
17 portation Security Administration”.

18           (o) SECTION 44914.—Section 44914 of title 49,  
19 United States Code, is amended—

20           (1) by striking “Under Secretary of Transpor-  
21 tation for Security” and inserting “Administrator of  
22 the Transportation Security Administration”; and

23           (2) by striking “Under Secretary” each place it  
24 appears and inserting “Administrator of the Trans-  
25 portation Security Administration”.

1           (p) SECTION 44915.—Section 44915 of title 49,  
2 United States Code, is amended by striking “Under Sec-  
3 retary of Transportation for Security” and inserting “Ad-  
4 ministrator of the Transportation Security Administra-  
5 tion”.

6           (q) SECTION 44916.—Section 44916 of title 49,  
7 United States Code, is amended—

8                   (1) in subsection (a), by striking “Under Sec-  
9 retary of Transportation for Security” and inserting  
10 “Administrator of the Transportation Security Ad-  
11 ministration”; and

12                   (2) in subsection (b), by striking “Under Sec-  
13 retary” and inserting “Administrator of the Trans-  
14 portation Security Administration”.

15           (r) SECTION 44917.—Section 44917 of title 49,  
16 United States Code, is amended—

17                   (1) in subsection (a)—

18                           (A) in the matter preceding paragraph (1),  
19 by striking “Under Secretary of Transportation  
20 for Security” and inserting “Administrator of  
21 the Transportation Security Administration”;  
22 and

23                           (B) in paragraph (2), by inserting “of  
24 Homeland Security, utilizing a risk-based secu-  
25 rity methodology,” after “Secretary”;

1 (2) by striking subsections (b) and (c);

2 (3) redesignating subsection (d) as subsection

3 (b); and

4 (4) in subsection (b), as so redesignated—

5 (A) in paragraph (1), by striking “Assist-

6 ant Secretary for Immigration and Customs

7 Enforcement” and inserting “Administrator of

8 the Transportation Security Administration”;

9 and

10 (B) in paragraph (3), by striking “Assist-

11 ant Secretary” each place it appears and insert-

12 ing “Administrator”.

13 (s) SECTION 44918.—Section 44918 of title 49,

14 United States Code, is amended—

15 (1) in subsection (a)—

16 (A) in paragraph (2)(E), by striking “the

17 Under Secretary for Border and Transportation

18 Security of the Department of Homeland Secu-

19 rity” and inserting “the Administrator of the

20 Transportation Security Administration”; and

21 (B) in paragraphs (5), (6), and (7), by

22 striking “the Administrator” each place it ap-

23 pears and inserting “the Administrator of the

24 Federal Aviation Administration”; and

1           (2) by striking “Under Secretary” each place it  
2           appears and inserting “Administrator of the Trans-  
3           portation Security Administration”.

4           (t) SECTION 44919.—Section 44919 of title 49,  
5           United States Code, is amended by striking “Under Sec-  
6           retary” each place it appears and inserting “Adminis-  
7           trator of the Transportation Security Administration”.

8           (u) SECTION 44920.—Section 44920 of title 49,  
9           United States Code, is amended by striking “Under Sec-  
10          retary” each place it appears and inserting “Adminis-  
11          trator of the Transportation Security Administration”.

12          (v) SECTION 44921.—Section 44921 of title 49,  
13          United States Code, is amended—

14                 (1) in subsection (a), by striking “Under Sec-  
15                 retary of Transportation for Security” and inserting  
16                 “Administrator of the Transportation Security Ad-  
17                 ministration”; and

18                 (2) in subsection (b)(6)—

19                         (A) by inserting “the Committee on Home-  
20                         land Security and” before “the Committee on  
21                         Transportation and Infrastructure”; and

22                         (B) by inserting “the Committee on Home-  
23                         land Security and Governmental Affairs” before  
24                         “the Committee on Commerce, Science, and  
25                         Transportation”;

1           (3) in subsection (d)(4), by striking “may,” and  
2           inserting “may”;

3           (4) in subsection (i)(2), by striking “the Under  
4           Secretary” before “may”;

5           (5) by striking “Under Secretary” each place it  
6           appears and inserting “Administrator of the Trans-  
7           portation Security Administration”; and

8           (6) by striking “Under Secretary’s” each place  
9           it appears and inserting “Transportation Security  
10          Administration Administrator’s”.

11         (w) SECTION 44922.—Section 44922 of title 49,  
12         United States Code, is amended—

13           (1) in subsection (a), by striking “Under Sec-  
14           retary of Transportation for Security” and inserting  
15           “Administrator of the Transportation Security Ad-  
16           ministration”; and

17           (2) by striking “Under Secretary” each place it  
18           appears and inserting “Administrator of the Trans-  
19           portation Security Administration”.

20         (x) SECTION 44923.—Section 44923 of title 49,  
21         United States Code, is amended—

22           (1) in subsection (a), in the matter preceding  
23           paragraph (1), by striking “the Under Secretary for  
24           Border and Transportation Security of the Depart-  
25           ment of Homeland Security” and inserting “the Ad-



1 administrator of the Transportation Security Adminis-  
2 tration”;

3 (2) in subsection (c), by striking “Secretary of  
4 Transportation” and inserting “Secretary of Home-  
5 land Security”; and

6 (3) in subsection (d)—

7 (A) in paragraph (3), in the heading, by  
8 striking “UNDER SECRETARY” and inserting  
9 “ADMINISTRATOR”; and

10 (B) in paragraph (4), by inserting “,  
11 Homeland Security,” before “and Transpor-  
12 tation and Infrastructure”; and

13 (4) by striking “Under Secretary” each place it  
14 appears and inserting “Administrator of the Trans-  
15 portation Security Administration”.

16 (y) SECTION 44924.—Section 44924 of title 49,  
17 United States Code, is amended—

18 (1) in subsection (a)—

19 (A) by striking “Under Secretary for Bor-  
20 der and Transportation for Security of the De-  
21 partment of Homeland Security” and inserting  
22 “Administrator of the Transportation Security  
23 Administration”; and

1 (B) by striking “Administrator under” and  
2 inserting “Administrator of the Federal Avia-  
3 tion Administration under”;

4 (2) in each of subsections (b) through (f), by  
5 inserting “of the Federal Aviation Administration”  
6 after “Administrator” each place it appears;

7 (3) in subsection (g), by inserting “the Com-  
8 mittee on Homeland Security and” before “the Com-  
9 mittee on Transportation and Infrastructure”; and

10 (4) by striking “Under Secretary” each place it  
11 appears and inserting “Administrator of the Trans-  
12 portation Security Administration”.

13 (z) SECTION 44925.—Section 44925 of title 49,  
14 United States Code, is amended—

15 (1) in subsection (b)—

16 (A) in paragraph (1), by striking “Assist-  
17 ant Security of Homeland Security (Transpor-  
18 tation Security Administration” and inserting  
19 “Administrator of the Transportation Security  
20 Administration”; and

21 (B) in paragraph (3), by inserting “of  
22 Homeland Security” after “Secretary”; and

23 (2) in subsection (d), by striking “Assistant  
24 Secretary” each place it appears and inserting “Ad-

1 administrator of the Transportation Security Adminis-  
2 tration”.

3 (aa) SECTION 44926.—Section 44926 of title 49,  
4 United States Code, is amended—

5 (1) in subsection (a), by striking “United  
6 States” and inserting “U.S.”; and

7 (2) in subsection (b)(3)—

8 (A) in the matter preceding subparagraph  
9 (A), by striking “an” and inserting “a”; and

10 (B) in subparagraph (B), by striking  
11 “United States” and inserting “U.S.”.

12 (bb) SECTION 44927.—Section 44927 of title 49,  
13 United States Code, is amended—

14 (1) in subsection (a), in the first sentence, by  
15 striking “Veteran” and inserting “Veterans”; and

16 (2) by striking “Assistant Secretary” each place  
17 it appears and inserting “Administrator of the  
18 Transportation Security Administration”.

19 (cc) SECTION 44933.—Section 44933 of title 49,  
20 United States Code, is amended—

21 (1) in the heading, by striking “**MANAGERS**”  
22 and inserting “**DIRECTORS**”;

23 (2) in subsection (a)—

24 (A) in the first sentence—

1 (i) by striking “Under Secretary of  
2 Transportation for Security” and inserting  
3 “Administrator of the Transportation Se-  
4 curity Administration”; and

5 (ii) by striking “Manager” and insert-  
6 ing “Director”;

7 (B) in the second sentence—

8 (i) by striking “Under Secretary” and  
9 inserting “Administrator of the Transpor-  
10 tation Security Administration”; and

11 (ii) by striking the term “Managers”  
12 each place it appears and inserting “Direc-  
13 tors”; and

14 (3) in subsection (b)—

15 (A) in the matter preceding paragraph (1),  
16 by striking “Manager” and inserting “Direc-  
17 tor”; and

18 (B) in paragraph (2), by striking “Under  
19 Secretary” and inserting “the Administrator of  
20 the Transportation Security Administration”.

21 (dd) SECTION 44934.—Section 44934 of title 49,  
22 United States Code, is amended—

23 (1) in subsection (a), by striking “Under Sec-  
24 retary of Transportation for Security” and inserting

1 “Administrator of the Transportation Security Ad-  
2 ministration”; and

3 (2) by striking “Under Secretary” each place it  
4 appears and inserting “Administrator of the Trans-  
5 portation Security Administration”.

6 (ee) SECTION 44935.—Section 44935 of title 49,  
7 United States Code, is amended—

8 (1) by striking “Under Secretary of Transpor-  
9 tation for Security” each place it appears and insert-  
10 ing “Administrator of the Transportation Security  
11 Administration”;

12 (2) by striking “Under Secretary” each place it  
13 appears and inserting “Administrator of the Trans-  
14 portation Security Administration”;

15 (3) in subsection (e)(2)(A)(ii), by striking “sec-  
16 tion 1101(a)(22) of the Immigration and Nationality  
17 Act” and inserting “section 101(a)(22) of the Immi-  
18 gration and Nationality Act”; and

19 (4) by redesignating the second subsection (i)  
20 (relating to accessibility of computer-based training  
21 facilities) as subsection (k).

22 (ff) SECTION 44936.—Section 44936 of title 49,  
23 United States Code, is amended—

24 (1) in subsection (a)(1)—

25 (A) in subparagraph (A)—

1 (i) by striking “Under Secretary of  
2 Transportation for Security” and inserting  
3 “Administrator of the Transportation Se-  
4 curity Administration”; and

5 (ii) by striking “Under Secretary of  
6 Transportation for Transportation Secu-  
7 rity,,” and inserting “Administrator of the  
8 Transportation Security Administration,”;  
9 and

10 (B) in subparagraphs (B) and (C), by  
11 striking “Under Secretary of Transportation for  
12 Transportation Security” each place it appears  
13 and inserting “Administrator of the Transpor-  
14 tation Security Administration”;

15 (2) in subsection (c)(1), by striking “Under  
16 Secretary’s” and inserting “Transportation Security  
17 Administration Administrator’s”; and

18 (3) by striking “Under Secretary” each place it  
19 appears and inserting “Administrator of the Trans-  
20 portation Security Administration”.

21 (gg) SECTION 44937.—Section 44937 of title 49,  
22 United States Code, is amended by striking “Under Sec-  
23 retary of Transportation for Security” and inserting “Ad-  
24 ministrator of the Transportation Security Administra-  
25 tion”.

1 (hh) SECTION 44938.—Section 44938 of title 49,  
2 United States Code, is amended—

3 (1) in subsection (a), in the matter preceding  
4 paragraph (1)—

5 (A) by striking “Secretary of Transpor-  
6 tation” and inserting “Secretary of Homeland  
7 Security”;

8 (B) by striking “the Secretary considers”  
9 and inserting “the Secretary of Homeland Se-  
10 curity considers”;

11 (C) by striking “The Secretary” and in-  
12 serting “The Secretary of Homeland Security”;  
13 and

14 (D) by striking “Under Secretary of  
15 Transportation Security” and inserting “Ad-  
16 ministrator of the Transportation Security Ad-  
17 ministration”; and

18 (2) by striking “Under Secretary” each place it  
19 appears and inserting “Administrator of the Trans-  
20 portation Security Administration”.

21 (ii) SECTION 44940.—Section 44940 of title 49,  
22 United States Code, is amended—

23 (1) in subsection (a)(1)—

24 (A) in the matter preceding paragraph (1),  
25 by striking “Under Secretary of Transportation

1           for Security” and inserting “Administrator of  
2           the Transportation Security Administration”;  
3           and

4                   (B) in subparagraph (F) by striking “  
5           Managers” and inserting “Directors”;

6           (2) in subsection (e)(1), in the heading, by  
7           striking “UNDER SECRETARY” and inserting “AD-  
8           MINISTRATOR”; and

9                   (3) by striking “Under Secretary” each place it  
10           appears and inserting “Administrator of the Trans-  
11           portation Security Administration”.

12           (jj) SECTION 44941.—Section 44941 of title 49,  
13           United States Code, is amended by inserting “the Depart-  
14           ment of Homeland Security,” before “the Department of  
15           Transportation”.

16           (kk) SECTION 44942.—Section 44942 of title 49,  
17           United States Code, is amended—

18                   (1) in subsection (b)—

19                           (A) in paragraph (1)—

20                                   (i) by redesignating paragraph (1) as  
21                                   subsection (c) and moving such subsection,  
22                                   as so redesignated, two ems to the left;  
23                                   and

24                                   (ii) by redesignating subparagraphs  
25                                   (A) and (B) as subsections (d) and (e), re-



1                   spectively, and moving such subsections, as  
2                   so redesignated, four ems to the left;

3                   (2) by striking subsections (a) and (b);

4                   (3) by striking subsection (c), as so redesign-  
5                   nated;

6                   (4) by redesignating subsections (d) and (e), as  
7                   so redesignated, as subsections (a) and (b), respec-  
8                   tively;

9                   (5) by striking the term “the Secretary” each  
10                  place it appears and inserting “the Secretary of  
11                  Homeland Security”;

12                  (6) by striking “Under Secretary for Transpor-  
13                  tation Security” each place it appears and inserting  
14                  “Administrator of the Transportation Security Ad-  
15                  ministration”; and

16                  (7) by striking “Congress” and inserting “the  
17                  Committee on Homeland Security of the House of  
18                  Representatives and the Committee on Commerce,  
19                  Science, and Transportation of the Senate”.

20                  (II) SECTION 44943.—Section 44943 of title 49,  
21                  United States Code, is amended—

22                  (1) in subsection (a), by striking “The Under  
23                  Secretary for Transportation Security” and inserting  
24                  “‘The Administrator of the Transportation Security  
25                  Administration”;

1 (2) in subsection (b)—

2 (A) in paragraph (1)—

3 (i) by striking “the Secretary” and in-  
4 sserting “the Secretary of Homeland Secu-  
5 rity”; and

6 (ii) by striking “Under Secretary of  
7 Transportation for Security” and inserting  
8 “Administrator of the Transportation Se-  
9 curity Administration”; and

10 (B) by striking “the Under Secretary”  
11 each place it appears and inserting “the Admin-  
12 istrator of the Transportation Security Admin-  
13 istration”; and

14 (3) in subsection (c), by striking “the Under  
15 Secretary for Transportation Security” and inserting  
16 “the Administrator of the Transportation Security  
17 Administration”.

18 (mm) SECTION 44944.—Section 44944 of title 49,  
19 United States Code, is amended—

20 (1) in subsection (a)(1), by striking “Under  
21 Secretary of Transportation for Transportation Se-  
22 curity” and inserting “Administrator of the Trans-  
23 portation Security Administration”; and

1           (2) by striking “Under Secretary” each place it  
2           appears and inserting “Administrator of the Trans-  
3           portation Security Administration”.

4           (mm) SECTION 44945.—Section 44945 of title 49,  
5           United States Code, is amended by striking “Assistant  
6           Secretary” each place it appears and inserting “Adminis-  
7           trator of the Transportation Security Administration”.

8           (oo) SECTION 44946.—Section 44946 of title 49,  
9           United States Code, is amended—

10           (1) in subsection (c)(2)(A), by striking “, but a  
11           member may continue to serve until a successor is  
12           appointed” and inserting “but may continue until  
13           such time as a successor member begins serving on  
14           the Advisory Committee”;

15           (2) in subsection (g)—

16                   (A) by striking paragraph (2); and

17                   (B) redesignating paragraph (3) as para-  
18                   graph (2); and

19           (3) by striking “Assistant Secretary” each place  
20           it appears and inserting “Administrator of the  
21           Transportation Security Administration”.

22           (pp) SECTION 45107.—Section 45107 of title 49,  
23           United States Code, is amended by striking “Under Sec-  
24           retary of Transportation for Security” each place it ap-

1 pears and inserting “Administrator of the Transportation  
2 Security Administration”.

3 (qq) CLERICAL AMENDMENTS.—The analysis for  
4 chapter 449 of title 49, United States Code, is amended  
5 by striking the item relating to section 44933 and insert-  
6 ing the following new item:

“44933. Federal Security Directors.”.

7 **SEC. 503. AMENDMENTS TO THE AVIATION AND TRANSPOR-**  
8 **TATION SECURITY ACT.**

9 (a) SECTION 101.—Section 101 of the Aviation and  
10 Transportation Security Act is amended—

11 (1) in subsection (c)—

12 (A) by striking paragraph (1);

13 (B) by redesignating paragraphs (2) and  
14 (3) as paragraph (1) and (2), respectively; and

15 (C) in paragraph (1), as so redesignated—

16 (i) by striking “Under Secretary” and  
17 inserting “Administrator of the Transpor-  
18 tation Security Administration”;

19 (ii) by striking “30 percent” and in-  
20 serting “15 percent”;

21 (iii) by striking “the Secretary’s” and  
22 inserting “the Secretary of Homeland Se-  
23 curity’s”; and

1 (iv) by striking “Under Secretary’s”  
2 and inserting “Transportation Security  
3 Administration Administrator’s”; and  
4 (2) by striking subsection (g) (49 U.S.C. 44901  
5 note).

6 (b) SECTION 106.—Section 106 of the Aviation and  
7 Transportation Security Act (49 U.S.C. 44903 note) is  
8 amended—

9 (1) in subsection (b)—

10 (A) in paragraph (1), in the matter pre-  
11 ceding subparagraph (A), by striking “Under  
12 Secretary of Transportation for Security” and  
13 inserting “Administrator of the Transportation  
14 Security Administration”;

15 (B) in paragraph (2)(A), by striking  
16 “Under Secretary” each place it appears and  
17 inserting “Administrator”; and

18 (C) in paragraph (2)(B), in the matter  
19 preceding clause (i), by striking “Secretary”  
20 and inserting “Secretary of Homeland Secu-  
21 rity”; and

22 (2) in subsection (e), by striking “Under Sec-  
23 retary of Transportation for Security” and inserting  
24 “Administrator of the Transportation Security Ad-  
25 ministration”.

1           (c) SECTION 109.—Section 109 of the Aviation and  
2 Transportation Security Act (49 U.S.C. 114 note) is  
3 amended—

4           (1) in subsection (a)—

5                   (A) by striking “(a) In general.—The  
6 Under Secretary of Transportation for Secu-  
7 rity” and inserting “The Administrator of the  
8 Transportation Security Administration”;

9                   (B) in paragraph (4), by—

10                           (i) striking “medical product” and in-  
11 sserting “liquid or gel medical product or  
12 nourishment and nutrition for infants and  
13 toddlers, including formula, breast milk,  
14 and juice,”; and

15                           (ii) by striking “the product” and in-  
16 sserting “such product or nourishment or  
17 nutrition”; and

18                   (C) in paragraph (7), by striking “voice  
19 stress analysis, biometric,” and inserting “bio-  
20 metric”; and

21           (2) by striking subsection (b).

22           (d) SECTION 110.—Section 110 of the Aviation and  
23 Transportation Security Act is amended by striking sub-  
24 sections (c) and (d).

1 (e) SECTION 111.—Section 111 of the Aviation and  
2 Transportation Security Act (49 U.S.C. 44935 note) is  
3 amended—

4 (1) in subsection (c)—

5 (A) by striking “Under Secretary of  
6 Transportation for Security” and inserting  
7 “Administrator of the Transportation Security  
8 Administration”; and

9 (B) by striking “Under Secretary” each  
10 place it appears and inserting “Administrator  
11 of the Transportation Security Administration”;

12 (2) in subsection (d)—

13 (A) in paragraph (1)—

14 (i) by striking “Under Secretary of  
15 Transportation for Security” and inserting  
16 “Administrator of the Transportation Se-  
17 curity Administration”; and

18 (ii) by striking “Under Secretary”  
19 each place it appears and inserting “Ad-  
20 ministrator”; and

21 (B) in paragraph (2), by striking “Under  
22 Secretary” and inserting “Administrator of the  
23 Transportation Security Administration”.

24 (f) SECTION 117.—Section 117 of the Aviation and  
25 Transportation Security Act (49 U.S.C. 44903 note) is

1 amended by striking “Secretary of Transportation” and  
2 inserting “Secretary of Homeland Security”.

3 (g) SECTION 132.—Section 132 of the Aviation and  
4 Transportation Security Act is repealed.

5 (h) SECTION 135.—Section 135 of the Aviation and  
6 Transportation Security Act is repealed.

7 (i) SECTION 137.—Section 137 of the Aviation and  
8 Transportation Security Act (49 U.S.C. 44912 note) is re-  
9 pealed.

10 (j) REDESIGNATIONS.—Sections 133, 134, 136, 138,  
11 139, 140, 141, 142, 143, 144, 145, 146, and 147 of the  
12 Aviation and Transportation Security Act are amended by  
13 redesignating such sections as sections 132, 133, 134,  
14 135, 136, 137, 138, 139, 140, 141, 142, 143, and 144,  
15 respectively.

## 16 **Subtitle B—Passenger Security and** 17 **Screening**

### 18 **SEC. 511. DEPARTMENT OF HOMELAND SECURITY TRUST-** 19 **ED TRAVELER PROGRAM COLLABORATION.**

20 The Secretary of Homeland Security shall continue  
21 the review of all trusted traveler vetting programs carried  
22 out by the Department of Homeland Security using rep-  
23 resentatives from such programs to make recommenda-  
24 tions on possible efficiencies that could be gained by inte-



1 grating requirements and operations and increasing infor-  
2 mation and data sharing across programs.

3 **SEC. 512. PRECHECK BIOMETRIC PILOT PROJECT.**

4 Not later than one year after the date of the enact-  
5 ment of this Act, the Administrator of the Transportation  
6 Security Administration (TSA) shall conduct a pilot  
7 project to test a secure, automated, and biometric-based  
8 system at airports to verify the identity of individuals who  
9 are members of TSA PreCheck or another Department of  
10 Homeland Security trusted traveler program that affords  
11 TSA expedited screening. Such system shall be designed  
12 to—

13 (1) improve security while also reducing the  
14 need for security screening personnel to perform  
15 identity and travel document verification for such in-  
16 dividuals;

17 (2) reduce the average wait time of such indi-  
18 viduals;

19 (3) reduce overall operating expenses of the Ad-  
20 ministration;

21 (4) be integrated with the Department's watch  
22 list and trusted traveler matching programs; and

23 (5) be integrated with other technologies to fur-  
24 ther facilitate risk-based passenger screening at

1 checkpoints, to the extent practicable and consistent  
2 with security standards.

3 **SEC. 513. IDENTITY AND TRAVEL DOCUMENT**  
4 **VERIFICATION.**

5 Section 44901 of title 49, United States Code, is  
6 amended by adding at the end the following new sub-  
7 section:

8 “(m) ESTABLISHMENT OF SCREENING SYSTEM FOR  
9 CERTAIN PERSONS.—Not later than December 31, 2018,  
10 the Administrator of the Transportation Security Admin-  
11 istration shall, subject to the availability of appropriations,  
12 implement an identity and travel document verification  
13 system designed to establish a secure, automated system  
14 at all airports for verifying identity and travel documents  
15 of persons seeking entry into the sterile area of an airport.  
16 Such system shall—

17 “(1) assess the need for security screening per-  
18 sonnel to perform identity and travel document  
19 verification for such passengers, thereby assessing  
20 the overall number of such screening personnel;

21 “(2) reduce the average wait time of such pas-  
22 sengers;

23 “(3) reduce overall operating expenses of the  
24 Administration;

1           “(4) be integrated with the Administration’s  
2 watch list matching program; and

3           “(5) be integrated with other technologies to  
4 further facilitate risk-based passenger screening at  
5 checkpoints, to the extent practicable and consistent  
6 with security standards.”.

7 **SEC. 514. COMPUTED TOMOGRAPHY PILOT PROJECT.**

8           Not later than 90 days after the date of the enact-  
9 ment of this Act, the Administrator of the Transportation  
10 Security Administration shall conduct a pilot project to  
11 test the use of screening equipment using computed to-  
12 mography technology to screen baggage at passenger  
13 checkpoints.

14 **SEC. 515. EXPLOSIVES DETECTION CANINE TEAMS FOR**  
15 **AVIATION.**

16           (a) **PASSENGER SCREENING TEAMS.**—The Adminis-  
17 trator of the Transportation Security Administration shall  
18 ensure that by December 31, 2018, at least 300 explosives  
19 detection canine teams are dedicated to passenger screen-  
20 ing purposes at airports in the United States at which the  
21 Administration performs, or oversees the implementation  
22 and performance of, security measures, including screen-  
23 ing responsibilities.

24           (b) **USE OF CANINES TO DETECT SCREENING ANOM-**  
25 **ALIES.**—At airports in the United States at which—

1           (1) canine teams trained to screen passengers  
2           are available, and

3           (2) the Transportation Security Administration  
4           has passenger screening responsibilities,  
5 the Administrator of the Transportation Security Admin-  
6 istration may use such teams to detect screening anoma-  
7 lies.

8 **SEC. 516. STANDARD OPERATING PROCEDURES AT AIR-**  
9 **PORT CHECKPOINTS.**

10          (a) STANDARDIZATION.—The Administrator of the  
11 Transportation Security Administration shall require, to  
12 the extent practicable, that standard operating procedures  
13 at airport checkpoints for passengers and carry-on bag-  
14 gage are carried out in a uniform manner among similarly  
15 situated airports.

16          (b) REPORT TO CONGRESS.—Not later than 270 days  
17 after the date of the enactment of this Act, the Adminis-  
18 trator of the Transportation Security Administration shall  
19 submit to the Committee on Homeland Security of the  
20 House of Representatives and the Committee on Com-  
21 merce, Science, and Transportation of the Senate a report  
22 on how standard operating procedures were made uniform  
23 in accordance with subsection (a).

24          (c) AUDITS.—Beginning one year after the date of  
25 the enactment of this Act, the Inspector General of the

1 Department of Homeland Security shall conduct periodic  
2 audits of adherence to the standard operating procedures,  
3 as established by the Administrator of the Transportation  
4 Security Administration, under this section of screening  
5 personnel at large, medium, and small airports in diverse  
6 geographical areas.

7 **SEC. 517. TRAVELER REDRESS IMPROVEMENT.**

8 (a) REDRESS PROCESS.—

9 (1) IN GENERAL.—Not later than 30 days after  
10 the date of the enactment of this Act, the Adminis-  
11 trator of the Transportation Security Administration  
12 shall, using existing resources, systems, and proc-  
13 esses, ensure the availability of the Department of  
14 Homeland Security Traveler Redress Inquiry Pro-  
15 gram (DHS TRIP) redress process to adjudicate in-  
16 quires for individuals who—

17 (A) are citizens of the United States or  
18 aliens lawfully admitted for permanent resi-  
19 dence;

20 (B) have filed an inquiry with DHS TRIP  
21 after receiving enhanced screening at an airport  
22 passenger security checkpoint more than three  
23 times in any 60-day period; and

24 (C) believe they have been wrongly identi-  
25 fied as being a threat to aviation security.

1           (2) REPORT.—Not later than 180 days after  
2 the date of the enactment of this Act, the Adminis-  
3 trator of the Transportation Security Administration  
4 shall submit to the Committee on Homeland Secu-  
5 rity of the House of Representatives and the Com-  
6 mittee on Commerce, Science, and Transportation of  
7 the Senate a report on the implementation of the re-  
8 dress process required under paragraph (1).

9           (b) PRIVACY IMPACT REVIEW AND UPDATE.—

10           (1) IN GENERAL.—Not later than 180 days  
11 after the date of the enactment of this Act, the Ad-  
12 ministrator of the Transportation Security Adminis-  
13 tration shall review and update the Privacy Impact  
14 Assessment for the Secure Flight programs to en-  
15 sure such Assessment accurately reflects the oper-  
16 ation of such programs.

17           (2) PUBLIC DISSEMINATION; FORM.—The Se-  
18 cure Flight Privacy Impact Assessment review and  
19 update required under paragraph (1) shall be pub-  
20 lished on a publically-accessible internet webpage of  
21 the Transportation Security Administration and sub-  
22 mitted to the Committee on Homeland Security of  
23 the House of Representatives and the Committee on  
24 Commerce, Science, and Transportation of the Sen-  
25 ate.

1           (c) TRANSPORTATION SECURITY ADMINISTRATION  
2 RULE REVIEW AND NOTIFICATION PROCESS.—

3           (1) RULE REVIEW.—Not later than 60 days  
4 after the date of the enactment of this Act and every  
5 120 days thereafter, the Assistant Administrator of  
6 the Office of Intelligence and Analysis of the Trans-  
7 portation Security Administration, in coordination  
8 with the entities specified in paragraph (2), shall  
9 conduct a comprehensive review of the Transpor-  
10 tation Security Administration's intelligence-based  
11 screening rules.

12           (2) NOTIFICATION PROCESS.—Not later than  
13 48 hours after changing, updating, implementing, or  
14 suspending a Transportation Security Administra-  
15 tion intelligence-based screening rule, the Assistant  
16 Administrator of the Office of Intelligence and Anal-  
17 ysis of the Transportation Security Administration  
18 shall notify the following entities of any such  
19 change, update, implementation, or suspension, as  
20 the case may be:

21           (A) The Office of Civil Rights and Lib-  
22 erties of the Transportation Security Adminis-  
23 tration.

24           (B) The Office of the Ombudsman of the  
25 Administration.

1 (C) The Office of Traveler Engagement of  
2 the Administration.

3 (D) The Office of Civil Rights and Lib-  
4 erties of the Department of Homeland Security.

5 (E) The Office of Chief Counsel of the Ad-  
6 ministration.

7 (F) The Office of General Counsel of the  
8 Department.

9 (G) The Privacy Office of the Administra-  
10 tion.

11 (H) The Privacy Office of the Department.

12 (I) The Federal Air Marshal Service.

13 (J) The Traveler Redress Inquiry Program  
14 of the Department.

15 (d) FEDERAL AIR MARSHAL SERVICE COORDINA-  
16 TION.—

17 (1) IN GENERAL.—The Administrator of the  
18 Transportation Security Administration shall ensure  
19 that the Transportation Security Administration's  
20 intelligence-based screening rules are taken into ac-  
21 count for Federal Air Marshal mission scheduling.

22 (2) REPORT.—Not later than 180 days after  
23 the date of the enactment of this Act, the Adminis-  
24 trator of the Transportation Security Administration  
25 shall submit to the Committee on Homeland Secu-





1 primary passenger terminals upon the request of such car-  
2 rier. A commercial charter air carrier shall direct any such  
3 request to the Federal Security Director for the airport  
4 where such services are requested. A Federal Security Di-  
5 rector may elect to provide screening services if such serv-  
6 ices are available. The Administrator shall enter into an  
7 agreement with a commercial charter air carrier for com-  
8 pensation from such carrier requesting the use of screen-  
9 ing services for all reasonable costs in addition to overtime  
10 costs that are incurred in the provision of screening serv-  
11 ices under this section.

12 **SEC. 519. FEDERAL AIR MARSHAL SERVICE AGREEMENTS.**

13 (a) STANDARDIZATION.—Not later than 60 days  
14 after the date of the enactment of the Act, the Adminis-  
15 trator of the Transportation Security Administration shall  
16 develop a standard working document that shall be the  
17 basis of all negotiations and agreements that begin after  
18 the date of the enactment of this Act between the United  
19 States and foreign governments or partners regarding  
20 Federal Air Marshal coverage of flights to and from the  
21 United States.

22 (b) WRITTEN AGREEMENTS.—All agreements be-  
23 tween the United States and foreign governments or part-  
24 ners regarding the presence of Federal Air Marshals on  
25 flights to and from the United States must be written and

1 signed by the Secretary of Homeland Security or the Sec-  
2 retary's designee.

3 (c) CONGRESSIONAL NOTIFICATION.—The Secretary  
4 of Homeland Security shall transmit to the relevant Con-  
5 gressional committees any agreements described in sub-  
6 section (b) within 30 days of such agreement being signed.

7 **SEC. 520. FEDERAL AIR MARSHAL MISSION SCHEDULING**  
8 **AUTOMATION.**

9 The Administrator of the Transportation Security  
10 Administration shall seek to acquire an automated soft-  
11 ware capability for the scheduling of Federal Air Marshal  
12 Service missions based on current risk modeling.

13 **SEC. 521. CANINE DETECTION RESEARCH AND DEVELOP-**  
14 **MENT.**

15 (a) IN GENERAL.—The Secretary of Homeland Secu-  
16 rity shall conduct an audit of all canine training programs  
17 of the Department of Homeland Security and convene a  
18 working group of representatives from all such programs  
19 to make recommendations on possible efficiencies that  
20 could be gained by integrating training standards and fa-  
21 cilities.

22 (b) CANINE STAFFING ALLOCATION MODEL.—The  
23 Administrator of the Transportation Security Administra-  
24 tion shall develop a staffing allocation model for canines

1 to determine the optimal number of passenger screening  
2 canines at airports in the United States.

3 (c) REPORT TO CONGRESS.—Not later than 180 days  
4 after the date of the enactment of this Act, the Secretary  
5 of Homeland Security shall submit to the Committee on  
6 Homeland Security of the House of Representatives and  
7 the Committee on Commerce, Science, and Transportation  
8 of the Senate a report on the recommendations required  
9 by subsection (a).

10 **SEC. 522. INTERNATIONAL CIVIL AVIATION ORGANIZATION.**

11 (a) IN GENERAL.—Not later than 90 days after the  
12 date of the enactment of this Act, the United States Am-  
13 bassador or the Chargé d’Affaires to the United States  
14 Mission to the International Civil Aviation Organization  
15 shall pursue improvements to airport security, including  
16 if practicable, introducing a resolution to raise minimum  
17 standards for airport security.

18 (b) REPORT TO CONGRESS.—Not later than 180 days  
19 after the date of the enactment of this Act, the United  
20 States Ambassador or the Chargé d’Affaires to the United  
21 States Mission to the International Civil Aviation Organi-  
22 zation shall report to the Committee on Homeland Secu-  
23 rity and the Committee on Foreign Affairs of the House  
24 of Representatives and the Committee on Homeland Secu-  
25 rity and Governmental Affairs, the Committee on Foreign

1 Relations, and the Committee on Commerce, Science, and  
2 Transportation of the Senate on the implementation of  
3 subsection (a).

4 **SEC. 523. PASSENGER SECURITY FEE.**

5 The Secretary of Homeland Security is prohibited  
6 from incorporating an increase in the passenger security  
7 fee under section 44940 of title 49, United States Code,  
8 beyond what is authorized at the time the annual budget  
9 proposal for the Department of Homeland Security is  
10 transmitted to Congress.

11 **SEC. 524. LAST POINT OF DEPARTURE AIRPORT CERTIFI-**  
12 **CATION.**

13 Subparagraph (B) of section 44907(a)(2) of title 49,  
14 United States Code, is amended by inserting “, including  
15 the screening and vetting of airport workers” before the  
16 semicolon at the end.

17 **SEC. 525. SECURITY STANDARDS AT FOREIGN AIRPORTS.**

18 Section 44907 of title 49, United States Code, is  
19 amended—

20 (1) in subsections (a) through (d), by striking  
21 “Secretary of Transportation” each place it appears  
22 and inserting “Secretary of Homeland Security”;  
23 and

24 (2) in subsection (e), in the matter preceding  
25 paragraph (1)—

1 (A) by striking “and 40106(b) of this title,  
2 the Secretary of Transportation, with the ap-  
3 proval of the Secretary of State and without no-  
4 tice or a hearing, shall” and inserting  
5 “40106(b), and 41307 of this title, at the re-  
6 quest of the Secretary of Homeland Security  
7 and with the approval of the Secretary of State  
8 and without notice or a hearing, the Secretary  
9 of Transportation shall”; and

10 (B) by striking “when the Secretary of  
11 Transportation decides” and inserting “when  
12 the Secretary of Homeland Security decides”.

13 **SEC. 526. SECURITY INCIDENT RESPONSE AT AIRPORTS**  
14 **AND SURFACE TRANSPORTATION HUBS.**

15 The Gerardo Hernandez Airport Security Act of 2015  
16 (Public Law 114–50; 49 U.S.C. 44903 note) is amend-  
17 ed—

18 (1) in section 3—

19 (A) in subsection (b), in the matter pre-  
20 ceeding paragraph (1), by striking “may” each  
21 place it appears and inserting “shall”;

22 (B) by redesignating subsection (c) as sub-  
23 section (d); and

24 (C) by inserting after subsection (b) the  
25 following new subsection:

1           “(c) REVIEW.—The Administrator of the Transpor-  
2           tation Security Administration shall review the active  
3           shooter response guidelines specified for Department of  
4           Homeland Security personnel under this section and make  
5           a recommendation to the Secretary of Homeland Security  
6           to modify such guidelines for personnel who are certified  
7           Federal law enforcement officials and for personnel who  
8           are uniformed but unarmed security officials.”; and

9                       (2) in section 7—

10                      (A) in subsection (b), in the matter pre-  
11                      ceding paragraph (1), by striking “may” each  
12                      place it appears and inserting “shall”;

13                      (B) by redesignating subsections (c) and  
14                      (d) as subsections (d) and (e), respectively; and

15                      (C) by inserting after subsection (b) the  
16                      following new subsection:

17           “(c) REVIEW.—The Administrator of the Transpor-  
18           tation Security Administration shall review the active  
19           shooter response guidelines specified for Department of  
20           Homeland Security personnel under this section and make  
21           a recommendation to the Secretary of Homeland Security  
22           to modify such guidelines for personnel who are certified  
23           Federal law enforcement officials and for personnel who  
24           are uniformed but unarmed security officials.”.

1 **SEC. 527. AIRPORT SECURITY SCREENING OPT-OUT PRO-**  
2 **GRAM.**

3 Section 44920 of title 49, United States Code, is  
4 amended—

5 (1) in subsection (b)—

6 (A) in paragraph (1), strike “120” and in-  
7 sert “90”;

8 (B) by redesignating paragraph (3) as  
9 paragraph (4);

10 (C) by inserting after paragraph (2) the  
11 following new paragraph:

12 “(3) ENTRANCE INTO CONTRACT.—The  
13 Administrator of the Transportation Security  
14 Administration shall make best efforts to enter  
15 into a contract with a private screening com-  
16 pany to provide screening services at an airport  
17 not later than 180 days after the date of ap-  
18 proval of an application submitted by the oper-  
19 ator of such airport under subsection (a).”; and

20 (D) in subparagraph (A) of paragraph (4),  
21 as so redesignated, in the matter preceding  
22 clause (i), by striking “not later than 60 days  
23 following the date of the denial” and inserting  
24 “immediately upon issuing the denial”; and

25 (2) by striking subsection (h) and inserting the  
26 following new subsections:



1           “(h) EVALUATION OF SCREENING COMPANY PRO-  
2 POSALS FOR AWARD.—Notwithstanding any other provi-  
3 sion of law, including title 48 of the Code of Federal Regu-  
4 lations and the Federal Advisory Committee Act (5 U.S.C.  
5 App.), an airport operator that has applied and been ap-  
6 proved to have security screening services carried out by  
7 a qualified private screening company under contract with  
8 the Administrator of the Transportation Security Admin-  
9 istration may nominate to the head of the contracting ac-  
10 tivity an individual to participate in the evaluation of pro-  
11 posals for the award of such contract. Any such participa-  
12 tion on a proposal evaluation committee shall be conducted  
13 in accordance with the provisions and restrictions of chap-  
14 ter 21 of title 41, United States Code.

15           “(i) INNOVATIVE SCREENING APPROACHES AND  
16 TECHNOLOGIES.—The operator of an airport at which  
17 screening services are provided under this section is en-  
18 couraged to recommend to the Administrator of the  
19 Transportation Security Administration innovative screen-  
20 ing approaches and technologies. Upon receipt of any such  
21 recommendations, the Administrator, shall review and, if  
22 appropriate, test, conduct a pilot project, and, if appro-  
23 priate, deploy such approaches and technologies.”.

1 **SEC. 528. PERSONNEL MANAGEMENT SYSTEM REVIEW.**

2 (a) IN GENERAL.—Notwithstanding subsection (d) of  
3 section 111 of the Aviation and Transportation Security  
4 Act (49 U.S.C. 44935 note), not later than 30 days after  
5 the date of the enactment of this Act, the Administrator  
6 of the Transportation Security Administration shall con-  
7 vene a working group consisting of representatives of the  
8 Administration and representatives of the labor organiza-  
9 tion representing security screening personnel to negotiate  
10 reforms to the Administration’s personnel management  
11 system, including appeals to the Merit Systems Protection  
12 Board and grievance procedures.

13 (b) REPORT.—Not later than one year after the date  
14 of the enactment of this Act, the working group convened  
15 under subsection (a) shall submit to the Administrator of  
16 the Transportation Security Administration and the Com-  
17 mittee on Homeland Security of the House of Representa-  
18 tives and the Committee on Commerce, Science, and  
19 Transportation of the Senate a report containing agreed-  
20 upon reforms to the Administration’s personnel manage-  
21 ment system. The Administrator may implement associ-  
22 ated recommendations mutually agreed to by the parties  
23 to such working group before the end of such one year  
24 period.

1 **Subtitle C—Transportation Secu-**  
2 **rity Screening Personnel Train-**  
3 **ing and Accountability**

4 **SEC. 531. TRANSPORTATION SECURITY TRAINING PRO-**  
5 **GRAMS.**

6 (a) IN GENERAL.—Section 44935 of title 49, United  
7 States Code, as amended by section 502 of this Act, is  
8 further amended by adding at the end the following new  
9 subsection:

10 “(1) INITIAL AND RECURRING TRAINING.—

11 “(1) IN GENERAL.—The Administrator of the  
12 Transportation Security Administration shall estab-  
13 lish a training program for new security screening  
14 personnel located at the Federal Law Enforcement  
15 Training Center in Glynco, Georgia.

16 “(2) RECURRING TRAINING.—Not later than  
17 180 days after the date of the enactment of this  
18 subsection, the Administrator of the Transportation  
19 Security Administration shall establish recurring  
20 training of security screening personnel regarding  
21 updates to screening procedures and technologies,  
22 including methods to identify the verification of false  
23 or fraudulent travel documents, as well as training  
24 on emerging threats, in response to weaknesses iden-

1           tified in covert tests at airports. The training shall  
2           include—

3                   “(A) internal controls for monitoring and  
4                   documenting compliance of transportation secu-  
5                   rity officers with such training requirements;  
6                   and

7                   “(B) such other matters as identified by  
8                   the Administrator with regard to such train-  
9                   ing.”.

10          (b) GAO STUDY.—Not later than one year after the  
11          date of the enactment of this Act, the Comptroller General  
12          of the United States shall report to Congress on the effec-  
13          tiveness of the new security screening personnel training  
14          at Glynco, Georgia, required under subsection (l) of sec-  
15          tion 44935 of title 49, United States Code, as amended  
16          by this section.

17          **SEC. 532. ALTERNATE NEW SECURITY SCREENING PER-**  
18                                   **SONNEL TRAINING PROGRAM COST AND FEA-**  
19                                   **SIBILITY STUDY.**

20          Not later than 180 days after the date of the enact-  
21          ment of this Act, the Administrator of the Transportation  
22          Security Administration shall conduct a cost and feasi-  
23          bility study of developing a training program for security  
24          screening personnel that will provide such personnel with  
25          an equal level of training as is provided in the training

1 program for new security screening personnel located at  
2 the Federal Law Enforcement Training Center in Glyco,  
3 Georgia, that could be conducted at or within 50 miles  
4 of such security screening personnel's duty station. Such  
5 study should examine the use of online seminar and train-  
6 ing platforms for portions of the training curriculum that  
7 are conducive to such an outcome.

8 **Subtitle D—Airport Access**  
9 **Controls and Perimeter Security**

10 **SEC. 541. REFORMATION OF CERTAIN PROGRAMS OF THE**  
11 **TRANSPORTATION SECURITY ADMINISTRA-**  
12 **TION.**

13 (a) DEFINITIONS.—In this subtitle:

14 (1) ADMINISTRATION.—The term “Administra-  
15 tion” means the Transportation Security Adminis-  
16 tration.

17 (2) ADMINISTRATOR.—The term “Adminis-  
18 trator” means the Administrator of the Transpor-  
19 tation Security Administration.

20 (3) AIR CARRIER.—The term “air carrier” has  
21 the meaning given such term in section 40102 of  
22 title 49, United States Code.

23 (4) APPROPRIATE CONGRESSIONAL COMMIT-  
24 TEES.—The term “appropriate congressional com-  
25 mittees” means the Committee on Homeland Secu-

1        rity of the House of Representatives and the Com-  
2        mittee on Homeland Security and Governmental Af-  
3        fairs and the Committee on Commerce, Science, and  
4        Transportation of the Senate.

5            (5) FOREIGN AIR CARRIER.—The term “foreign  
6        air carrier” has the meaning given such term in sec-  
7        tion 40102 of title 49, United States Code.

8            (6) INTELLIGENCE COMMUNITY.—The term  
9        “intelligence community” has the meaning given  
10       such term in section 3(4) of the National Security  
11       Act of 1947 (50 U.S.C. 3003(4)).

12           (7) SECURED AREA.—The term “secured area”  
13       has the meaning given such term in section 1540.5  
14       of title 49, Code of Federal Regulations.

15           (8) SECURITY IDENTIFICATION DISPLAY  
16       AREA.—The term “Security Identification Display  
17       Area” has the meaning given such term in section  
18       1540.5 of title 49, Code of Federal Regulations.

19           (9) STERILE AREA.—The term “sterile area”  
20       has the meaning given such term in section 1540.5  
21       of title 49, Code of Federal Regulations.

22        (b) COST AND FEASIBILITY STUDY.—

23            (1) IN GENERAL.—Not later than 180 days  
24       after the date of the enactment of this Act, the Ad-  
25       ministrator, in consultation with the Aviation Secu-

1 rity Advisory Committee (established under section  
2 44946 of title 49, United States Code), shall submit  
3 to the appropriate congressional committees and the  
4 Comptroller General of the United States a cost and  
5 feasibility study of a statistically significant number  
6 of Category I, II, III, IV, and X airports assessing  
7 the impact if all employee access points from non-  
8 secured areas to secured areas of such airports are  
9 comprised of the following:

10 (A) A secure door utilizing card and pin  
11 entry or biometric technology.

12 (B) Surveillance video recording, capable  
13 of storing video data for at least 30 days.

14 (C) Advanced screening technologies, in-  
15 cluding at least one of the following:

16 (i) Magnetometer (walk-through or  
17 hand-held).

18 (ii) Explosives detection canines.

19 (iii) Explosives trace detection.

20 (iv) Advanced imaging technology.

21 (v) X-ray bag screening technology.

22 (2) CONTENTS.—The study required under  
23 paragraph (1) shall include information related to  
24 the employee screening costs of those category I, II,  
25 III, IV, and X airports which have already imple-

1 mented practices of screening 100 percent of em-  
2 ployees accessing secured areas of airports, including  
3 the following:

4 (A) Costs associated with establishing an  
5 operational minimum number of employee entry  
6 and exit points.

7 (B) A comparison of estimated costs and  
8 effectiveness associated with implementing the  
9 security features specified in paragraph (1)  
10 to—

11 (i) the Federal Government; and

12 (ii) airports and the aviation commu-  
13 nity.

14 (3) COMPTROLLER GENERAL ASSESSMENT.—

15 (A) IN GENERAL.—Upon completion of the  
16 study required under paragraph (1), the Comp-  
17 troller General of the United States shall review  
18 such study to assess the quality and reliability  
19 of such study.

20 (B) ASSESSMENT.—Not later than 90 days  
21 after the receipt of the study required under  
22 paragraph (1), the Comptroller General of the  
23 United States shall report to the Committee on  
24 Homeland Security of the House of Representa-  
25 tives and the Committee on Homeland Security



1 and Governmental Affairs and the Committee  
2 on Commerce, Science, and Transportation of  
3 the Senate on the results of the review required  
4 under subparagraph (A).

5 (c) AIRPORT WORKER EDUCATION AND SECURITY  
6 AWARENESS.—

7 (1) COOPERATIVE EFFORTS TO ENHANCE AIR-  
8 PORT SECURITY AWARENESS.—Not later than 180  
9 days after the date of the enactment of this Act, the  
10 Administrator shall work with air carriers, foreign  
11 air carriers, airport operators, labor unions rep-  
12 resenting credentialed employees, and the Aviation  
13 Security Advisory Committee to enhance security  
14 awareness of credentialed airport populations re-  
15 garding insider threats to aviation security and rec-  
16 ognized practices related to airport access controls.

17 (2) CREDENTIALING STANDARDS.—

18 (A) IN GENERAL.—Not later than 180  
19 days after the date of the enactment of this  
20 Act, the Administrator shall, in consultation  
21 with air carriers, foreign air carriers, airport  
22 operators, labor unions representing  
23 credentialed employees, and the Aviation Secu-  
24 rity Advisory Committee, assess credentialing  
25 standards, policies, and practices to ensure that

1 insider threats to aviation security are ade-  
2 quately addressed.

3 (B) REPORT.—Not later than 30 days  
4 after completion of the assessment required  
5 under subparagraph (A), the Administrator  
6 shall report to the appropriate congressional  
7 committees on the results of such assessment.

8 (3) SIDA, STERILE AREA, AND AOA APPLICA-  
9 TIONS.—

10 (A) SOCIAL SECURITY NUMBERS RE-  
11 QUIRED.—Not later than 60 days after the date  
12 of the enactment of this Act, the Administrator  
13 shall require the submission of a social security  
14 number for each individual applying for a Secu-  
15 rity Identification Display Area, Sterile Area, or  
16 Air Operations Area airport credential to  
17 strengthen security vetting effectiveness. An ap-  
18 plicant who does not provide such applicant's  
19 social security number may be denied such a  
20 credential.

21 (B) SCREENING NOTICE.—The Adminis-  
22 trator shall issue requirements for airport oper-  
23 ators to include in applications for access to a  
24 Security Identification Display Area, Sterile  
25 Area, or Air Operations Area a notice informing

1 applicants that an employee holding a creden-  
2 tial granting access to such an area may be  
3 screened at any time while gaining access to,  
4 working in, or leaving such an area.

5 (d) SECURING AIRPORT WORKER ACCESS.—

6 (1) IN GENERAL.—The Administrator shall  
7 work with airport operators and the Aviation Secu-  
8 rity Advisory Committee to identify advanced tech-  
9 nologies, including biometric identification tech-  
10 nologies, for securing employee access to the secured  
11 areas and sterile areas of airports.

12 (2) RAP BACK VETTING.—Not later than 180  
13 days after the date of the enactment of this Act, the  
14 Administrator shall ensure that all credentialed avia-  
15 tion worker populations currently requiring a finger-  
16 print-based criminal record history check are con-  
17 tinuously vetted through the Federal Bureau of In-  
18 vestigation's Rap Back Service, in order to more  
19 rapidly detect and mitigate insider threats to avia-  
20 tion security.

21 (3) INSIDER THREAT EDUCATION AND MITIGA-  
22 TION.—Not later than 180 days after the date of the  
23 enactment of this Act, the Administrator shall iden-  
24 tify means of enhancing the Administration's ability  
25 to leverage the resources of the Department of

1 Homeland Security and the intelligence community  
2 to educate Administration personnel on insider  
3 threats to aviation security and how the Administra-  
4 tion can better mitigate such insider threats.

5 (4) PLAYBOOK OPERATIONS.—The Adminis-  
6 trator shall ensure that Administration-led employee  
7 physical inspection efforts of aviation workers,  
8 known as Playbook operations, are targeted, stra-  
9 tegic, and focused on providing the greatest level of  
10 security effectiveness.

11 (5) COVERT TESTING.—

12 (A) IN GENERAL.—The Administrator  
13 shall conduct covert testing of Administration-  
14 led employee inspection operations at airports  
15 and measure existing levels of security effective-  
16 ness. The Administrator shall provide—

17 (i) the results of such testing to the  
18 airport operator for the airport that is the  
19 subject of any such testing, and, as appro-  
20 priate, to air carriers and foreign air car-  
21 riers that operate at the airport that is the  
22 subject of such testing; and

23 (ii) recommendations and technical  
24 assistance for air carriers, foreign air car-

1                   riers, and airport operators to conduct  
2                   their own employee inspections, as needed.

3                   (B) ANNUAL REPORTING.—The Adminis-  
4                   trator shall annually, for each of fiscal years  
5                   2018 through 2022, submit to the appropriate  
6                   congressional committees report on the fre-  
7                   quency, methodology, strategy, and effectiveness  
8                   of employee inspection operations at airports.

9                   (6) CENTRALIZED DATABASE.—Not later than  
10                  180 days after the date of the enactment of this Act,  
11                  the Administrator, in consultation with the Aviation  
12                  Security Advisory Committee, shall—

13                   (A) establish a national database of indi-  
14                   viduals who have had either their airport or air-  
15                   port operator-issued badge revoked for failure  
16                   to comply with aviation security requirements;

17                   (B) determine the appropriate reporting  
18                   mechanisms for air carriers, foreign air car-  
19                   riers, and airport operators to—

20                   (i) submit to the Administrator data  
21                   regarding individuals described in subpara-  
22                   graph (A); and

23                   (ii) access the database established  
24                   pursuant to such subparagraph; and

1           (C) establish a process to allow individuals  
2           whose names were mistakenly entered into such  
3           database to correct the record and have their  
4           names removed from such database.

5           (e) INSIDER THREAT COORDINATION EFFORTS.—  
6           The Department of Homeland Security is the lead inter-  
7           agency coordinator pertaining to insider threat investiga-  
8           tions and mitigation efforts at airports. The Department  
9           shall make every practicable effort to coordinate with  
10          other relevant Government entities, as well as the security  
11          representatives of air carriers, foreign air carriers, and  
12          airport operators, as appropriate, when undertaking such  
13          investigations and efforts.

14          (f) AIRPORT TASK FORCES.—The Secretary of  
15          Homeland Security is authorized, through the Director of  
16          U.S. Immigration and Customs Enforcement, to form air-  
17          port task forces using Homeland Security Investigations  
18          personnel and any other Department of Homeland Secu-  
19          rity personnel the Secretary determines necessary. Such  
20          airport task forces shall investigate and mitigate insider  
21          threats to aviation security, in coordination with Federal,  
22          State, local, tribal, and territorial law enforcement part-  
23          ners, as appropriate

24          (g) INFORMATION TECHNOLOGY SECURITY.—Not  
25          later than 90 days after the date of the enactment of this

1 Act, the Administrator shall submit to the appropriate  
2 congressional committees a plan to conduct recurring re-  
3 views of the operational, technical, and management secu-  
4 rity controls for Administration information technology  
5 systems at airports.

6 **SEC. 542. AIRPORT PERIMETER AND ACCESS CONTROL SE-**  
7 **CURITY.**

8 (a) RISK ASSESSMENTS OF AIRPORT SECURITY.—

9 (1) IN GENERAL.—The Administrator of the  
10 Transportation Security Administration (TSA)  
11 shall—

12 (A) not later than 120 days after the date  
13 of the enactment of this Act, update the Trans-  
14 portation Sector Security Risk Assessment  
15 (TSSRA) for the aviation sector; and

16 (B) not later than 180 days after such  
17 date—

18 (i) update with the latest and most  
19 currently available intelligence information  
20 the Comprehensive Risk Assessment of Pe-  
21 rimeter and Access Control Security (in  
22 this Act referred to as the “Risk Assess-  
23 ment of Airport Security”) and determine  
24 a regular timeframe and schedule for fur-

1           ther updates to such Risk Assessment of  
2           Airport Security; and

3                   (ii) conduct a system-wide assessment  
4           of airport access control points and airport  
5           perimeter security, including cargo facili-  
6           ties.

7           (2) CONTENTS.—The security risk assessments  
8           required under paragraph (1)(B) shall

9                   (A) include updates reflected in the  
10           TSSRA and Joint Vulnerability Assessment  
11           (JVA) findings;

12                   (B) reflect changes to the risk environment  
13           relating to airport access control points and air-  
14           port perimeters;

15                   (C) use security breach data for specific  
16           analysis of system-wide trends related to airport  
17           access control points and airport perimeter se-  
18           curity to better inform risk management deci-  
19           sions; and

20                   (D) take into consideration the unique ge-  
21           ography of and current recognized practices  
22           used by airports to mitigate potential  
23           vulnerabilities.

24           (3) REPORT.—The Administrator of the Trans-  
25           portation Security Administration shall report to the



1 Committee on Homeland Security of the House of  
2 Representatives and the Committee on Homeland  
3 Security and Governmental Affairs and the Com-  
4 mittee on Commerce, Science, and Transportation of  
5 the Senate, relevant Federal departments and agen-  
6 cies, and airport operators on the results of the se-  
7 curity risk assessments required under paragraph  
8 (1).

9 (b) AIRPORT SECURITY STRATEGY DEVELOP-  
10 MENT.—

11 (1) IN GENERAL.—Not later than 180 days  
12 after the date of the enactment of this Act, the Ad-  
13 ministrator of the Transportation Security Adminis-  
14 tration shall update the 2012 National Strategy for  
15 Airport Perimeter and Access Control Security (in  
16 this section referred to as the “National Strategy”).

17 (2) CONTENTS.—The update to the National  
18 Strategy required under paragraph (1) shall include

19 (A) information from the Risk Assessment  
20 of Airport Security; and

21 (B) information on—

22 (i) airport security-related activities;

23 (ii) the status of TSA efforts to ad-  
24 dress the goals and objectives referred to  
25 in subsection (a);

1 (iii) finalized outcome-based perform-  
2 ance measures and performance levels for  
3 each relevant activity and goal and objec-  
4 tive under subparagraphs (A) and (B); and  
5 (iv) input from airport operators.

6 (3) UPDATES.—Not later than 90 days after  
7 the update is completed under paragraph (1), the  
8 Administrator of the Transportation Security Ad-  
9 ministration shall implement a process for deter-  
10 mining when additional updates to the strategy re-  
11 ferred to in such subsection are needed.

## 12 **Subtitle E—Air Cargo Security**

### 13 **SEC. 551. AIR CARGO ADVANCE SCREENING PROGRAM.**

14 (a) IN GENERAL.—Subtitle B of title IV of the  
15 Homeland Security Act of 2002 (6 U.S.C. 211 et seq.)  
16 is amended by adding at the end the following new section:

#### 17 **“SEC. 420. AIR CARGO ADVANCE SCREENING PROGRAM.**

18 “(a) IN GENERAL.—The Secretary, consistent with  
19 the requirements of the Trade Act of 2002 (Public Law  
20 107–210) shall—

21 “(1) establish an air cargo advance screening  
22 program (in this section referred to as the ‘ACAS  
23 Program’) for the collection by U.S. Customs and  
24 Border Protection of advance electronic information  
25 from air carriers and other persons and governments

1 within the supply chain regarding cargo being trans-  
2 ported to the United States by air;

3 “(2) under such program, require that such in-  
4 formation be transmitted by such air carriers and  
5 other persons and governments at the earliest point  
6 practicable prior to loading of such cargo onto an  
7 aircraft destined to or transiting through the United  
8 States;

9 “(3) establish appropriate communications sys-  
10 tems with freight forwarders, shippers, and air car-  
11 riers;

12 “(4) establish a system that will allow freight  
13 forwarders, shippers, and air carriers to provide  
14 shipment level data for air cargo, departing from  
15 any location that is inbound to the United States;  
16 and

17 “(5) coordinate with the Administrator of the  
18 Transportation Security Administration to identify  
19 opportunities in which the information furnished in  
20 compliance with the ACAS Program could be used  
21 by the Administrator.

22 “(b) INSPECTION OF HIGH-RISK CARGO.—Under the  
23 ACAS Program, the Secretary shall ensure that all cargo  
24 that has been identified as high-risk is inspected prior to

1 loading of such cargo onto aircraft at the last point of  
2 departure before departing for the United States.

3 “(c) CONSULTATION.—In carrying out the ACAS  
4 Program, the Secretary shall consult with relevant stake-  
5 holders, as appropriate, to ensure that an operationally  
6 feasible and practical approach to the collection of advance  
7 information with respect to cargo on aircraft departing for  
8 the United States recognizes the significant differences  
9 among air cargo business models and modes of transpor-  
10 tation.

11 “(d) ANALYSIS.—The Secretary may analyze the in-  
12 formation referred to in subsection (a) in the Depart-  
13 ment’s automated targeting system and integrate such in-  
14 formation with other intelligence to enhance the accuracy  
15 of the risk assessment process under the ACAS Program.

16 “(e) NO DUPLICATION.—The Secretary shall carry  
17 out this section in a manner that, after the ACAS Pro-  
18 gram is fully in effect, does not duplicate other programs  
19 or requirements relating to the submission of air cargo  
20 data.

21 “(f) CONSIDERATION OF INDUSTRY.—In carrying out  
22 the ACAS Program, the Secretary shall—

23 “(1) take into consideration that the content  
24 and timeliness of the available data may vary among  
25 entities in the air cargo industry and among coun-

1 tries, and shall explore procedures to accommodate  
2 such variations while maximizing the contribution of  
3 such data to the risk assessment process under the  
4 ACAS Program;

5 “(2) test the business processes, technologies,  
6 and operational procedures required to provide ad-  
7 vance information with respect to cargo on aircraft  
8 departing for the United States, while ensuring  
9 delays and other negative impacts on vital supply  
10 chains are minimized; and

11 “(3) consider the cost, benefit, and feasibility  
12 before establishing any set time period for submis-  
13 sion of certain elements of the data for air cargo  
14 under this section in line with the regulatory guide-  
15 lines specified in Executive Order 13563, and any  
16 successor Executive Order or regulation.

17 “(g) GUIDANCE.—The Secretary shall provide guid-  
18 ance for participants in the ACAS Program regarding the  
19 requirements for participation, including requirements for  
20 transmitting shipment level data.

21 “(h) USE OF DATA.—The Secretary shall use the  
22 data provided under the ACAS Program for targeting  
23 shipments for screening and law enforcement purposes  
24 only.”.

1           (b) FINAL RULE.—Not later than 180 days after the  
2 date of the enactment of this Act, the Secretary of Home-  
3 land Security shall issue a final regulation to implement  
4 the ACAS Program under section 420 of the Homeland  
5 Security Act of 2002 (as added by subsection (a) of this  
6 section) to include the electronic transmission to the De-  
7 partment of Homeland Security of data elements for tar-  
8 geting cargo, including appropriate security elements of  
9 shipment level data, as determined by the Secretary.

10          (c) REPORT.—Not later than 180 days after the date  
11 of the commencement of the ACAS Program under section  
12 420 of the Homeland Security Act of 2002 (as added by  
13 subsection (a) of this section), the Secretary of Homeland  
14 Security shall submit to the Committee on Homeland Se-  
15 curity of the House of Representatives and the Committee  
16 on Homeland Security and Governmental Affairs and the  
17 Committee on Commerce, Science, and Transportation of  
18 the Senate a report detailing the operational implementa-  
19 tion of providing advance information under the ACAS  
20 Program and the value of such information in targeting  
21 cargo.

22          (d) CLERICAL AMENDMENT.—The table of contents  
23 in section 1(b) of the Homeland Security Act of 2002 is  
24 amended by inserting after the item relating to section  
25 419 the following new item:

“Sec. 420. Air cargo advance screening program.”.

1 **SEC. 552. EXPLOSIVES DETECTION CANINE TEAMS FOR AIR**  
2 **CARGO SECURITY.**

3 Section 1307 of the Implementing Recommendations  
4 of the 9/11 Commission Act of 2007 (6 U.S.C. 1116) is  
5 amended by adding at the end the following new sub-  
6 section:

7 “(h) EXPLOSIVES DETECTION CANINE TEAMS FOR  
8 AIR CARGO SECURITY.—

9 “(1) IN GENERAL.—In order to enhance the  
10 screening of air cargo and ensure that third-party  
11 explosives detection canine assets are leveraged for  
12 such purpose, the Administrator shall, not later than  
13 180 days after the date of the enactment of this  
14 subsection—

15 “(A) develop and issue standards for the  
16 use of such third-party explosives detection ca-  
17 nine assets for the primary screening of air  
18 cargo;

19 “(B) develop a process to identify qualified  
20 non-Federal entities that will certify canine as-  
21 sets that meet the standards established by the  
22 Administrator pursuant to subparagraph (A);

23 “(C) ensure that entities qualified to cer-  
24 tify canine assets shall be independent from en-  
25 tities that will train and provide canines to end  
26 users of such canine assets;

1           “(D) establish a system of Transportation  
2 Security Administration audits of the process  
3 developed pursuant to subparagraph (B); and

4           “(E) provide that canines certified for the  
5 primary screening of air cargo can be used by  
6 air carriers, foreign air carriers, freight for-  
7 warders, and shippers.

8           “(2) IMPLEMENTATION.—Upon completion of  
9 the development of the process under subsection (a),  
10 the Administrator shall—

11           “(A) facilitate the deployment of such as-  
12 sets that meet the certification standards of the  
13 Administration, as determined by the Adminis-  
14 trator;

15           “(B) make such standards available to  
16 vendors seeking to train and deploy third-party  
17 explosives detection canine assets; and

18           “(C) ensure that all costs for the training  
19 and certification of canines, and for the use of  
20 supplied canines, are borne by private industry  
21 and not the Federal Government.

22           “(3) DEFINITIONS.—In this subsection:

23           “(A) AIR CARRIER.—The term ‘air carrier’  
24 has the meaning given such term in section  
25 40102 of title 49, United States Code.



1           “(B) FOREIGN AIR CARRIER.—The term  
2           ‘foreign air carrier’ has the meaning given such  
3           term in section 40102 of title 49, United States  
4           Code.

5           “(C) THIRD-PARTY EXPLOSIVES DETEC-  
6           TION CANINE ASSETS.—The term ‘third-party  
7           explosives detection canine assets’ means any  
8           explosives detection canine or handler not  
9           owned or employed, respectively, by the Admin-  
10          istration.”.

## 11           **Subtitle F—Information Sharing** 12                           **and Cybersecurity**

### 13           **SEC. 561. INFORMATION SHARING AND CYBERSECURITY.**

14           (a) FEDERAL SECURITY DIRECTORS.—Section  
15           44933 of title 49, United States Code, is amended by add-  
16           ing at the end the following new subsection:

17           “(c) INFORMATION SHARING.—Not later than one  
18           year after the date of the enactment of this subsection,  
19           the Administrator shall—

20                   “(1) require each Federal Security Director of  
21                   an airport to meet at least quarterly with the airport  
22                   director, airport security coordinator, and law en-  
23                   forcement agencies serving each such airport to dis-  
24                   cuss incident management protocols, including the

1 resolution of screening anomalies at passenger  
2 screening checkpoints; and

3 “(2) require each Federal Security Director at  
4 an airport to inform, consult, and coordinate, as ap-  
5 propriate, with the respective airport security coordi-  
6 nator in a timely manner on security matters im-  
7 pacting airport operations and to establish and  
8 maintain operational protocols with such airport op-  
9 erators to ensure coordinated responses to security  
10 matters.”.

11 (b) PLAN TO IMPROVE INFORMATION SHARING.—

12 (1) IN GENERAL.—Not later than 180 days  
13 after the date of the enactment of this Act, the Sec-  
14 retary of Homeland Security, acting through the Ad-  
15 ministrator of the Transportation Security Adminis-  
16 tration, shall develop a plan to improve intelligence  
17 information sharing with State and local transpor-  
18 tation entities that includes best practices to ensure  
19 that the information shared is actionable, useful,  
20 and not redundant.

21 (2) CONTENTS.—The plan required under sub-  
22 section (a) shall include the following:

23 (A) The incorporation of best practices for  
24 information sharing.

1 (B) The identification of areas of overlap  
2 and redundancy.

3 (C) An evaluation and incorporation of  
4 stakeholder input in the development of such  
5 plan.

6 (D) The integration of recommendations of  
7 the Comptroller General of the United States  
8 on information sharing.

9 (3) SOLICITATION.—The Administrator shall  
10 solicit on an annual basis input from appropriate  
11 stakeholders, including State and local transpor-  
12 tation entities, on the quality and quantity of intel-  
13 ligence received by such stakeholders relating to in-  
14 formation sharing.

15 (c) BEST PRACTICES SHARING.—

16 (1) IN GENERAL.—Not later than 180 days  
17 after the date of the enactment of this Act, the Sec-  
18 retary of Homeland Security, acting through the Ad-  
19 ministrator of the Transportation Security Adminis-  
20 tration, shall establish a mechanism to share with  
21 State and local transportation entities best practices  
22 from across the law enforcement spectrum, including  
23 Federal, State, local, and tribal entities, that relate  
24 to employee training, employee professional develop-  
25 ment, technology development and deployment, hard-

1 ening tactics, and passenger and employee aware-  
2 ness programs.

3 (2) CONSULTATION.—The Administrator of the  
4 Transportation Security Administration shall solicit  
5 and incorporate stakeholder input—

6 (A) in developing the mechanism for shar-  
7 ing best practices as required under paragraph  
8 (1); and

9 (B) not less frequently than once each year  
10 on the quality and quantity of information such  
11 stakeholders receive through the mechanism es-  
12 tablished under such subsection.

13 (d) CYBERSECURITY.—

14 (1) IN GENERAL.—The Secretary of Homeland  
15 Security shall—

16 (A) not later than 120 days after the date  
17 of the enactment of this Act, develop and imple-  
18 ment a cybersecurity risk assessment model,  
19 consistent with the National Institute of Stand-  
20 ards and Technology Framework for Improve-  
21 ment Critical Infrastructure Cybersecurity and  
22 any update to such Framework pursuant to sec-  
23 tion 2 of the National Institute of Standards  
24 and Technology Act (15 U.S.C. 272), to evalu-  
25 ate current and future cybersecurity risks;

1 (B) evaluate, on a periodic basis, but not  
2 less often than once every two years, the effec-  
3 tiveness of the cybersecurity risk assessment  
4 model under subparagraph (A);

5 (C) seek to ensure participation of at least  
6 one information sharing and analysis organiza-  
7 tion (as such term is defined in section 212 of  
8 the Homeland Security Act of 2002 (6 U.S.C.  
9 131)) representing the aviation community in  
10 the national cybersecurity and communications  
11 integration center, pursuant to subsection  
12 (d)(1)(B) of section 227 of the Homeland Secu-  
13 rity Act of 2002 (6 U.S.C. 148);

14 (D) establish guidelines for voluntary re-  
15 porting of aviation-related cybersecurity risks  
16 and incidents to the national cybersecurity and  
17 communications integration center under sec-  
18 tion 227 of the Homeland Security Act of 2002,  
19 and other appropriate Federal agencies; and

20 (E) request the Aviation Security Advisory  
21 Committee established pursuant to section  
22 44946 of title 49, United States Code, to report  
23 and make recommendations to the Secretary on  
24 enhancing the sharing of information related to  
25 aviation-related cybersecurity risks and inci-

1           dents between relevant Federal, state, local,  
2           tribal, and territorial entities and the aviation  
3           stakeholder community.

4           (2) CYBERSECURITY ENHANCEMENTS TO AVIA-  
5           TION SECURITY ACTIVITIES.—The Secretary of  
6           Homeland Security, in consultation with the Sec-  
7           retary of Transportation, shall—

8                   (A) direct the sharing of information con-  
9                   cerning cybersecurity risks and incidents to ad-  
10                  dress aviation-specific risks; and

11                  (B) conduct cybersecurity vulnerability as-  
12                  sessments for airports and air carriers and  
13                  share the results of such assessments with rel-  
14                  evant stakeholders.

15           (3) DEFINITIONS.—In this subsection, the  
16           terms “cybersecurity risk” and “incident” have the  
17           meanings given such terms in section 227 of the  
18           Homeland Security Act of 2002 (6 U.S.C. 148).

## 19 **Subtitle G—Surface Transportation** 20 **Security**

### 21 **SEC. 571. DEFINITIONS.**

22           In this subtitle:

23                   (1) ADMINISTRATOR.—The term “Adminis-  
24                   trator” means the Administrator of the Transpor-  
25                   tation Security Administration.

1           (2) APPROPRIATE COMMITTEES OF CON-  
2           GRESS.—The term “appropriate committees of Con-  
3           gress” means—

4                   (A) the Committee on Commerce, Science,  
5                   and Transportation of the Senate;

6                   (B) the Committee on Homeland Security  
7                   of the House of Representatives; and

8                   (C) the Committee on Transportation and  
9                   Infrastructure of the House of Representatives.

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

12          (4) EXPLOSIVES DETECTION CANINE TEAM.—  
13          The term “explosives detection canine team” means  
14          a canine and a canine handler trained to detect ex-  
15          plosives and other threats as determined by the Sec-  
16          retary.

17          (5) RISK.—The term “risk” means the poten-  
18          tial for an unwanted outcome resulting from an acci-  
19          dent, event, or occurrence, as determined by its like-  
20          lihood and the associated consequences.

21          (6) SECRETARY.—The term “Secretary” means  
22          the Secretary of Homeland Security.

23          (7) THREAT.—The term “threat” means an in-  
24          dividual, entity, action, or natural or manmade oc-  
25          currence that has or indicates the potential to harm

1 life, information, operations, the environment, or  
2 property.

3 (8) VULNERABILITY.—The term “vulnerability”  
4 means a physical feature or operational attribute  
5 that renders an entity open to exploitation or sus-  
6 ceptible to a given hazard.

7 **SEC. 572. SURFACE TRANSPORTATION SECURITY ASSESS-**  
8 **MENT AND IMPLEMENTATION OF RISK-**  
9 **BASED STRATEGY.**

10 (a) SECURITY ASSESSMENT.—

11 (1) IN GENERAL.—Not later than one year  
12 after the date of the enactment of this Act, the Sec-  
13 retary shall complete an assessment of the  
14 vulnerabilities of and risks to surface transportation  
15 systems, including findings from similar vulnerability  
16 analyses completed within three years of the date of  
17 the enactment of this Act.

18 (2) CONSIDERATIONS.—In conducting the secu-  
19 rity assessment under paragraph (1), the Secretary  
20 shall, at a minimum—

21 (A) consider appropriate intelligence;

22 (B) consider security breaches and attacks  
23 at domestic and international transportation fa-  
24 cilities;



1 (C) consider the vulnerabilities and risks  
2 associated with specific modes of surface trans-  
3 portation systems;

4 (D) evaluate the vetting and security train-  
5 ing of—

6 (i) employees in surface transpor-  
7 tation systems; and

8 (ii) other individuals with access to  
9 sensitive or secure areas of transportation  
10 systems; and

11 (E) consider input from—

12 (i) representatives of different modes  
13 of surface transportation systems;

14 (ii) subject to paragraph (3)—

15 (I) critical infrastructure entities;

16 and

17 (II) the Transportation Systems  
18 Sector Coordinating Council; and

19 (iii) the heads of other relevant Fed-  
20 eral departments or agencies.

21 (b) RISK-BASED SECURITY STRATEGY.—

22 (1) IN GENERAL.—Not later than 180 days  
23 after the date the security assessment under sub-  
24 section (a) is complete, the Secretary shall use the  
25 results of such assessment—

1 (A) to develop and implement a cross-cut-  
2 ting, risk-based security strategy that in-  
3 cludes—

4 (i) all surface transportation systems;

5 (ii) a mitigating strategy that aligns  
6 with each vulnerability and risk identified  
7 in subsection (a);

8 (iii) a planning process to inform re-  
9 source allocation;

10 (iv) priorities, milestones, and per-  
11 formance metrics to measure the effective-  
12 ness of such risk-based security strategy;  
13 and

14 (v) processes for sharing relevant and  
15 timely intelligence threat information with  
16 appropriate stakeholders;

17 (B) to develop a management oversight  
18 strategy that—

19 (i) identifies the parties responsible  
20 for the implementation, management, and  
21 oversight of the risk-based security strat-  
22 egy under subparagraph (A); and

23 (ii) includes a plan for implementing  
24 such risk-based security strategy; and

1 (C) to modify the risk-based budget and  
2 resource allocations, in accordance with section  
3 312(c), for the Transportation Security Admin-  
4 istration.

5 (2) COORDINATED APPROACH.—In developing  
6 and implementing the risk-based security strategy  
7 under paragraph (1)(A), the Secretary shall coordi-  
8 nate with the heads of other relevant Federal de-  
9 partments or agencies, and stakeholders, as appro-  
10 priate—

11 (A) to evaluate existing surface transpor-  
12 tation security programs, policies, and initia-  
13 tives, including the explosives detection canine  
14 teams, for consistency with the risk-based secu-  
15 rity strategy and, to the extent practicable,  
16 avoid any unnecessary duplication of effort;

17 (B) to determine the extent to which stake-  
18 holder security programs, policies, and initia-  
19 tives address the vulnerabilities and risks to  
20 surface transportation systems identified in  
21 subsection (a); and

22 (C) subject to subparagraph (B), to miti-  
23 gate each such vulnerability and risk.

24 (c) REPORT.—

1           (1) IN GENERAL.—Not later than one year  
2 after the date the security assessment under sub-  
3 section (a) is complete, the Secretary shall submit to  
4 the appropriate committees of Congress and the In-  
5 spector General of the Department a report that—

6           (A) describes the process used to complete  
7 such security assessment;

8           (B) describes the process used to develop  
9 the risk-based security strategy under sub-  
10 section (b)(1)(A);

11          (C) describes such risk-based security  
12 strategy;

13          (D) includes the management oversight  
14 strategy under subsection (b)(1)(B);

15          (E) includes—

16           (i) the findings of such security as-  
17 sessment;

18           (ii) a description of the actions rec-  
19 ommended or taken by the Department or  
20 another Federal department or agency to  
21 mitigate the vulnerabilities and risks iden-  
22 tified in subsection (a);

23           (iii) any recommendations for improv-  
24 ing the coordinated approach to mitigating

1 vulnerabilities and risks to surface trans-  
2 portation systems; and

3 (iv) any recommended changes to the  
4 National Infrastructure Protection Plan  
5 developed pursuant to Homeland Security  
6 Presidential Directive–7, the modal an-  
7 nexes to such plan, or relevant surface  
8 transportation security programs, policies,  
9 or initiatives; and

10 (F) may contain a classified annex.

11 (2) PROTECTIONS.—In preparing the report re-  
12 quired under paragraph (1), the Secretary shall take  
13 appropriate actions to safeguard information de-  
14 scribed by section 552(b) of title 5, United States  
15 Code, or protected from disclosure by any other law  
16 of the United States.

17 (d) UPDATES.—Not less frequently than semiannu-  
18 ally, the Secretary shall report to or brief the appropriate  
19 committees of Congress on the vulnerabilities of and risks  
20 to surface transportation systems and how such  
21 vulnerabilities and risks affect the risk-based security  
22 strategy under subsection (b)(1)(A).

1 **SEC. 573. RISK-BASED BUDGETING AND RESOURCE ALLO-**  
2 **CATION.**

3 (a) REPORT.—In conjunction with the submission of  
4 the Department’s annual budget request to the Office of  
5 Management and Budget, the Administrator shall submit  
6 to the appropriate committees of Congress a report that  
7 describes a risk-based budget and resource allocation plan  
8 for surface transportation sectors, within and across  
9 modes, that—

10 (1) reflects the risk-based security strategy  
11 under section 302(b)(1)(A); and

12 (2) is organized by appropriations account, pro-  
13 gram, project, and initiative.

14 (b) BUDGET TRANSPARENCY.—Subsection (a) of sec-  
15 tion 1105 of title 31, United States Code, is amended by  
16 adding at the end the following new paragraph:

17 “(40) a separate statement clearly distin-  
18 guishing the resources requested for surface trans-  
19 portation security from the resources requested for  
20 aviation security.”.

21 (c) RESOURCE REALLOCATION.—

22 (1) IN GENERAL.—Not later than 15 days after  
23 the date on which the Transportation Security Ad-  
24 ministration allocates any resources or personnel, in-  
25 cluding personnel sharing, detailing, or assignment,  
26 or the use of facilities, technology systems, or vet-

1       ting resources, for a non-transportation security pur-  
2       pose or National Special Security Event (as defined  
3       in section 2001 of Homeland Security Act of 2002  
4       (6 U.S.C. 601)), the Secretary shall provide to the  
5       appropriate committees of Congress the notification  
6       described in paragraph (2).

7               (2) NOTIFICATION.—A notification described in  
8       this paragraph shall include—

9                   (A) the reason for and a justification of  
10       the resource or personnel allocation at issue;

11                  (B) the expected end date of such resource  
12       or personnel allocation; and

13                  (C) the projected cost to the Transpor-  
14       tation Security Administration of such per-  
15       sonnel or resource allocation.

16 **SEC. 574. SURFACE TRANSPORTATION SECURITY MANAGE-**  
17 **MENT AND INTERAGENCY COORDINATION**  
18 **REVIEW.**

19       (a) REVIEW.—Not later than one year after the date  
20 of the enactment of this Act, the Comptroller General of  
21 the United States shall—

22               (1) review the staffing, budget, resource, and  
23       personnel allocation, and management oversight  
24       strategy of the Transportation Security Administra-  
25       tion's surface transportation security programs;

1           (2) review the coordination between relevant en-  
2           tities of leadership, planning, policy, inspections, and  
3           implementation of security programs relating to sur-  
4           face transportation to reduce redundancy and regu-  
5           latory burden; and

6           (3) submit to the appropriate committees of  
7           Congress a report on the findings of the reviews  
8           under paragraphs (1) and (2), including any rec-  
9           ommendations for improving coordination between  
10          relevant entities and reducing redundancy and regu-  
11          latory burden.

12          (b) DEFINITION OF RELEVANT ENTITIES.—In this  
13          section, the term “relevant entities” means—

14           (1) the Transportation Security Administration;

15           (2) other Federal, State, or local departments  
16          or agencies with jurisdiction over a mode of surface  
17          transportation;

18           (3) critical infrastructure entities;

19           (4) the Transportation Systems Sector Coordi-  
20          nating Council; and

21           (5) relevant stakeholders.

22          **SEC. 575. TRANSPARENCY.**

23          (a) REGULATIONS.—Not later than 180 days after  
24          the date of the enactment of this Act and every 180 days  
25          thereafter, the Administrator shall make available through



1 a public website information regarding the status of each  
2 regulation relating to surface transportation security that  
3 is directed by law to be issued but that has not been issued  
4 if more than two years have passed since the date of enact-  
5 ment of each such law.

6 (b) INSPECTOR GENERAL REVIEW.—Not later than  
7 180 days after the date of the enactment of this Act and  
8 every two years thereafter until all of the requirements  
9 under titles XIII, XIV, and XV of the Implementing Rec-  
10 ommendations of the 9/11 Commission Act of 2007 (6  
11 U.S.C. 1111 et seq.) and under this Act have been fully  
12 implemented, the Inspector General of the Department  
13 shall submit to the appropriate committees of Congress  
14 a report that—

15 (1) identifies the requirements under such titles  
16 of such Act and under this Act that have not been  
17 fully implemented;

18 (2) describes what, if any, additional action is  
19 necessary; and

20 (3) includes recommendations regarding wheth-  
21 er any of such requirements should be amended or  
22 repealed.

23 **SEC. 576. TSA COUNTERTERRORISM ASSET DEPLOYMENT.**

24 (a) IN GENERAL.—If the Transportation Security  
25 Administration deploys any counterterrorism personnel or

1 resource, such as explosive detection assets, property in-  
2 spections, or patrols by Visible Intermodal Prevention and  
3 Response (VIPR) teams, to enhance security at a surface  
4 transportation system or surface transportation facility for  
5 a period of not less than 180 consecutive days, the Admin-  
6 istrator shall provide sufficient notification to the system  
7 or facility operator, as applicable, not less than 14 days  
8 prior to terminating the deployment.

9 (b) EXCEPTION.—This section shall not apply if the  
10 Administrator—

11 (1) determines there is an urgent security need  
12 for the personnel or resource described in subsection  
13 (a); and

14 (2) notifies the appropriate committees of Con-  
15 gress of such determination.

16 (c) VIPR TEAMS.—Section 1303 of the Imple-  
17 menting Recommendations of the 9/11 Commission Act of  
18 2007 (6 U.S.C. 1112) is amended—

19 (1) in subsection (a)(4), by striking “team,”  
20 and inserting “team as to specific locations and  
21 times within the facilities of such entities at which  
22 VIPR teams are to be deployed to maximize the ef-  
23 fectiveness of such deployment,”; and

24 (2) by striking subsection (b) and inserting the  
25 following new subsections:

1           “(b) PERFORMANCE MEASURES.—Not later than one  
2 year after the date of the enactment of this subsection,  
3 the Administrator shall develop and implement a system  
4 of qualitative performance measures and objectives by  
5 which to assess the roles, activities, and effectiveness of  
6 VIPR team operations on an ongoing basis, including a  
7 mechanism through which the transportation entities re-  
8 ferred to in subsection (a)(4) may submit feedback on  
9 VIPR team operations involving their systems or facilities.

10           “(c) PLAN.—Not later than one year after the date  
11 of the enactment of this section, the Administrator shall  
12 develop and implement a plan for ensuring the interoper-  
13 ability of communications among VIPR team participants  
14 and between VIPR teams and any transportation entities  
15 with systems or facilities that are involved in VIPR team  
16 operations. Such plan shall include an analysis of the costs  
17 and resources required to carry out such plan.”.

18 **SEC. 577. SURFACE TRANSPORTATION SECURITY ADVISORY**

19 **COMMITTEE.**

20           (a) IN GENERAL.—Subchapter II of chapter 449 of  
21 title 49, United States Code, is amended by adding at the  
22 end the following new section:

1 **“§ 44947. Surface Transportation Security Advisory**  
2 **Committee**

3 “(a) ESTABLISHMENT.—The Administrator of the  
4 Transportation Security Administration (referred to in  
5 this section as the ‘Administrator’) shall establish within  
6 the Transportation Security Administration the Surface  
7 Transportation Security Advisory Committee (referred to  
8 in this section as the ‘Advisory Committee’).

9 “(b) DUTIES.—

10 “(1) IN GENERAL.—The Advisory Committee  
11 may advise, consult with, report to, and make rec-  
12 ommendations to the Administrator on surface  
13 transportation security matters, including the devel-  
14 opment, refinement, and implementation of policies,  
15 programs, initiatives, rulemakings, and security di-  
16 rectives pertaining to surface transportation secu-  
17 rity.

18 “(2) RISK-BASED SECURITY.—The Advisory  
19 Committee shall consider risk-based security ap-  
20 proaches in the performance of its duties.

21 “(c) MEMBERSHIP.—

22 “(1) COMPOSITION.—The Advisory Committee  
23 shall be composed of—

24 “(A) voting members appointed by the Ad-  
25 ministrator under paragraph (2); and

1                   “(B) nonvoting members, serving in an ad-  
2                   visory capacity, who shall be designated by—

3                   “(i) the Transportation Security Ad-  
4                   ministration;

5                   “(ii) the Department of Transpor-  
6                   tation; and

7                   “(iii) such other Federal department  
8                   or agency as the Administrator considers  
9                   appropriate.

10                  “(2) APPOINTMENT.—The Administrator shall  
11                  appoint voting members from among stakeholders  
12                  representing each mode of surface transportation,  
13                  such as passenger rail, freight rail, mass transit,  
14                  pipelines, highways, over-the-road bus, and trucking,  
15                  including representatives from—

16                  “(A) associations representing such modes  
17                  of surface transportation;

18                  “(B) labor organizations representing such  
19                  modes of surface transportation;

20                  “(C) groups representing the users of such  
21                  modes of surface transportation, including asset  
22                  manufacturers, as appropriate;

23                  “(D) relevant law enforcement, first re-  
24                  sponders, and security experts; and

1           “(E) such other groups as the Adminis-  
2           trator considers appropriate.

3           “(3) CHAIRPERSON.—The Advisory Committee  
4           shall select a chairperson from among its voting  
5           members.

6           “(4) TERM OF OFFICE.—

7           “(A) TERMS.—

8           “(i) IN GENERAL.—The term of each  
9           voting member of the Advisory Committee  
10          shall be two years, but a voting member  
11          may continue to serve until the Adminis-  
12          trator appoints a successor.

13          “(ii) REAPPOINTMENT.—A voting  
14          member of the Advisory Committee may be  
15          reappointed.

16          “(B) REMOVAL.—

17          “(i) IN GENERAL.—The Administrator  
18          may review the participation of a member  
19          of the Advisory Committee and remove  
20          such member for cause at any time.

21          “(ii) ACCESS TO CERTAIN INFORMA-  
22          TION.—The Administrator may remove  
23          any member of the Advisory Committee  
24          who the Administrator determines should  
25          be restricted from reviewing, discussing, or

1                   possessing classified information or sen-  
2                   sitive security information.

3                   “(5) PROHIBITION ON COMPENSATION.—The  
4                   members of the Advisory Committee may not receive  
5                   any compensation from the Government by reason of  
6                   their service on the Advisory Committee.

7                   “(6) MEETINGS.—

8                   “(A) IN GENERAL.—The Advisory Com-  
9                   mittee shall meet at least semiannually in per-  
10                  son or through web conferencing, and may con-  
11                  vene additional meetings as necessary.

12                  “(B) PUBLIC MEETINGS.—At least one of  
13                  the meetings of the Advisory Committee each  
14                  year shall be—

15                         “(i) announced in the Federal Reg-  
16                         ister;

17                         “(ii) announced on a public website;

18                         and

19                         “(iii) open to the public.

20                  “(C) ATTENDANCE.—The Advisory Com-  
21                  mittee shall maintain a record of the persons  
22                  present at each meeting.

23                  “(D) MINUTES.—

24                         “(i) IN GENERAL.—Unless otherwise  
25                         prohibited by Federal law, minutes of the

1 meetings of the Advisory Committee shall  
2 be published on the public website under  
3 subsection (e)(5).

4 “(ii) PROTECTION OF CLASSIFIED  
5 AND SENSITIVE INFORMATION.—The Advi-  
6 sory Committee may redact or summarize,  
7 as necessary, minutes of the meetings to  
8 protect classified information or sensitive  
9 security information in accordance with  
10 law.

11 “(7) VOTING MEMBER ACCESS TO CLASSIFIED  
12 INFORMATION AND SENSITIVE SECURITY INFORMA-  
13 TION.—

14 “(A) DETERMINATIONS.—Not later than  
15 60 days after the date on which a voting mem-  
16 ber is appointed to the Advisory Committee but  
17 before such voting member may be granted any  
18 access to classified information or sensitive se-  
19 curity information, the Administrator shall de-  
20 termine if such voting member should be re-  
21 stricted from reviewing, discussing, or pos-  
22 sessed classified information or sensitive secu-  
23 rity information.

24 “(B) ACCESS.—



1           “(i) SENSITIVE SECURITY INFORMA-  
2           TION.—If a voting member is not re-  
3           stricted from reviewing, discussing, or pos-  
4           sessing sensitive security information  
5           under subparagraph (A) and voluntarily  
6           signs a nondisclosure agreement, such vot-  
7           ing member may be granted access to sen-  
8           sitive security information that is relevant  
9           to such voting member’s service on the Ad-  
10          visory Committee.

11          “(ii) CLASSIFIED INFORMATION.—Ac-  
12          cess to classified materials shall be man-  
13          aged in accordance with Executive Order  
14          13526 of December 29, 2009 (75 Fed.  
15          Reg. 707), or any subsequent cor-  
16          responding Executive order.

17          “(C) PROTECTIONS.—

18          “(i) SENSITIVE SECURITY INFORMA-  
19          TION.—Voting members shall protect sen-  
20          sitive security information in accordance  
21          with part 1520 of title 49, Code of Federal  
22          Regulations.

23          “(ii) CLASSIFIED INFORMATION.—  
24          Voting members shall protect classified in-  
25          formation in accordance with the applica-

1                   ble requirements for the particular level of  
2                   classification of such information.

3                   “(8) JOINT COMMITTEE MEETINGS.—The Advi-  
4                   sory Committee may meet with one or more of the  
5                   following advisory committees to discuss multimodal  
6                   security issues and other security-related issues of  
7                   common concern:

8                   “(A) Aviation Security Advisory Com-  
9                   mittee, established under section 44946 of title  
10                  49, United States Code.

11                  “(B) Maritime Security Advisory Com-  
12                  mittee, established under section 70112 of title  
13                  46, United States Code.

14                  “(C) Railroad Safety Advisory Committee,  
15                  established by the Federal Railroad Administra-  
16                  tion.

17                  “(9) SUBJECT MATTER EXPERTS.—The Advi-  
18                  sory Committee may request the assistance of sub-  
19                  ject matter experts with expertise related to the ju-  
20                  risdiction of the Advisory Committee.

21                  “(d) REPORTS.—

22                  “(1) PERIODIC REPORTS.—The Advisory Com-  
23                  mittee shall periodically submit to the Administrator  
24                  reports on matters requested by the Administrator

1 or by a majority of the members of the Advisory  
2 Committee.

3 “(2) ANNUAL REPORT.—

4 “(A) SUBMISSION.—The Advisory Com-  
5 mittee shall submit to the Administrator and  
6 the Committee on Homeland Security and the  
7 Committee on Transportation and Infrastruc-  
8 ture of the House of Representatives and the  
9 Committee on Homeland Security and Govern-  
10 mental Affairs and the Committee on Com-  
11 merce, Science, and Transportation of the Sen-  
12 ate an annual report that provides information  
13 on the activities, findings, and recommendations  
14 of the Advisory Committee during the preceding  
15 year.

16 “(B) PUBLICATION.—Not later than six  
17 months after the date that the Administrator  
18 receives an annual report under subparagraph  
19 (A), the Administrator shall publish a public  
20 version of such report, in accordance with sec-  
21 tion 552a(b) of title 5, United States Code.

22 “(e) ADMINISTRATION RESPONSE.—

23 “(1) CONSIDERATION.—The Administrator  
24 shall consider the information, advice, and rec-  
25 ommendations of the Advisory Committee in formu-

1       lating policies, programs, initiatives, rulemakings,  
2       and security directives pertaining to surface trans-  
3       portation security efforts.

4               “(2) FEEDBACK.—Not later than 90 days after  
5       the date that the Administrator receives a rec-  
6       ommendation from the Advisory Committee under  
7       subsection (d)(2), the Administrator shall submit to  
8       the Advisory Committee written feedback on such  
9       recommendation, including—

10               “(A) if the Administrator agrees with such  
11       recommendation, a plan describing the actions  
12       that the Administrator has taken, will take, or  
13       recommends that the head of another Federal  
14       department or agency take to implement such  
15       recommendation; or

16               “(B) if the Administrator disagrees with  
17       such recommendation, a justification for such  
18       disagreement.

19               “(3) NOTICES.—Not later than 30 days after  
20       the date the Administrator submits feedback under  
21       paragraph (2), the Administrator shall—

22               “(A) notify the Committee on Homeland  
23       Security and the Committee on Transportation  
24       and Infrastructure of the House of Representa-  
25       tives and the Committee on Homeland Security

1 and Governmental Affairs and the Committee  
2 on Commerce, Science, and Transportation of  
3 the Senate of such feedback, including the  
4 agreement or disagreement under subparagraph  
5 (A) or subparagraph (B) of such paragraph, as  
6 applicable; and

7 “(B) provide the committees specified in  
8 subparagraph (A) with a briefing upon request.

9 “(4) UPDATES.—Not later than 90 days after  
10 the date the Administrator receives a recommenda-  
11 tion from the Advisory Committee under subsection  
12 (d)(2) that the Administrator agrees with, and quar-  
13 terly thereafter until such recommendation is fully  
14 implemented, the Administrator shall submit to the  
15 Committee on Homeland Security and the Com-  
16 mittee on Transportation and Infrastructure of the  
17 House of Representatives and the Committee on  
18 Homeland Security and Governmental Affairs and  
19 the Committee on Commerce, Science, and Trans-  
20 portation of the Senate a report or post on the pub-  
21 lic website under paragraph (5) an update on the  
22 status of such recommendation.

23 “(5) WEBSITE.—The Administrator shall main-  
24 tain a public website that—

1           “(A) lists the members of the Advisory  
2           Committee;

3           “(B) provides the contact information for  
4           the Advisory Committee; and

5           “(C) information relating to meetings,  
6           minutes, annual reports, and the implementa-  
7           tion of recommendations under this section.

8           “(f) NONAPPLICABILITY OF FACA.—The Federal  
9           Advisory Committee Act (5 U.S.C. App.) shall not apply  
10          to the Advisory Committee or any subcommittee estab-  
11          lished under this section.”.

12          (b) ADVISORY COMMITTEE MEMBERS.—

13           (1) VOTING MEMBERS.—Not later than 180  
14          days after the date of the enactment of this Act, the  
15          Administrator shall appoint the voting members of  
16          the Surface Transportation Security Advisory Com-  
17          mittee established under section 404 of the Home-  
18          land Security Act of 2002, as added by subsection  
19          (a) of this section.

20           (2) NONVOTING MEMBERS.—Not later than 90  
21          days after the date of the enactment of this Act,  
22          each Federal Government department and agency  
23          with regulatory authority over a mode of surface  
24          transportation, as the Administrator considers ap-  
25          propriate, shall designate an appropriate representa-

1           tive to serve as a nonvoting member of the Surface  
2           Transportation Security Advisory Committee.

3           (c) CLERICAL AMENDMENT.—The analysis for chap-  
4           ter 449 of title 49, United States Code, is amended by  
5           inserting after the item relating to section 44946 the fol-  
6           lowing new item:

          “44947. Surface Transportation Security Advisory Committee.”.

7           **SEC. 578. REVIEW OF THE EXPLOSIVES DETECTION CANINE**  
8                                   **TEAM PROGRAM.**

9           (a) IN GENERAL.—Not later than 90 days after the  
10          date that the Inspector General of the Department re-  
11          ceives the report under section 302(c), the Inspector Gen-  
12          eral shall—

13                   (1) review the explosives detection canine team  
14          program of the Department, including—

15                           (A) the development by the Transportation  
16          Security Administration of a deployment strat-  
17          egy for explosives detection canine teams;

18                           (B) the national explosives detection canine  
19          team training program, including canine train-  
20          ing, handler training, refresher training, and  
21          updates to such training; and

22                           (C) the use of the canine assets during an  
23          urgent security need, including the reallocation  
24          of such program resources outside the transpor-

1           tation systems sector during an urgent security  
2           need; and

3           (2) submit to the appropriate committees of  
4           Congress a report on such review, including any rec-  
5           ommendations.

6           (b) CONSIDERATIONS.—In conducting the review of  
7           the deployment strategy under subsection (a)(1)(A), the  
8           Inspector General of the Department shall consider wheth-  
9           er the Transportation Security Administration’s method  
10          to analyze the risk to transportation facilities and trans-  
11          portation systems is appropriate.

12       **SEC. 579. EXPANSION OF NATIONAL EXPLOSIVES DETEC-**  
13                               **TION CANINE TEAM PROGRAM.**

14          (a) IN GENERAL.—The Secretary, where appropriate,  
15          shall encourage State, local, and tribal governments and  
16          private owners of high-risk transportation facilities to  
17          strengthen security through the use of explosives detection  
18          canine teams.

19          (b) INCREASED CAPACITY.—

20               (1) IN GENERAL.—Before the date the Inspec-  
21          tor General of the Department submits the report  
22          under section 308, the Administrator may increase  
23          the number of State and local surface and maritime  
24          transportation explosives detection canine teams by  
25          not more than 70 such teams.



1           (2) ADDITIONAL TEAMS.—Beginning on the  
2           date the Inspector General of the Department sub-  
3           mits the report under section 308, the Secretary  
4           may increase the State and local surface and mari-  
5           time transportation explosives detection canine  
6           teams by not more than 200 such teams unless more  
7           of such teams are needed as identified in the risk-  
8           based security strategy under section 302(b)(1)(A),  
9           consistent with section 303 or with the President’s  
10          most recent budget submitted under section 1105 of  
11          title 31, United States Code.

12          (3) RECOMMENDATIONS.—Before initiating any  
13          increase in the number of explosives detection teams  
14          under paragraph (2), the Secretary shall consider  
15          any recommendations in the report under section  
16          308 on the efficacy and management of the explo-  
17          sives detection canine program of the Department.

18          (c) DEPLOYMENT.—The Secretary shall—

19                (1) use any additional explosives detection ca-  
20                nine teams, as described in subsection (b)(1), as  
21                part of the Department’s efforts to strengthen secu-  
22                rity across the Nation’s surface and maritime trans-  
23                portation systems;

24                (2) make available explosives detection canine  
25                teams to all modes of transportation, subject to the

1 requirements under section 306, to address specific  
2 vulnerabilities or risks, on an as-needed basis and as  
3 otherwise determined appropriate by the Secretary;  
4 and

5 (3) consider specific needs and training require-  
6 ments for explosives detection canine teams to be de-  
7 ployed across the Nation's surface and maritime  
8 transportation systems, including in venues of mul-  
9 tiple modes of transportation, as the Secretary con-  
10 siders appropriate.

11 **SEC. 580. EXPLOSIVE DETECTION TECHNOLOGY.**

12 The Secretary shall prioritize the research and facili-  
13 tation of next generation technologies to detect explosives  
14 in the Nation's surface transportation systems.

15 **SEC. 581. STUDY ON SECURITY STANDARDS AND BEST**  
16 **PRACTICES FOR UNITED STATES AND FOR-**  
17 **EIGN PASSENGER TRANSPORTATION SYS-**  
18 **TEMS.**

19 (a) IN GENERAL.—The Comptroller General of the  
20 United States shall conduct a study of how the Transpor-  
21 tation Security Administration—

22 (1) identifies and compares—

23 (A) United States and foreign passenger  
24 transportation system security standards; and

1 (B) best practices for protecting passenger  
2 transportation systems, including shared ter-  
3 minal facilities, and cyber systems; and

4 (2) disseminates to stakeholders the findings  
5 under paragraph (1).

6 (b) REPORT.—Not later than 18 months after the  
7 date of the enactment of this Act, the Comptroller General  
8 of the United States shall issue a report that contains—

9 (1) the findings of the study conducted under  
10 subsection (a); and

11 (2) any recommendations for improving rel-  
12 evant processes or procedures.

13 **SEC. 582. AMTRAK SECURITY UPGRADES.**

14 (a) RAILROAD SECURITY ASSISTANCE.—Subsection  
15 (b) of section 1513 of the Implementing Recommendations  
16 of the 9/11 Commission Act of 2007 (6 U.S.C. 1163) is  
17 amended—

18 (1) in paragraph (1), by inserting before the pe-  
19 riod at the end the following: “, including commu-  
20 nications interoperability where appropriate with rel-  
21 evant outside agencies and entities”;

22 (2) in paragraph (5), by striking “security of”  
23 and inserting “security and preparedness of”;

24 (3) in paragraph (7), by striking “security  
25 threats” and inserting “security threats and pre-

1       paredness, including connectivity to the National  
2       Terrorist Screening Center”; and

3               (4) in paragraph (9), by striking “and security  
4       officers” and inserting “, security, and preparedness  
5       officers”.

6       (b) SPECIFIC PROJECTS.—Subsection (a)(3) of sec-  
7       tion 1514 of the Implementing Recommendations of the  
8       9/11 Commission Act of 2007 (6 U.S.C. 1164) is amend-  
9       ed—

10              (1) in subparagraph (D) by inserting before the  
11       semicolon at the end the following: “, or to connect  
12       to the National Terrorism Screening Center  
13       watchlist”;

14              (2) in subparagraph (G), by striking “and”  
15       after the semicolon;

16              (3) in subparagraph (H) by striking the period  
17       at the end and inserting a semicolon; and

18              (4) by adding at the end the following new sub-  
19       paragraphs:

20                      “(I) for improvements to passenger  
21       verification systems;

22                      “(J) for improvements to employee and  
23       contractor verification systems, including iden-  
24       tity verification technology; or

1           “(K) for improvements to the security of  
2           Amtrak computer systems, including cybersecu-  
3           rity assessments and programs.”.

4 **SEC. 583. STUDY ON SURFACE TRANSPORTATION INSPEC-**  
5 **TORS.**

6           Not later than 180 days after the date of the enact-  
7           ment of this Act, the Comptroller General of the United  
8           States shall submit to the appropriate committees of Con-  
9           gress a report that—

10           (1) identifies any duplication or redundancy be-  
11           tween the Transportation Security Administration  
12           and the Department of Transportation relating to  
13           surface transportation security inspections or over-  
14           sight; and

15           (2) provides recommendations, if any, relating  
16           to—

17           (A) improvements to the surface transpor-  
18           tation security inspectors program, including—

19                   (i) changes in organizational and su-  
20                   pervisory structures;

21                   (ii) coordination procedures to en-  
22                   hance consistency; and

23                   (iii) effectiveness in inspection and  
24                   compliance activities; and

1 (B) whether each transportation mode  
2 needs inspectors trained and qualified for each  
3 such specific mode.

4 **SEC. 584. SECURITY AWARENESS PROGRAM.**

5 (a) ESTABLISHMENT.—The Administrator shall es-  
6 tablish a program to promote surface transportation secu-  
7 rity through the training of surface transportation opera-  
8 tors and frontline employees on each of the skills identified  
9 in subsection (c).

10 (b) APPLICATION.—The program established under  
11 subsection (a) shall apply to all modes of surface transpor-  
12 tation, including public transportation, rail, highway,  
13 motor carrier, and pipeline.

14 (c) TRAINING.—The program established under sub-  
15 section (a) shall cover, at a minimum, the skills necessary  
16 to observe, assess, and respond to suspicious items or ac-  
17 tions that could indicate a threat to transportation.

18 (d) ASSESSMENT.—

19 (1) IN GENERAL.—The Administrator shall con-  
20 duct an assessment of current training programs for  
21 surface transportation operators and frontline em-  
22 ployees.

23 (2) CONTENTS.—The assessment under para-  
24 graph (1) shall identify—

1           (A) whether other training is being pro-  
2           vided, either voluntarily or in response to other  
3           Federal requirements; and

4           (B) whether there are any gaps in existing  
5           training.

6           (e) UPDATES.—The Administrator shall ensure the  
7           program established under subsection (a) is updated as  
8           necessary to address changes in risk and terrorist methods  
9           and to close any gaps identified in the assessment under  
10          subsection (d).

11          (f) SUSPICIOUS ACTIVITY REPORTING.—

12           (1) IN GENERAL.—The Secretary shall ensure  
13           there exists a national mechanism for an individual  
14           to use to report to the Department suspicious activ-  
15           ity in transportation systems.

16           (2) PROCEDURES.—The Secretary shall estab-  
17           lish procedures for the Department—

18           (A) to review and follow-up, as necessary,  
19           on each report received under paragraph (1);  
20           and

21           (B) to share, as necessary and in accord-  
22           ance with law, such reports with appropriate  
23           Federal, State, local, and tribal entities.

1           (3) RULE OF CONSTRUCTION.—Nothing in this  
2           section may be construed to replace or affect in any  
3           way the use of 9-1-1 services in an emergency.

4           (g) DEFINITION OF FRONTLINE EMPLOYEE.—In this  
5           section, the term “frontline employee” includes—

6           (1) an employee of a public transportation  
7           agency who is a transit vehicle driver or operator,  
8           dispatcher, maintenance and maintenance support  
9           employee, station attendant, customer service em-  
10          ployee, security employee, or transit police, or any  
11          other employee who has direct contact with riders on  
12          a regular basis, and any other employee of a public  
13          transportation agency that the Administrator deter-  
14          mines should receive security training under this  
15          section or who is receiving security training under  
16          other law;

17          (2) over-the-road bus drivers, security per-  
18          sonnel, dispatchers, maintenance and maintenance  
19          support personnel, ticket agents, other terminal em-  
20          ployees, and other employees of an over-the-road bus  
21          operator or terminal owner or operator who the Ad-  
22          ministrator determines should receive security train-  
23          ing under this section or who is receiving security  
24          training under other law; or



1           (3) security personnel, dispatchers, locomotive  
2           engineers, conductors, trainmen, other onboard em-  
3           ployees, maintenance and maintenance support per-  
4           sonnel, bridge tenders, and any other employees of  
5           railroad carriers who the Administrator determines  
6           should receive security training under this section or  
7           who is receiving security training under other law.

8   **SEC. 585. VOLUNTARY USE OF CREDENTIALING.**

9           (a) IN GENERAL.—An individual who is subject to  
10          credentialing or a background investigation under section  
11          5103a of title 49, United States Code, may satisfy such  
12          requirement by obtaining a valid transportation security  
13          card issued under section 70105 of title 46, United States  
14          Code.

15          (b) FEES.—The Secretary may charge reasonable  
16          fees, in accordance with section 520(a) of the Department  
17          of Homeland Security Appropriations Act, 2004 (6 U.S.C.  
18          469(a)), for providing the necessary credentialing and  
19          background investigation under this section.

20          (c) DEFINITIONS.—In this section:

21                 (1) INDIVIDUAL WHO IS SUBJECT TO  
22                 CREDENTIALING OR A BACKGROUND INVESTIGA-  
23                 TION.—The term “individual who is subject to  
24                 credentialing or a background investigation” means  
25                 an individual who—

1 (A) because of employment is regulated by  
2 the Transportation Security Administration,  
3 Department of Transportation, or Coast Guard  
4 and is required to have a background records  
5 check to obtain a hazardous materials endorse-  
6 ment on a commercial driver's license issued by  
7 a State under section 5103a of title 49, United  
8 States Code; or

9 (B) is required to have a credential and  
10 background records check under section  
11 2102(d)(2) of the Homeland Security Act of  
12 2002 (6 U.S.C. 622(d)(2)) at a facility with ac-  
13 tivities that are regulated by the Transportation  
14 Security Administration, Department of Trans-  
15 portation, or Coast Guard.

16 (2) VALID TRANSPORTATION SECURITY CARD  
17 ISSUED UNDER SECTION 70105 OF TITLE 46, UNITED  
18 STATES CODE.—The term “valid transportation se-  
19 curity card issued under section 70105 of title 46,  
20 United States Code” means a transportation secu-  
21 rity card issued under section 70105 of title 46,  
22 United States Code, that is—

23 (A) not expired;

24 (B) shows no signs of tampering; and

1 (C) bears a photograph of the individual  
2 representing such card.

3 **SEC. 586. BACKGROUND RECORDS CHECKS FOR ISSUANCE**  
4 **OF HAZMAT LICENSES.**

5 (a) ISSUANCE OF LICENSES.—Paragraph (1) of sec-  
6 tion 5103a(a) of title 49, United States Code, is amend-  
7 ed—

8 (1) by striking “unless” and inserting “un-  
9 less—”;

10 (2) by striking “the Secretary of Homeland Se-  
11 curity” and inserting the following:

12 “(A) the Secretary of Homeland Security”;

13 (3) in subparagraph (A), as designated pursu-  
14 ant to paragraph (1) of this subsection, by striking  
15 the period at the end and inserting “; or”; and

16 (4) by adding at the end the following new sub-  
17 paragraph:

18 “(B) the individual holds a valid transpor-  
19 tation security card issued under section 70105  
20 of this title.”.

21 (b) TRANSPORTATION SECURITY CARD.—Paragraph  
22 (1) of section 5103a(d) of title 49, United States Code,  
23 is amended, in the matter preceding subparagraph (A),  
24 by striking “described in subsection (a)(1)” and inserting  
25 “under subsection (a)(1)(A)”.

1 **SEC. 587. RECURRENT VETTING FOR SURFACE TRANSPOR-**  
2 **TATION CREDENTIAL-HOLDERS.**

3 Section 70105 of title 46, United States Code, is  
4 amended by adding at the end the following new sub-  
5 section:

6 “(r) RECURRENT VETTING.—

7 “(1) IN GENERAL.—Not later than 180 days  
8 after the date of the enactment of this subsection,  
9 the Secretary shall develop and implement a plan to  
10 utilize the Federal Bureau of Investigation’s Rap  
11 Back Service in order to establish recurrent vetting  
12 capabilities for individuals holding valid transpor-  
13 tation security cards under this section.

14 “(2) EXEMPTION.—Individuals holding valid  
15 transportation security cards under this section who  
16 are subject to recurrent vetting under the plan to  
17 utilize the Rap Back Service referred to in para-  
18 graph (1) shall be exempt from any recurrent deter-  
19 minations or background checks under this section  
20 to which such individuals would otherwise be subject  
21 every five years in the absence of such utilization.”.

22 **SEC. 588. PIPELINE SECURITY STUDY.**

23 (a) STUDY.—The Comptroller General of the United  
24 States shall conduct a study regarding the roles and re-  
25 sponsibilities of the Department and the Department of

1 Transportation with respect to pipeline security. Such  
2 study shall address whether—

3 (1) the Annex to the Memorandum of Under-  
4 standing executed on August 9, 2006, between the  
5 Department and the Department of Transportation  
6 adequately delineates strategic and operational re-  
7 sponsibilities for pipeline security, including whether  
8 it is clear which department is responsible for—

9 (A) protecting against intentional pipeline  
10 breaches and cyber attacks;

11 (B) responding to intentional pipeline  
12 breaches and cyber attacks; and

13 (C) planning to recover from the impact of  
14 intentional pipeline breaches and cyber attacks;

15 (2) the respective roles and responsibilities of  
16 each department are adequately conveyed to relevant  
17 stakeholders and to the public; and

18 (3) the processes and procedures for deter-  
19 mining whether a particular pipeline breach is a ter-  
20 rorist incident are clear and effective.

21 (b) REPORT ON STUDY.—Not later than 180 days  
22 after the date of the enactment of this section, the Comp-  
23 troller General of the United States shall submit to the  
24 Secretary and the Committee on Homeland Security and  
25 the Committee on Transportation and Infrastructure of

1 the House of Representatives and the Committee on Com-  
2 merce, Science, and Transportation of the Senate a report  
3 containing the findings of the study conducted under sub-  
4 section (a).

5 (c) REPORT TO CONGRESS.—Not later than 90 days  
6 after the submission of the report under subsection (b),  
7 the Secretary shall review and analyze the study and sub-  
8 mit to the Committee on Homeland Security and the Com-  
9 mittee on Transportation and Infrastructure of the House  
10 of Representatives and the Committee on Commerce,  
11 Science, and Transportation of the Senate a report on  
12 such review and analysis, including any recommendations  
13 for—

14 (1) changes to the Annex to the Memorandum  
15 of Understanding referred to in subsection (a)(1);  
16 and

17 (2) other improvements to pipeline security ac-  
18 tivities at the Department.

19 **SEC. 589. REPEAL OF LIMITATION RELATING TO MOTOR**  
20 **CARRIER SECURITY-SENSITIVE MATERIAL**  
21 **TRACKING TECHNOLOGY.**

22 Section 1554 of the Implementing Recommendations  
23 of the 9/11 Commission Act of 2007 (6 U.S.C. 1204) is  
24 amended by striking subsection (d).

1 **TITLE VI—EMERGENCY PRE-**  
2 **PAREDNESS, RESPONSE, AND**  
3 **COMMUNICATIONS**

4 **Subtitle A—Grants, Training,**  
5 **Exercises, and Coordination**

6 **SEC. 601. URBAN AREA SECURITY INITIATIVE.**

7 Section 2003 of the Homeland Security Act of 2002  
8 (6 U.S.C. 604) is amended—

9 (1) in subsection (b)(2)(A), in the matter pre-  
10 ceding clause (i), by inserting “, using the most up-  
11 to-date data available,” after “assessment”;

12 (2) in subsection (d)(2), by amending subpara-  
13 graph (B) to read as follows:

14 “(B) FUNDS RETAINED.—To ensure trans-  
15 parency and avoid duplication, a State shall  
16 provide each relevant high-risk urban area with  
17 a detailed accounting of the items, services, or  
18 activities on which any funds retained by the  
19 State under subparagraph (A) are to be ex-  
20 pended. Such accounting shall be provided not  
21 later than 90 days after the date of which such  
22 funds are retained.”; and

23 (3) by striking subsection (e) and inserting the  
24 following new subsections:

1           “(e) THREAT AND HAZARD IDENTIFICATION RISK  
2 ASSESSMENT AND CAPABILITY ASSESSMENT.—As a con-  
3 dition of receiving a grant under this section, each high-  
4 risk urban area shall submit to the Administrator a threat  
5 and hazard identification and risk assessment and capa-  
6 bility assessment—

7           “(1) at such time and in such form as is re-  
8 quired by the Administrator; and

9           “(2) consistent with the Federal Emergency  
10 Management Agency’s Comprehensive Preparedness  
11 Guide 201, Second Edition, or such successor docu-  
12 ment or guidance as is issued by the Administrator.

13           “(f) PERIOD OF PERFORMANCE.—The Administrator  
14 shall make funds provided under this section available for  
15 use by a recipient of a grant for a period of not less than  
16 36 months.

17           “(g) AUTHORIZATION OF APPROPRIATIONS.—There  
18 is authorized to be appropriated for grants under this sec-  
19 tion \$800,000,000 for each of fiscal years 2018 through  
20 2022.”.

21 **SEC. 602. STATE HOMELAND SECURITY GRANT PROGRAM.**

22           Section 2004 of the Homeland Security Act of 2002  
23 (6 U.S.C. 605) is amended by striking subsection (f) and  
24 inserting the following new subsections:



1       “(f) THREAT AND HAZARD IDENTIFICATION AND  
2 RISK ASSESSMENT AND CAPABILITY ASSESSMENT.—

3           “(1) IN GENERAL.—As a condition of receiving  
4 a grant under this section, each State shall submit  
5 to the Administrator a threat and hazard identifica-  
6 tion and risk assessment and capability assess-  
7 ment—

8           “(A) at such time and in such form as is  
9 required by the Administrator; and

10          “(B) consistent with the Federal Emer-  
11 gency Management Agency’s Comprehensive  
12 Preparedness Guide 201, Second Edition, or  
13 such successor document or guidance as is  
14 issued by the Administrator.

15          “(2) COLLABORATION.—In developing the  
16 threat and hazard identification and risk assessment  
17 under paragraph (1), a State shall solicit input from  
18 local and tribal governments, including first respond-  
19 ers, and, as appropriate, non-governmental and pri-  
20 vate sector stakeholders.

21          “(3) FIRST RESPONDERS DEFINED.—In this  
22 subsection, the term ‘first responders’ includes rep-  
23 resentatives of local governmental and nongovern-  
24 mental fire, law enforcement, emergency manage-  
25 ment, and emergency medical personnel.

1       “(g) PERIOD OF PERFORMANCE.—The Adminis-  
2 trator shall make funds provided under this section avail-  
3 able for use by a recipient of a grant for a period of not  
4 less than 36 months.

5       “(h) AUTHORIZATION OF APPROPRIATIONS.—There  
6 is authorized to be appropriated for grants under this sec-  
7 tion \$600,000,000 for each of fiscal years 2018 through  
8 2022.”.

9       **SEC. 603. GRANTS TO DIRECTLY ELIGIBLE TRIBES.**

10       Section 2005 of the Homeland Security Act of 2002  
11 (6 U.S.C. 606) is amended by—

12               (1) redesignating subsections (h) through (k) as  
13 subsections (i) through (l), respectively; and

14               (2) inserting after subsection (g) the following  
15 new subsection:

16       “(h) PERIOD OF PERFORMANCE.—The Secretary  
17 shall make funds provided under this section available for  
18 use by a recipient of a grant for a period of not less than  
19 36 months.”.

20       **SEC. 604. LAW ENFORCEMENT TERRORISM PREVENTION.**

21       (a) LAW ENFORCEMENT TERRORISM PREVENTION  
22 PROGRAM.—Subsection (a) of section 2006 of the Home-  
23 land Security Act of 2002 (6 U.S.C. 607) is amended—

24               (1) in paragraph (1)—

1 (A) by inserting “States and high-risk  
2 urban areas expend” after “that”; and

3 (B) by striking “is used”; and

4 (2) in paragraph (2), by amending subpara-  
5 graph (I) to read as follows:

6 “(I) activities as determined appropriate  
7 by the Administrator, in coordination with the  
8 Assistant Secretary for State and Local Law  
9 Enforcement within the Office of Partnership  
10 and Engagement of the Department, through  
11 outreach to relevant stakeholder organizations;  
12 and”.

13 (b) OFFICE FOR STATE AND LOCAL LAW ENFORCE-  
14 MENT.—Subsection (b) section 2006 of the Homeland Se-  
15 curity Act of 2002 (6 U.S.C. 607) is amended—

16 (1) in paragraph (1), by striking “Policy Direc-  
17 torate” and inserting “Office of Partnership and  
18 Engagement”

19 (2) in paragraph (4)—

20 (A) in subparagraph (B), by inserting “,  
21 including through consultation with such agen-  
22 cies regarding Department programs that may  
23 impact such agencies” before the semicolon at  
24 the end; and

1 (B) in subparagraph (D), by striking “en-  
2 sure” and inserting “certify”.

3 **SEC. 605. PRIORITIZATION.**

4 (a) IN GENERAL.—Subsection (a) of section 2007 of  
5 the Homeland Security Act of 2002 (6 U.S.C. 608) is  
6 amended—

7 (1) in paragraph (1)—

8 (A) by amending subparagraph (A) to read  
9 as follows:

10 “(A) its population, including consideration  
11 of domestic and international tourists, com-  
12 muters, and military populations, including  
13 military populations residing in communities  
14 outside military installations;”;

15 (B) in subparagraph (E), by inserting “,  
16 including threat information from other rel-  
17 evant Federal agencies and field offices, as ap-  
18 propriate” before the semicolon at the end; and

19 (C) in subparagraph (I), by striking “tar-  
20 get” and inserting “core”; and

21 (2) in paragraph (2), by striking “target” and  
22 inserting “core”.

23 (b) REVIEW.—Not later than 90 days after the date  
24 of the enactment of this Act, the Secretary of Homeland  
25 Security, through the Administrator of the Federal Emer-

1 gency Management Agency, shall review and report to the  
2 Committee on Homeland Security and the Committee on  
3 Appropriations of the House of Representatives and the  
4 Committee on Homeland Security and Governmental Af-  
5 fairs and the Committee on Appropriations of the Senate  
6 on the risk formula and methodology used to award grants  
7 under sections 2003 and 2004 of the Homeland Security  
8 Act of 2002 (6 U.S.C. 604 and 605), including a discus-  
9 sion of any necessary changes to such formula to ensure  
10 grant awards are appropriately based on risk.

11 **SEC. 606. ALLOWABLE USES.**

12 Section 2008 of the Homeland Security Act of 2002  
13 (6 U.S.C. 609) is amended—

14 (1) in subsection (a)—

15 (A) in the matter preceding paragraph (1),  
16 by striking “target” and inserting “core”;

17 (B) by redesignating paragraphs (6)  
18 through (14) as paragraphs (8) through (16),  
19 respectively; and

20 (C) by inserting after paragraph (5) the  
21 following new paragraphs:

22 “(6) enhancing medical preparedness, medical  
23 surge capacity, and mass prophylaxis capabilities, in-  
24 cluding the development and maintenance of an ini-  
25 tial pharmaceutical stockpile, including medical kits

1 and diagnostics sufficient to protect first responders,  
2 their families, immediate victims, and vulnerable  
3 populations from a chemical or biological event;

4 “(7) enhancing cybersecurity, including pre-  
5 paring for and responding to cybersecurity risks and  
6 incidents (as such terms are defined in section 227)  
7 and developing statewide cyber threat information  
8 analysis and dissemination activities;”;

9 (D) in paragraph (8), as so redesignated,  
10 by striking “Homeland Security Advisory Sys-  
11 tem” and inserting “National Terrorism Advi-  
12 sory System”; and

13 (E) in paragraph (14), as so redesignated,  
14 by striking “3” and inserting “5”;

15 (2) in subsection (b)—

16 (A) in paragraph (3)(B), by striking  
17 “(a)(10)” and inserting “(a)(12)”; and

18 (B) in paragraph (4)(B)(i), by striking  
19 “target” and inserting “core”; and

20 (3) in subsection (c), by striking “target” and  
21 “core”.

22 **SEC. 607. APPROVAL OF CERTAIN EQUIPMENT.**

23 (a) IN GENERAL.—Section 2008 of the Homeland  
24 Security Act of 2002 (6 U.S.C. 609), as amended by sec-  
25 tion 106 of this Act, is further amended—

1 (1) in subsection (f)—

2 (A) by striking “If an applicant” and in-  
3 serting the following:

4 “(1) APPLICATION REQUIREMENT.—If an appli-  
5 cant”; and

6 (B) by adding at the end the following new  
7 paragraphs:

8 “(2) REVIEW PROCESS.—The Administrator  
9 shall implement a uniform process for reviewing ap-  
10 plications that, in accordance with paragraph (1),  
11 contain explanations to use grants provided under  
12 section 2003 or 2004 to purchase equipment or sys-  
13 tems that do not meet or exceed any applicable na-  
14 tional voluntary consensus standards developed  
15 under section 647 of the Post-Katrina Emergency  
16 Management Reform Act of 2006 (6 U.S.C. 747).

17 “(3) FACTORS.—In carrying out the review  
18 process under paragraph (2), the Administrator  
19 shall consider the following:

20 “(A) Current or past use of proposed  
21 equipment or systems by Federal agencies or  
22 the Armed Forces.

23 “(B) The absence of a national voluntary  
24 consensus standard for such equipment or sys-  
25 tems.

1           “(C) The existence of an international con-  
2           sensus standard for such equipment or systems,  
3           and whether such equipment or systems meets  
4           such standard.

5           “(D) The nature of the capability gap  
6           identified by the applicant, and how such equip-  
7           ment or systems will address such gap.

8           “(E) The degree to which such equipment  
9           or systems will serve the needs of the applicant  
10          better than equipment or systems that meet or  
11          exceed existing consensus standards.

12          “(F) Any other factor determined appro-  
13          priate by the Administrator.”; and

14          (2) by adding at the end the following new sub-  
15          section:

16          “(g) REVIEW PROCESS.—The Administrator shall  
17          implement a uniform process for reviewing applications to  
18          use grants provided under section 2003 or 2004 to pur-  
19          chase equipment or systems not included on the Author-  
20          ized Equipment List maintained by the Administrator.”.

21          (b) INSPECTOR GENERAL REPORT.—Not later than  
22          three years after the date of the enactment of this Act,  
23          the Inspector General of the Department of Homeland Se-  
24          curity shall submit to the Committee on Homeland Secu-  
25          rity of the House of Representatives and the Committee



1 on Homeland Security and Governmental Affairs of the  
2 Senate a report assessing the implementation of the review  
3 process established under paragraph (2) of subsection (f)  
4 of section 2008 of the Homeland Security Act of 2002  
5 (as added by subsection (a) of this section), including in-  
6 formation on the following:

7 (1) The number of requests to purchase equip-  
8 ment or systems that do not meet or exceed any ap-  
9 plicable consensus standard evaluated under such re-  
10 view process.

11 (2) The capability gaps identified by applicants  
12 and the number of such requests granted or denied.

13 (3) The processing time for the review of such  
14 requests.

15 **SEC. 608. MEMORANDA OF UNDERSTANDING.**

16 (a) IN GENERAL.—Subtitle B of title XX of the  
17 Homeland Security Act of 2002 (6 U.S.C. 611 et seq.)  
18 is amended by adding at the end the following new section:

19 **“SEC. 2024. MEMORANDA OF UNDERSTANDING WITH DE-**  
20 **PARTMENTAL COMPONENTS AND OFFICES.**

21 “The Administrator shall enter into memoranda of  
22 understanding with the heads of the following depart-  
23 mental components and offices delineating the roles and  
24 responsibilities of such components and offices regarding  
25 the policy and guidance for grants under section 1406 of

1 the Implementing Recommendations of the 9/11 Commis-  
2 sion Act of 2007 (6 U.S.C. 1135), sections 2003 and 2004  
3 of this Act, and section 70107 of title 46, United States  
4 Code, as appropriate:

5           “(1) The Commissioner of U.S. Customs and  
6           Border Protection.

7           “(2) The Administrator of the Transportation  
8           Security Administration.

9           “(3) The Commandant of the Coast Guard.

10           “(4) The Under Secretary for Intelligence and  
11           Analysis.

12           “(5) The Director of the Office of Emergency  
13           Communications.

14           “(6) The Assistant Secretary for State and  
15           Local Law Enforcement.

16           “(7) The Countering Violent Extremism Coor-  
17           dinator.

18           “(8) The Officer for Civil Rights and Civil Lib-  
19           erties.

20           “(9) The heads of other components or offices  
21           of the Department, as determined by the Sec-  
22           retary.”.

23           (b) CLERICAL AMENDMENT.—The table of contents  
24           in section 1(b) of the Homeland Security Act of 2002 is

1 amended by inserting after the item relating to section  
2 2023 the following new item:

“Sec. 2024. Memoranda of understanding with departmental components and  
offices.”.

3 **SEC. 609. GRANTS METRICS.**

4 (a) IN GENERAL.—To determine the extent to which  
5 grants under sections 2003 and 2004 of the Homeland  
6 Security Act of 2002 (6 U.S.C. 603 and 604) have closed  
7 capability gaps identified in State Preparedness Reports  
8 required under subsection (c) of section 652 of the Post-  
9 Katrina Emergency Management Reform Act of 2006 (6  
10 U.S.C. 752; title VI of the Department of Homeland Secu-  
11 rity Appropriations Act, 2007; Public Law 109–295) and  
12 Threat and Hazard Identification and Risk Assessments  
13 required under subsections (e) and (f) of such sections  
14 2003 and 2004, respectively, as added by this Act, from  
15 each State and high-risk urban area, the Administrator  
16 of the Federal Emergency Management Agency shall con-  
17 duct and submit to the Committee on Homeland Security  
18 and the Committee on Transportation and Infrastructure  
19 of the House of Representatives and the Committee on  
20 Homeland Security and Governmental Affairs of the Sen-  
21 ate an assessment of information provided in such Reports  
22 and Assessments.

23 (b) ASSESSMENT REQUIREMENTS.—The assessment  
24 required under subsection (a) shall include a comparison

1 of successive State Preparedness Reports and Threat and  
2 Hazard Identification and Risk Assessments that aggre-  
3 gates results across the States and high-risk urban areas.

4 **SEC. 610. GRANT MANAGEMENT BEST PRACTICES.**

5 The Administrator of the Federal Emergency Man-  
6 agement Agency shall include in the annual Notice of  
7 Funding Opportunity relating to grants under sections  
8 2003 and 2004 of the Homeland Security Act of 2002  
9 (6 U.S.C. 604 and 605) an appendix that includes the fol-  
10 lowing:

11 (1) A summary of findings identified by the Of-  
12 fice of the Inspector General of the Department of  
13 Homeland Security in audits of such grants and  
14 methods to address areas identified for improve-  
15 ment, including opportunities for technical assist-  
16 ance.

17 (2) Innovative projects and best practices insti-  
18 tuted by grant recipients.

19 **SEC. 611. PROHIBITION ON CONSOLIDATION.**

20 The Secretary of Homeland Security may not imple-  
21 ment the National Preparedness Grant Program or any  
22 successor consolidated grant program unless the Secretary  
23 receives prior authorization from Congress permitting  
24 such implementation.

1 **SEC. 612. MAINTENANCE OF GRANT INVESTMENTS.**

2 Section 2008 of the Homeland Security Act of 2002  
3 (6 U.S.C. 609), as amended by sections 106 and 107 of  
4 this Act, is further amended by adding at the end the fol-  
5 lowing new subsection:

6 “(h) MAINTENANCE OF EQUIPMENT.—Any applicant  
7 for a grant under section 2003 or 2004 seeking to use  
8 funds to purchase equipment, including pursuant to para-  
9 graphs (3), (4), (5), or (12) of subsection (a) of this sec-  
10 tion, shall by the time of the receipt of such grant develop  
11 a plan for the maintenance of such equipment over its life-  
12 cycle that includes information identifying which entity is  
13 responsible for such maintenance.”.

14 **SEC. 613. TRANSIT SECURITY GRANT PROGRAM.**

15 Section 1406 of the Implementing Recommendations  
16 of the 9/11 Commission Act of 2007 (6 U.S.C. 1135) is  
17 amended—

18 (1) in subsection (b)(2)(A), by inserting “and  
19 associated backfill” after “security training”; and

20 (2) by striking subsection (m) and inserting the  
21 following new subsections:

22 “(m) PERIODS OF PERFORMANCE.—

23 “(1) IN GENERAL.—Except as provided in para-  
24 graph (2), funds provided pursuant to a grant  
25 awarded under this section for a use specified in  
26 subsection (b) shall remain available for use by a

1 grant recipient for a period of not fewer than 36  
2 months.

3 “(2) EXCEPTION.—Funds provided pursuant to  
4 a grant awarded under this section for a use speci-  
5 fied in subparagraph (M) or (N) of subsection (b)(1)  
6 shall remain available for use by a grant recipient  
7 for a period of not fewer than 55 months.

8 “(n) AUTHORIZATION OF APPROPRIATIONS.—There  
9 is authorized to be appropriated for grants under this sec-  
10 tion \$200,000,000 for each of fiscal years 2018 through  
11 2022.”.

12 **SEC. 614. PORT SECURITY GRANT PROGRAM.**

13 Section 70107 of title 46, United States Code, is  
14 amended by—

15 (1) striking subsection (l);

16 (2) redesignating subsection (m) as subsection  
17 (l); and

18 (3) by adding at the end the following new sub-  
19 sections:

20 “(n) PERIOD OF PERFORMANCE.—The Secretary  
21 shall make funds provided under this section available for  
22 use by a recipient of a grant for a period of not less than  
23 36 months.

24 “(o) AUTHORIZATION OF APPROPRIATIONS.—There  
25 is authorized to be appropriated for grants under this sec-

1 tion \$200,000,000 for each of the fiscal years 2018  
2 through 2022.”.

3 **SEC. 615. NATIONAL DOMESTIC PREPAREDNESS CONSOR-**  
4 **TIUM.**

5 Section 1204 of the Implementing Recommendations  
6 of the 9/11 Commission Act (6 U.S.C. 1102) is amend-  
7 ed—

8 (1) in subsection (d), by amending paragraphs  
9 (1) and (2) to read as follows:

10 “(1) for the Center for Domestic Preparedness,  
11 \$63,939,000 for each of fiscal years 2018 and 2019;  
12 and

13 “(2) for the remaining Members of the National  
14 Domestic Preparedness Consortium, \$101,000,000  
15 for each of fiscal years 2018 and 2019.”; and

16 (2) in subsection (e), in the matter preceding  
17 paragraph (1), by striking “2007” and inserting  
18 “2017”.

19 **SEC. 616. RURAL DOMESTIC PREPAREDNESS CONSORTIUM.**

20 (a) IN GENERAL.—The Secretary of Homeland Secu-  
21 rity is authorized to establish a Rural Domestic Prepared-  
22 ness Consortium within the Department of Homeland Se-  
23 curity consisting of universities and nonprofit organiza-  
24 tions qualified to provide training to emergency response  
25 providers from rural communities.

1           (b) DUTIES.—The Rural Domestic Preparedness  
2 Consortium authorized under subsection (a) shall identify,  
3 develop, test, and deliver training to State, local, and trib-  
4 al emergency response providers from rural communities,  
5 provide on-site and mobile training, and facilitate the de-  
6 livery of training by the training partners of the Depart-  
7 ment of Homeland Security.

8           (c) AUTHORIZATION OF APPROPRIATIONS.—Of  
9 amounts appropriated for Continuing Training Grants of  
10 the Department of Homeland Security, \$5,000,000 is au-  
11 thorized to be used for the Rural Domestic Preparedness  
12 Consortium authorized under subsection (a).

13 **SEC. 617. EMERGENCY SUPPORT FUNCTIONS.**

14           (a) UPDATE.—Paragraph (13) of section 504(a) of  
15 the Homeland Security Act of 2002 (6 U.S.C. 314(a)) is  
16 amended by inserting “, periodically updating (but not less  
17 often than once every five years),” after “administering”.

18           (b) EMERGENCY SUPPORT FUNCTIONS.—Section  
19 653 of the Post-Katrina Emergency Management Reform  
20 Act of 2006 (6 U.S.C. 753; title VI of the Department  
21 of Homeland Security Appropriations Act, 2007; Public  
22 Law 109–295) is amended—

23                   (1) by redesignating subsections (d) and (e) as  
24 subsections (e) and (f), respectively; and



1           (2) by inserting after subsection (c) the fol-  
2           lowing new subsection:

3           “(d) COORDINATION.—The President, acting through  
4 the Administrator, shall develop and provide to Federal  
5 departments and agencies with coordinating, primary, or  
6 supporting responsibilities under the National Response  
7 Framework performance metrics to ensure readiness to  
8 execute responsibilities under the emergency support func-  
9 tions of such Framework.”.

10 **SEC. 618. REVIEW OF NATIONAL INCIDENT MANAGEMENT**  
11 **SYSTEM.**

12           Paragraph (2) of section 509(b) of the Homeland Se-  
13 curity Act of 2002 (6 U.S.C. 319(b)) is amended, in the  
14 matter preceding subparagraph (A), by inserting “, but  
15 not less often than once every five years,” after “periodi-  
16 cally”.

17 **SEC. 619. REMEDIAL ACTION MANAGEMENT PROGRAM.**

18           Section 650 of the Post-Katrina Emergency Manage-  
19 ment Reform Act of 2006 (6 U.S.C. 750; title VI of the  
20 Department of Homeland Security Appropriations Act,  
21 2007; Public Law 109–295) is amended to read as follows:

22 **“SEC. 650. REMEDIAL ACTION MANAGEMENT PROGRAM.**

23           “(a) IN GENERAL.—The Administrator, in coordina-  
24 tion with the National Council on Disability and the Na-

1 tional Advisory Council, shall establish a remedial action  
2 management program to—

3 “(1) analyze training, exercises, and real world  
4 events to identify lessons learned, corrective actions,  
5 and best practices;

6 “(2) generate and disseminate, as appropriate,  
7 the lessons learned, corrective actions, and best  
8 practices referred to in paragraph (1); and

9 “(3) conduct remedial action tracking and long  
10 term trend analysis.

11 “(b) FEDERAL CORRECTIVE ACTIONS.—The Admin-  
12 istrator, in coordination with the heads of appropriate  
13 Federal departments and agencies, shall utilize the pro-  
14 gram established pursuant to subsection (a) to collect in-  
15 formation on corrective actions identified by such Federal  
16 departments and agencies during exercises and the re-  
17 sponse to natural disasters, acts of terrorism, and other  
18 man-made disasters, and shall, not later than one year  
19 after the date of the enactment of this section and annu-  
20 ally thereafter for each of the next four years, submit to  
21 Congress a report on the status of such corrective actions.

22 “(c) DISSEMINATION OF AFTER ACTION REPORTS.—  
23 The Administrator shall provide electronically, to the max-  
24 imum extent practicable, to Congress and Federal, State,  
25 local, tribal, and private sector officials after-action re-

1 ports and information on lessons learned and best prac-  
2 tices from responses to acts of terrorism, natural disas-  
3 ters, capstone exercises conducted under the national exer-  
4 cise program under section 648(b), and other emergencies  
5 or exercises.”.

6 **SEC. 620. CYBER PREPAREDNESS.**

7 (a) INFORMATION SHARING.—Title II of the Home-  
8 land Security Act of 2002 is amended—

9 (1) in section 210A (6 U.S.C. 124h)—

10 (A) in subsection (b)—

11 (i) in paragraph (10), by inserting be-  
12 fore the semicolon at the end the following:

13 “, including, in coordination with the na-  
14 tional cybersecurity and communications  
15 integration center under section 227, ac-  
16 cess to timely technical assistance, risk  
17 management support, and incident re-  
18 sponse capabilities with respect to cyber  
19 threat indicators, defensive measures, cy-  
20 bersecurity risks, and incidents (as such  
21 terms are defined in such section), which  
22 may include attribution, mitigation, and  
23 remediation, and the provision of informa-  
24 tion and recommendations on security and  
25 resilience, including implications of cyber-

1 security risks to equipment and technology  
2 related to the electoral process”;

3 (ii) in paragraph (11), by striking  
4 “and” after the semicolon;

5 (iii) by redesignating paragraph (12)  
6 as paragraph (14); and

7 (iv) by inserting after paragraph (11)  
8 the following new paragraphs:

9 “(12) review information relating to cybersecu-  
10 rity risks that is gathered by State, local, and re-  
11 gional fusion centers, and incorporate such informa-  
12 tion, as appropriate, into the Department’s own in-  
13 formation relating to cybersecurity risks;

14 “(13) ensure the dissemination to State, local,  
15 and regional fusion centers of the information de-  
16 scribed in paragraph (12); and”;

17 (B) in subsection (c)(2)—

18 (i) by redesignating subparagraphs  
19 (C) through (G) as subparagraphs (D)  
20 through (H), respectively; and

21 (ii) by inserting after subparagraph  
22 (B) the following new subparagraph:

23 “(C) The national cybersecurity and com-  
24 munications integration center under section  
25 227.”;

1 (C) in subsection (d)—

2 (i) in paragraph (3), by striking  
3 “and” after the semicolon;

4 (ii) by redesignating paragraph (4) as  
5 paragraph (5); and

6 (iii) by inserting after paragraph (3)  
7 the following new paragraph:

8 “(4) assist, in coordination with the national  
9 cybersecurity and communications integration center  
10 under section 227, fusion centers in using informa-  
11 tion relating to cybersecurity risks to develop a com-  
12 prehensive and accurate threat picture; and”;

13 (D) in subsection (j)—

14 (i) by redesignating paragraphs (1)  
15 through (5) as paragraphs (2) through (6),  
16 respectively; and

17 (ii) by inserting before paragraph (2),  
18 as so redesignated, the following new para-  
19 graph:

20 “(1) the term ‘cybersecurity risk’ has the mean-  
21 ing given such term in section 227;”;

22 (2) in section 227 (6 U.S.C. 148)—

23 (A) in subsection (c)—

24 (i) in paragraph (5)(B), by inserting  
25 “, including State, local, and regional fu-

1                   sion centers, as appropriate” before the  
2                   semicolon at the end;

3                   (ii) in paragraph (7), in the matter  
4                   preceding subparagraph (A), by striking  
5                   “information and recommendations” each  
6                   place it appears and inserting “informa-  
7                   tion, recommendations, and best prac-  
8                   tices”; and

9                   (iii) in paragraph (9), by inserting  
10                  “best practices,” after “defensive meas-  
11                  ures,”; and

12                  (B) in subsection (d)(1)(B)(ii), by insert-  
13                  ing “and State, local, and regional fusion cen-  
14                  ters, as appropriate” before the semicolon at  
15                  the end.

16           (b) SENSE OF CONGRESS.—It is the sense of Con-  
17           gress that to facilitate the timely dissemination to appro-  
18           priate State, local, and private sector stakeholders of  
19           homeland security information related to cyber threats,  
20           the Secretary of Homeland Security should, to the great-  
21           est extent practicable, work to share actionable informa-  
22           tion in an unclassified form related to such threats.

1 **SEC. 621. MAJOR METROPOLITAN AREA COUNTERTER-**  
2 **RORISM TRAINING AND EXERCISE GRANT**  
3 **PROGRAM.**

4 (a) IN GENERAL.—Subtitle A of title XX of the  
5 Homeland Security Act of 2002 (6 U.S.C. 603 et seq.)  
6 is amended by adding at the end the following new section:

7 **“SEC. 2009. MAJOR METROPOLITAN AREA COUNTERTER-**  
8 **RORISM TRAINING AND EXERCISE GRANT**  
9 **PROGRAM.**

10 “(a) ESTABLISHMENT.—

11 “(1) IN GENERAL.—The Secretary, acting  
12 through the Administrator and the heads of other  
13 relevant components of the Department, shall carry  
14 out a program for emergency response providers to  
15 prevent, prepare for, and respond to emerging ter-  
16 rorist attack scenarios, including complex, coordi-  
17 nated terrorist attacks and active shooters, as deter-  
18 mined by the Secretary, against major metropolitan  
19 areas.

20 “(2) INFORMATION.—In establishing the pro-  
21 gram pursuant to paragraph (1), the Secretary shall  
22 provide to eligible applicants—

23 “(A) information, in an unclassified for-  
24 mat, on emerging terrorist attack scenarios, in-  
25 cluding complex, coordinated terrorist attacks

1 and active shooters, which grants under such  
2 program are intended to address; and

3 “(B) information on training and exercises  
4 best practices.

5 “(b) ELIGIBLE APPLICANTS.—

6 “(1) IN GENERAL.—Jurisdictions that receive,  
7 or that previously received, funding under section  
8 2003 may apply for a grant under the program es-  
9 tablished pursuant to subsection (a).

10 “(2) ADDITIONAL JURISDICTIONS.—Eligible ap-  
11 plicants receiving funding under the program estab-  
12 lished pursuant to subsection (a) may include in ac-  
13 tivities funded by such program neighboring jurisdic-  
14 tions that would be likely to provide mutual aid in  
15 response to emerging terrorist attack scenarios, in-  
16 cluding complex, coordinated terrorist attacks and  
17 active shooters.

18 “(c) PERMITTED USES.—The recipient of a grant  
19 under the program established pursuant to subsection (a)  
20 may use such grant to—

21 “(1) identify capability gaps related to pre-  
22 paring for, preventing, and responding to emerging  
23 terrorist attack scenarios, including complex, coordi-  
24 nated terrorist attacks and active shooters;



1           “(2) develop or update plans, annexes, and  
2           processes to address any capability gaps identified  
3           pursuant to paragraph (1);

4           “(3) conduct training to address such identified  
5           capability gaps;

6           “(4) conduct exercises, including at locations  
7           such as mass gathering venues, places of worship, or  
8           educational institutions, as appropriate, to validate  
9           capabilities; and

10          “(5) pay for backfill associated with personnel  
11          participating in training and exercises under para-  
12          graphs (3) and (4).

13          “(d) PERIOD OF PERFORMANCE.—The Adminis-  
14          trator shall make funds provided under this section avail-  
15          able for use by a recipient of a grant for a period of not  
16          fewer than 36 months.

17          “(e) INFORMATION SHARING.—The Administrator  
18          shall, to the extent practicable, aggregate, analyze, and  
19          share with relevant emergency response providers informa-  
20          tion on best practices and lessons learned from—

21                 “(1) the planning, training, and exercises con-  
22                 ducted using grants authorized under the program  
23                 established pursuant to subsection (a); and

24                 “(2) responses to actual terrorist attacks  
25                 around the world.

1       “(f) AUTHORIZATION OF APPROPRIATIONS.—There  
2 are authorized to be appropriated for grants under this  
3 section \$39,000,000 for each of fiscal years 2018 through  
4 2022.”.

5       (b) CLERICAL AMENDMENT.—The table of contents  
6 in section 1(b) of the Homeland Security Act of 2002 is  
7 amended by inserting after the item relating to section  
8 2008 the following new item:

“Sec. 2009. Major metropolitan area counterterrorism training and exercise  
grant program.”.

9       **SEC. 622. CENTER FOR DOMESTIC PREPAREDNESS.**

10       The Administrator of the Federal Emergency Man-  
11 agement Agency shall provide to the Committee on Home-  
12 land Security and the Committee on Transportation and  
13 Infrastructure of the House of Representatives and the  
14 Committee on Homeland Security and Governmental Af-  
15 fairs of the Senate updates and information on efforts to  
16 implement recommendations related to the management  
17 review of the Chemical, Ordnance, Biological, and Radio-  
18 logical Training Facility of the Center for Domestic Pre-  
19 paredness of the Federal Emergency Management Agency,  
20 including, as necessary, information on additional re-  
21 sources or authority needed to implement such rec-  
22 ommendations.

## 1           **Subtitle B—Communications**

### 2   **SEC. 631. OFFICE OF EMERGENCY COMMUNICATIONS.**

3           The Secretary of Homeland Security may not change  
4 the location or reporting structure of the Office of Emer-  
5 gency Communications of the Department of Homeland  
6 Security unless the Secretary receives prior authorization  
7 from the Committee on Homeland Security of the House  
8 of Representatives and the Committee on Homeland Secu-  
9 rity and Governmental Affairs of the Senate permitting  
10 such change.

### 11   **SEC. 632. RESPONSIBILITIES OF OFFICE OF EMERGENCY** 12                           **COMMUNICATIONS DIRECTOR.**

13           (a) IN GENERAL.—Subsection (c) of section 1801 of  
14 the Homeland Security Act of 2002 (6 U.S.C. 571) is  
15 amended—

16                   (1) by striking paragraph (3);

17                   (2) by redesignating paragraphs (4) through  
18 (15) as paragraphs (3) through (14), respectively;

19                   (3) in paragraph (8), as so redesignated, by  
20 striking “, in cooperation with the National Commu-  
21 nications System,”;

22                   (4) in paragraph (11) by striking “Assistant  
23 Secretary for Grants and Training” and inserting  
24 “Administrator of the Federal Emergency Manage-  
25 ment Agency”;

1           (5) in paragraph (13), as so redesignated, by  
2 striking “and” at the end;

3           (6) in paragraph (14), as so redesignated, by  
4 striking the period at the end and inserting a semi-  
5 colon; and

6           (7) by adding at the end the following new  
7 paragraphs:

8           “(15) administer the Government Emergency  
9 Telecommunications Service (GETS) and Wireless  
10 Priority Service (WPS) programs, or successor pro-  
11 grams; and

12           “(16) assess the impact of emerging tech-  
13 nologies on interoperable emergency communica-  
14 tions.”.

15           (b) PERFORMANCE OF PREVIOUSLY TRANSFERRED  
16 FUNCTIONS.—Subsection (d) of section 1801 of the  
17 Homeland Security Act of 2002 is amended by—

18           (1) striking paragraph (2); and

19           (2) redesignating paragraph (3) as paragraph  
20 (2).

21 **SEC. 633. ANNUAL REPORTING ON ACTIVITIES OF THE OF-**  
22 **FICE OF EMERGENCY COMMUNICATIONS.**

23           Subsection (f) of section 1801 of the Homeland Secu-  
24 rity Act of 2002 (6 U.S.C. 571) is amended to read as  
25 follows:

1           “(f) ANNUAL REPORTING OF OFFICE ACTIVITIES.—  
2 The Director of the Office of Emergency Communications  
3 shall, not later than one year after the date of the enact-  
4 ment of this subsection and annually thereafter for each  
5 of the next four years, report to the Committee on Home-  
6 land Security and the Committee on Energy and Com-  
7 merce of the House of Representatives and the Committee  
8 on Homeland Security and Governmental Affairs of the  
9 Senate on the activities and programs of the Office, in-  
10 cluding specific information on efforts to carry out para-  
11 graphs (4), (5), and (6) of subsection (c).”.

12 **SEC. 634. NATIONAL EMERGENCY COMMUNICATIONS PLAN.**

13           Section 1802 of the Homeland Security Act of 2002  
14 (6 U.S.C. 572) is amended—

15           (1) in subsection (a), in the matter preceding  
16 paragraph (1)—

17           (A) by striking “, and in cooperation with  
18 the Department of National Communications  
19 System (as appropriate),”; and

20           (B) by inserting “, but not less than once  
21 every five years,” after “periodically”; and

22           (2) in subsection (c)—

23           (A) by redesignating paragraphs (3)  
24 through (10) as paragraphs (4) through (11),  
25 respectively; and

1 (B) by inserting after paragraph (2) the  
2 following new paragraph:

3 “(3) consider the impact of emerging tech-  
4 nologies on the attainment of interoperable emer-  
5 gency communications;”.

6 **SEC. 635. TECHNICAL EDIT.**

7 Paragraph (1) of section 1804(b) of the Homeland  
8 Security Act of 2002 (6 U.S.C. 574(b)), in the matter pre-  
9 ceding subparagraph (A), by striking “Assistant Secretary  
10 for Grants and Planning” and inserting “Administrator  
11 of the Federal Emergency Management Agency”.

12 **SEC. 636. PUBLIC SAFETY BROADBAND NETWORK.**

13 The Undersecretary of the National Protection and  
14 Programs Directorate of the Department of Homeland Se-  
15 curity shall provide to the Committee on Homeland Secu-  
16 rity and the Committee on Energy and Commerce of the  
17 House of Representatives and the Committee on Home-  
18 land Security and Governmental Affairs of the Senate in-  
19 formation on the Department of Homeland Security’s re-  
20 sponsibilities related to the development of the nationwide  
21 Public Safety Broadband Network authorized in section  
22 6202 of the Middle Class Tax Relief and Job Creation  
23 Act of 2012 (47 U.S.C. 1422; Public Law 112–96), in-  
24 cluding information on efforts by the Department to work  
25 with the First Responder Network Authority of the De-

1 department of Commerce to identify and address cyber risks  
2 that could impact the near term or long term availability  
3 and operations of such network and recommendations to  
4 mitigate such risks.

5 **SEC. 637. COMMUNICATIONS TRAINING.**

6 The Under Secretary for Management of the Depart-  
7 ment of Homeland Security, in coordination with the ap-  
8 propriate component heads, shall develop a mechanism,  
9 consistent with the strategy required pursuant to section  
10 4 of the Department of Homeland Security Interoperable  
11 Communications Act (Public Law 114–29; 6 U.S.C. 194  
12 note), to verify that radio users within the Department  
13 receive initial and ongoing training on the use of the radio  
14 systems of such components, including interagency radio  
15 use protocols.

16 **Subtitle C—Medical Preparedness**

17 **SEC. 641. CHIEF MEDICAL OFFICER.**

18 Section 516 of the Homeland Security Act of 2002  
19 (6 U.S.C. 321e) is amended—

20 (1) in subsection (c)—

21 (A) in the matter preceding paragraph (1),  
22 by inserting “and shall establish medical and  
23 human, animal, and occupational health expo-  
24 sure policy, guidance, strategies, and initia-  
25 tives,” before “including—”;

1 (B) in paragraph (1), by inserting before  
2 the semicolon at the end the following: “, in-  
3 cluding advice on how to prepare for, protect  
4 against, respond to, recover from, and mitigate  
5 against the medical effects of terrorist attacks  
6 or other high consequence events utilizing  
7 chemical, biological, radiological, or nuclear  
8 agents or explosives”;

9 (C) in paragraph (2), by inserting before  
10 the semicolon at the end the following: “, in-  
11 cluding coordinating the Department’s policy,  
12 strategy and preparedness for pandemics and  
13 emerging infectious diseases”;

14 (D) in paragraph (5), by inserting “emer-  
15 gency medical services and medical first re-  
16 sponder stakeholders,” after “the medical com-  
17 munity,”;

18 (E) in paragraph (6), by striking “and” at  
19 the end;

20 (F) in paragraph (7), by striking the pe-  
21 riod and inserting a semicolon; and

22 (G) by adding at the end the following new  
23 paragraphs:

24 “(8) ensuring that the workforce of the Depart-  
25 ment has evidence-based policy, standards, require-



1       ments, and metrics for occupational health and oper-  
2       ational medicine programs;

3           “(9) directing and maintaining a coordinated  
4       system for medical support for the Department’s  
5       operational activities;

6           “(10) providing oversight of the Department’s  
7       medical programs and providers, including—

8           “(A)     reviewing     and     maintaining  
9       verification of the accreditation of the Depart-  
10      ment’s health provider workforce;

11          “(B) developing quality assurance and clin-  
12      ical policy, requirements, standards, and  
13      metrics for all medical and health activities of  
14      the Department;

15          “(C) providing oversight of medical records  
16      systems for employees and individuals in the  
17      Department’s care and custody; and

18          “(D) providing medical direction for emer-  
19      gency medical services activities of the Depart-  
20      ment; and

21          “(11) as established under section 528, main-  
22      taining a medical countermeasures stockpile and dis-  
23      pensing system, as necessary, to facilitate personnel  
24      readiness, and protection for the Department’s em-  
25      ployees and working animals and individuals in the

1 Department's care and custody in the event of a  
2 chemical, biological, radiological, nuclear, or explo-  
3 sives attack, naturally occurring disease outbreak, or  
4 pandemic.”; and

5 (2) by adding at the end the following new sub-  
6 section:

7 “(d) **MEDICAL LIAISONS.**—The Chief Medical Officer  
8 may provide medical liaisons to the components of the De-  
9 partment to provide subject matter expertise on medical  
10 and public health issues and a direct link to the Chief  
11 Medical Officer. Such expertise may include the following:

12 “(1) Providing guidance on health and medical  
13 aspects of policy, planning, operations, and work-  
14 force health protection.

15 “(2) Identifying and resolving component med-  
16 ical issues.

17 “(3) Supporting the development and alignment  
18 of medical and health systems.

19 “(4) Identifying common gaps in medical and  
20 health standards, policy, and guidance, and enter-  
21 prise solutions to bridge such gaps.”.

22 **SEC. 642. MEDICAL COUNTERMEASURES PROGRAM.**

23 (a) **IN GENERAL.**—Title V of the Homeland Security  
24 Act of 2002 (6 U.S.C. 311 et seq.) is amended by adding  
25 at the end the following new section:

1 **“SEC. 528. MEDICAL COUNTERMEASURES.**

2 “(a) IN GENERAL.—The Secretary shall establish a  
3 medical countermeasures program to facilitate personnel  
4 readiness, and protection for the Department’s employees  
5 and working animals and individuals in the Department’s  
6 care and custody, in the event of a chemical, biological,  
7 radiological, nuclear, or explosives attack, naturally occur-  
8 ring disease outbreak, or pandemic, and to support De-  
9 partment mission continuity.

10 “(b) OVERSIGHT.—The Chief Medical Officer of the  
11 Department shall provide programmatic oversight of the  
12 medical countermeasures program established pursuant to  
13 subsection (a), and shall—

14 “(1) develop Department-wide standards for  
15 medical countermeasure storage, security, dis-  
16 pensing, and documentation;

17 “(2) maintain a stockpile of medical counter-  
18 measures, including antibiotics, antivirals, and radio-  
19 logical countermeasures, as appropriate;

20 “(3) preposition appropriate medical counter-  
21 measures in strategic locations nationwide, based on  
22 threat and employee density, in accordance with ap-  
23 plicable Federal statutes and regulations;

24 “(4) provide oversight and guidance on dis-  
25 pensing of stockpiled medical countermeasures;

1           “(5) ensure rapid deployment and dispensing of  
2           medical countermeasures in a chemical, biological,  
3           radiological, nuclear, or explosives attack, naturally  
4           occurring disease outbreak, or pandemic;

5           “(6) provide training to Department employees  
6           on medical countermeasure dispensing; and

7           “(7) support dispensing exercises.

8           “(c)    MEDICAL    COUNTERMEASURES    WORKING  
9    GROUP.—The Chief Medical Officer shall establish a med-  
10   ical countermeasures working group comprised of rep-  
11   resentatives from appropriate components and offices of  
12   the Department to ensure that medical countermeasures  
13   standards are maintained and guidance is consistent.

14          “(d)    MEDICAL    COUNTERMEASURES    MANAGE-  
15   MENT.—Not later than 180 days after the date of the en-  
16   actment of this section, the Chief Medical Officer shall de-  
17   velop and submit to the Secretary an integrated logistics  
18   support plan for medical countermeasures, including—

19                  “(1) a methodology for determining the ideal  
20                  types and quantities of medical countermeasures to  
21                  stockpile and how frequently such methodology shall  
22                  be reevaluated;

23                  “(2) a replenishment plan; and

1           “(3) inventory tracking, reporting, and rec-  
2           conciliation procedures for existing stockpiles and  
3           new medical countermeasure purchases.

4           “(e) STOCKPILE ELEMENTS.—In determining the  
5           types and quantities of medical countermeasures to stock-  
6           pile under subsection (d), the Chief Medical Officer shall  
7           utilize, if available—

8           “(1) Department chemical, biological, radio-  
9           logical, and nuclear risk assessments; and

10           “(2) Centers for Disease Control and Preven-  
11           tion guidance on medical countermeasures.

12           “(f) REPORT.—Not later than 180 days after the  
13           date of the enactment of this section, the Chief Medical  
14           Officer shall report to the Committee on Homeland Secu-  
15           rity of the House of Representatives and the Committee  
16           on Homeland Security and Governmental Affairs of the  
17           Senate on progress in achieving the requirements of this  
18           section.”.

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

“Sec. 528. Medical countermeasures.”.

## 1                   **Subtitle D—Management**

### 2   **SEC. 651. MISSION SUPPORT.**

3           (a) ESTABLISHMENT.—The Administrator of the  
4 Federal Emergency Management Agency shall designate  
5 an individual to serve as the chief management official and  
6 principal advisor to the Administrator on matters related  
7 to the management of the Federal Emergency Manage-  
8 ment Agency, including management integration in sup-  
9 port of emergency management operations and programs.

10          (b) MISSION AND RESPONSIBILITIES.—The Adminis-  
11 trator of the Federal Emergency Management Agency,  
12 acting through the official designated pursuant to sub-  
13 section (a), shall be responsible for the management and  
14 administration of the Federal Emergency Management  
15 Agency, including with respect to the following:

- 16           (1) Procurement.
- 17           (2) Human resources and personnel.
- 18           (3) Information technology and communications  
19           systems.
- 20           (4) Real property investment and planning, fa-  
21           cilities, accountable personal property (including  
22           fleet and other material resources), records and dis-  
23           closure, privacy, safety and health, and sustain-  
24           ability and environmental management.

1           (5) Security for personnel, information tech-  
2           nology and communications systems, facilities, prop-  
3           erty, equipment, and other material resources.

4           (6) Any other management duties that the Ad-  
5           ministrators may designate.

6           (c) MOUNT WEATHER EMERGENCY OPERATIONS  
7 AND ASSOCIATED FACILITIES.—Nothing in this section  
8 shall be construed as limiting or otherwise affecting the  
9 role or responsibility of the Assistant Administrator for  
10 National Continuity Programs with respect to the matters  
11 described in subsection (b) as such matters relate to the  
12 Mount Weather Emergency Operations Center and associ-  
13 ated facilities. The management and administration of the  
14 Mount Weather Emergency Operations Center and associ-  
15 ated facilities remains the responsibility of the Assistant  
16 Administrator for National Continuity Programs.

17          (d) REPORT.—Not later than 270 days after the date  
18 of the enactment of this Act, the Administrator of the  
19 Federal Emergency Management Agency shall submit to  
20 the Committee on Homeland Security and the Committee  
21 on Transportation and Infrastructure of the House of  
22 Representatives and the Committee on Homeland Security  
23 and Governmental Affairs of the Senate a report that in-  
24 cludes—

1           (1) a review of financial, human capital, infor-  
2           mation technology, real property planning, and ac-  
3           quisition management of headquarters and all re-  
4           gional offices of the Federal Emergency Manage-  
5           ment Agency; and

6           (2) a strategy for capturing financial, human  
7           capital, information technology, real property plan-  
8           ning, and acquisition data.

9   **SEC. 652. SYSTEMS MODERNIZATION.**

10          Not later than 180 days after the date of the enact-  
11          ment of this Act, the Administrator of the Federal Emer-  
12          gency Management Agency shall submit to the Committee  
13          on Homeland Security and the Committee on Transpor-  
14          tation and Infrastructure of the House of Representatives  
15          and the Committee on Homeland Security and Govern-  
16          mental Affairs of the Senate a report on the Federal  
17          Emergency Management Agency's efforts to modernize its  
18          grants and financial information technology systems, in-  
19          cluding the following:

20               (1) A summary of all previous efforts to mod-  
21               ernize such systems.

22               (2) An assessment of long term cost savings  
23               and efficiencies gained through such modernization  
24               effort.

25               (3) A capability needs assessment.



1 (4) Estimated quarterly costs.

2 (5) Estimated acquisition life cycle dates, in-  
3 eluding acquisition decision events.

4 **SEC. 653. STRATEGIC HUMAN CAPITAL PLAN.**

5 Subsection (c) of section 10102 of title 5, United  
6 States Code, is amended by striking “2007” and inserting  
7 “2018”.

8 **TITLE VII—OTHER MATTERS**

9 **SEC. 701. TECHNICAL AMENDMENTS TO THE HOMELAND**  
10 **SECURITY ACT OF 2002.**

11 (a) TITLE I.—Section 103 of the Homeland Security  
12 Act of 2002 (6 U.S.C. 113), as amended by sections 108  
13 and 501 of this Act, is further amended as follows:

14 (1) In subsection (a)(1)—

15 (A) in subparagraph (E), by striking “the  
16 Bureau of” and inserting “U.S.”; and

17 (B) by adding at the end the following new  
18 subparagraph:

19 “(L) An Administrator of the Transpor-  
20 tation Security Administration.”.

21 (2) In subsection (d)(5), by striking “section  
22 708” and inserting “section 707”.

23 (b) TITLE II.—Title II of the Homeland Security Act  
24 of 2002 (6 U.S.C. 121 et seq.) is amended as follows:

25 (1) In section 202 (6 U.S.C. 122)—

1 (A) in subsection (c), in the matter pre-  
2 ceding paragraph (1), by striking “Director of  
3 Central Intelligence” and inserting “Director of  
4 National Intelligence”; and

5 (B) in subsection (d)(2), by striking “Di-  
6 rector of Central Intelligence” and inserting  
7 “Director of National Intelligence”.

8 (2) In section 210E (6 U.S.C. 124I)—

9 (A) by striking subsection (e); and

10 (B) by redesignating subsection (f) as sub-  
11 section (e).

12 (3) In section 223(1)(B) (6 U.S.C. 143(1)(B)),  
13 by striking “and” after the semicolon at the end.

14 (4) In section 225 (6 U.S.C. 145), striking sub-  
15 sections (c) and (d).

16 (5) In section 228A(c)(1)(C), by striking “sec-  
17 tion 707” and inserting “section 706”.

18 (c) TITLE III.—Title III of the Homeland Security  
19 Act of 2002 (6 U.S.C. 181 et seq.) is amended as follows:

20 (1) In section 302 (6 U.S.C. 182), by striking  
21 “biological,,” each places it appears and inserting  
22 “biological,”.

23 (2) By redesignating the second section 319  
24 (relating to EMP and GMD mitigation research and  
25 development) as section 320.

1 (d) TITLE IV.—Title IV of the Homeland Security  
2 Act of 2002 (6 U.S.C. 201 et seq.) is amended as follows:

3 (1) By redesignating section 402 (6 U.S.C.  
4 202) as section 401.

5 (2) In section 401(4), as so redesignated, by  
6 striking “section 428” and inserting “section 426”.

7 (3) By redesignating section 417 as section  
8 416.

9 (4) By redesignating section 427 (6 U.S.C.  
10 235) as section 425.

11 (5) In section 425, as so redesignated, by strik-  
12 ing subsection (c).

13 (6) By redesignating section 428 (6 U.S.C.  
14 236) as section 426.

15 (7) In section 426, as so redesignated, in—

16 (A) in subsection (e), by striking para-  
17 graphs (7) and (8);

18 (B) by striking subsections (g) and (h);  
19 and

20 (C) by redesignating subsection (i) as sub-  
21 section (g).

22 (8) By redesignating section 429 (6 U.S.C.  
23 237) as section 427.

24 (9) By redesignating section 430 (6 U.S.C.  
25 238) as section 428.

1 (10) By striking section 431 (6 U.S.C. 239).

2 (11) By redesignating section 432 (6 U.S.C.  
3 240) as section 429.

4 (12) By redesignating section 433 (6 U.S.C.  
5 241) as section 430.

6 (13) By amending the subtitle D heading to  
7 read as follows: “**U.S. Immigration and Cus-**  
8 **toms Enforcement**”.

9 (14) In section 442 (6 U.S.C. 252)—

10 (A) in the section heading, by striking  
11 “**BUREAU OF BORDER SECURITY**” and in-  
12 serting “**U.S. IMMIGRATION AND CUSTOMS**  
13 **ENFORCEMENT**”;

14 (B) by striking “the Bureau of Border Se-  
15 curity” each place it appears and inserting  
16 “U.S. Immigration and Customs Enforcement”;

17 (C) by striking “Under Secretary for Bor-  
18 der and Transportation Security” each place it  
19 appears and inserting “Secretary”;

20 (D) by striking “Assistant Secretary” each  
21 place it appears and inserting “Director”;

22 (E) by striking “the Bureau of Citizenship  
23 and Immigration Services” both places it ap-  
24 pears and inserting “United States Citizenship  
25 and Immigration Services”;

1 (F) in subsection (a)—

2 (i) in the subsection heading, by strik-  
3 ing “OF BUREAU”;

4 (ii) in paragraph (1) by striking “a  
5 bureau to be known as the ‘Bureau of Bor-  
6 der Security’” and inserting “U.S. Immi-  
7 gration and Customs Enforcement”; and

8 (iii) by amending paragraph (5) to  
9 read as follows:

10 “(5) MANAGERIAL ROTATION PROGRAM.—The  
11 Director of U.S. Immigration and Customs Enforce-  
12 ment shall implement a managerial rotation program  
13 under which employees of U.S. Immigration and  
14 Customs Enforcement holding positions involving su-  
15 pervisory or managerial responsibility and classified,  
16 in accordance with chapter 51 of title 5, United  
17 States Code, as a GS–14 or above, shall—

18 “(A) gain experience in all the major func-  
19 tions performed by U.S. Immigration and Cus-  
20 toms Enforcement; and

21 “(B) work in at least one local office of  
22 U.S. Immigration and Customs Enforcement.”.

23 (15) By striking section 445 (6 U.S.C. 255).

24 (16) By striking section 446 (6 U.S.C. 256).

1           (17) In the subtitle E heading, by inserting  
2           **“United States”** before **“Citizenship and**  
3           **Immigration Services”**.

4           (18) In section 451 (6 U.S.C. 271)—

5           (A) in the section heading, by striking  
6           **“BUREAU OF”** and inserting **“UNITED**  
7           **STATES”**;

8           (B) by striking “the Bureau of Citizenship  
9           and Immigration Services” each place it ap-  
10          pears and inserting “United States Citizenship  
11          and Immigration Services”;

12          (C) by striking “the Bureau of Border Se-  
13          curity” each place it appears and inserting  
14          “U.S. Immigration and Customs Enforcement”;

15          (D) in subsection (a)—

16               (i) in the subsection heading, by strik-  
17               ing **“OF BUREAU”**;

18               (ii) in paragraph (1), by striking “a  
19               bureau to be known as the ‘Bureau of Citi-  
20               zenship and Immigration Services’” and  
21               inserting “the United States Citizenship  
22               and Immigration Services”; and

23               (iii) in paragraph (2)(C), by striking  
24               “Assistant Secretary” and inserting “Di-  
25               rector”; and

1 (iv) by amending paragraph (4) to  
2 read as follows:

3 “(4) MANAGERIAL ROTATION PROGRAM.—The  
4 Director of United States Citizenship and Immigra-  
5 tion Services shall implement a managerial rotation  
6 program under which employees of United States  
7 Citizenship and Immigration Services holding posi-  
8 tions involving supervisory or managerial responsi-  
9 bility and classified, in accordance with chapter 51  
10 of title 5, United States Code, as a GS-14 or above,  
11 shall—

12 “(A) gain experience in all the major func-  
13 tions performed by United States Citizenship  
14 and Immigration Services; and

15 “(B) work in at least one field office and  
16 one service center of United States Citizenship  
17 and Immigration Services.”; and

18 (E) in subsection (c)(2), in the matter pre-  
19 ceding subparagraph (A), by striking “Bureau  
20 of Citizenship and Immigration Services” and  
21 inserting “United States Citizenship and Immi-  
22 gration Services”.

23 (19) In section 452 (6 U.S.C. 272)—

24 (A) by striking “the Bureau of” each place  
25 it appears and inserting “United States”; and

1 (B) in subsection (f), in the subsection  
2 heading, by striking “BUREAU OF” and insert-  
3 ing “UNITED STATES”.

4 (20) In section 453 (6 U.S.C. 273)—

5 (A) by striking “the Bureau of” each place  
6 it appears and inserting “United States”; and

7 (B) in subsection (a)(2), by striking “such  
8 bureau” and inserting “United States Citizen-  
9 ship and Immigration Services”.

10 (21) In section 454 (6 U.S.C. 274)—

11 (A) by striking “the Bureau of” each place  
12 it appears and inserting “United States”; and

13 (B) by striking “pursuant to policies and  
14 procedures applicable to employees of the Fed-  
15 eral Bureau of Investigation,”.

16 (22) By striking section 455 (6 U.S.C. 271  
17 note).

18 (23) By striking section 456 (6 U.S.C. 275).

19 (24) By striking section 459 (6 U.S.C. 276).

20 (25) By striking section 460 (6 U.S.C. 277).

21 (26) By striking section 461 (6 U.S.C. 278).

22 (27) By redesignating section 462 (6 U.S.C.  
23 279) as section 455.



1           (28) In section 455, as so redesignated, in sub-  
2           section (b)(2)(A), in the matter preceding clause  
3           (i)—

4                   (A) by striking “the Bureau of Citizenship  
5                   and Immigration Services” and inserting  
6                   “United States Citizenship and Immigration  
7                   Services”; and

8                   (B) by striking “Assistant Secretary of the  
9                   Bureau of Border Security” and inserting “Di-  
10                   rector of U.S. Immigration and Customs En-  
11                   forcement”.

12           (29) In section 471 (6 U.S.C. 291)—

13                   (A) by striking the section heading and in-  
14                   serting “**REORGANIZATION AND PROHIBI-**  
15                   **TION**”;

16                   (B) by striking subsection (a);

17                   (C) by striking “(b) PROHIBITION.—”;

18                   (D) by striking “Bureau of Border Secu-  
19                   rity or the Bureau of” and inserting “U.S. Im-  
20                   migration and Customs Enforcement and  
21                   United States”; and

22                   (E) by striking “two bureaus” each place  
23                   it appears and inserting “two components”.

24           (30) By striking section 472 (6 U.S.C. 292).

25           (31) By striking section 473 (6 U.S.C. 293).

1 (32) By striking section 474 (6 U.S.C. 294).

2 (33) By redesignating section 476 (6 U.S.C.  
3 296) as section 472.

4 (34) In section 472, as so redesignated—

5 (A) by striking “the Bureau of Citizenship  
6 and Immigration Services” each place it ap-  
7 pears and inserting “United States Citizenship  
8 and Immigration Services”; and

9 (B) by striking “the Bureau of Border Se-  
10 curity” each place it appears and inserting  
11 “U.S. Immigration and Customs Enforcement”.

12 (35) By striking section 477 (6 U.S.C. 297).

13 (36) By redesignating section 478 (6 U.S.C.  
14 298) as section 473.

15 (37) In section 473, as so redesignated—

16 (A) in the section heading, by inserting  
17 “**ANNUAL REPORT ON**” before “**IMMIGRA-**  
18 **TION**”;

19 (B) by striking subsection (b); and

20 (C) in subsection (a)—

21 (i) by striking “REPORT.—” and all  
22 that follows through “One year” and in-  
23 serting “REPORT.—One year”;

1 (ii) by redesignating paragraph (2) as  
2 subsection (b) and moving such subsection  
3 two ems to left; and

4 (iii) in subsection (b), as so redesign-  
5 nated—

6 (I) in the heading, by striking  
7 “INCLUDED” and inserting “IN-  
8 CLUDED”; and

9 (II) by redesignating subpara-  
10 graphs (A) through (H) as para-  
11 graphs (1) through (8), respectively,  
12 and moving such paragraphs two ems  
13 to the left.

14 (e) TITLE V.—Title V of the Homeland Security Act  
15 of 2002 (6 U.S.C. 311 et seq.) is amended as follows:

16 (1) In section 501 (6 U.S.C. 311)—

17 (A) in paragraph (8), by striking “section  
18 502(a)(6)” and inserting “section 504(a)(6)”;

19 (B) by redesignating paragraphs (9)  
20 through (14) as paragraphs (10) through (15),  
21 respectively; and

22 (C) by inserting after paragraph (8) the  
23 following new paragraph:

24 “(9) the term ‘Nuclear Incident Response  
25 Team’ means a resource that includes—

1           “(A) those entities of the Department of  
2           Energy that perform nuclear or radiological  
3           emergency support functions (including accident  
4           response, search response, advisory, and tech-  
5           nical operations functions), radiation exposure  
6           functions at the medical assistance facility  
7           known as the Radiation Emergency Assistance  
8           Center/Training Site (REAC/TS), radiological  
9           assistance functions, and related functions; and

10           “(B) those entities of the Environmental  
11           Protection Agency that perform such support  
12           functions (including radiological emergency re-  
13           sponse functions) and related functions.”.

14           (2) By striking section 502 (6 U.S.C. 312).

15           (3) In section 504(a)(3)(B) (6 U.S.C.  
16           314(a)(3)(B)), by striking “, the National Disaster  
17           Medical System,”.

18           (4) In section 506(c) (6 U.S.C. 316(c)), by  
19           striking “section 708” each place it appears and in-  
20           serting “section 707”.

21           (5) In section 509(c)(2) (6 U.S.C. 319(c)(2)),  
22           in the matter preceding subparagraph (A), by strik-  
23           ing “section 708” and inserting “section 707”.

24           (6) By striking section 524 (6 U.S.C. 321m).

1 (f) TITLE VI.—Section 601 of the Homeland Secu-  
2 rity Act of 2002 (6 U.S.C. 331) is amended by striking  
3 “Director of Central Intelligence” each place it appears  
4 and inserting “Director of National Intelligence”.

5 (g) TITLE VII.—Title VII of the Homeland Security  
6 Act of 2002 (6 U.S.C. 341 et seq.) is amended as follows:

7 (1) By striking section 706 (6 U.S.C. 346).

8 (2) By redesignating section 707 (6 U.S.C.  
9 347) as section 706.

10 (3) By redesignating 708 as section 707.

11 (4) By redesignating section 709 as section  
12 708.

13 (5) In section 708, as so redesignated, in sub-  
14 section (c)(3), by striking “section 707” and insert-  
15 ing “section 706”.

16 (h) TITLE VIII.—Title VIII of the Homeland Secu-  
17 rity Act of 2002 (6 U.S.C. 361 et seq.) is amended as  
18 follows:

19 (1) By redesignating section 812 as section  
20 811.

21 (2) In section 811, as so redesignated—

22 (A) by striking subsections (a) and (c);

23 and

24 (B) in subsection (b)—

1 (i) by striking “(as added by sub-  
2 section (a) of this section)” each place it  
3 appears;

4 (ii) by redesignating paragraphs (2)  
5 through (4) as subsections (b) through (d),  
6 respectively, and by moving such sub-  
7 sections, as so redesignated, two ems to  
8 the left;

9 (iii) in paragraph (1), by redesi-  
10 gnating subparagraphs (A) and (B) as para-  
11 graphs (1) and (2), respectively, and by  
12 moving such paragraphs, as so redesi-  
13 gnated, two ems to the left; and

14 (iv) by striking “(b) PROMULGATION  
15 OF INITIAL GUIDELINES.—” and all that  
16 follows through “In this subsection” and  
17 inserting the following:

18 “(a) DEFINITION.—In this section”;

19 (C) in subsection (b), as so redesignated,  
20 by striking “IN GENERAL” and inserting “IN  
21 GENERAL”;

22 (D) in subsection (c), as so redesignated,  
23 by striking “MINIMUM REQUIREMENTS” and in-  
24 serting “MINIMUM REQUIREMENTS”; and

1 (E) in subsection (d), as so redesignated,  
2 by striking “NO LAPSE OF AUTHORITY” and in-  
3 serting “NO LAPSE OF AUTHORITY”.

4 (3) In section 843(b)(1)(B) (6 U.S.C.  
5 413(b)(1)(B)), by striking “as determined by” and  
6 all that follows through “; and” and inserting “as  
7 determined by the Secretary; and”.

8 (4) By striking section 857 (6 U.S.C. 427).

9 (5) By redesignating section 858 (6 U.S.C.  
10 428) as section 857.

11 (6) By striking section 881 (6 U.S.C. 461).

12 (7) In section 892 (6 U.S.C. 482)—

13 (A) in subsection (b)(7), by striking “Di-  
14 rector of Central Intelligence” and inserting  
15 “Director of National Intelligence”; and

16 (B) in subsection (c)(3)(D), by striking  
17 “Director of Central Intelligence” and inserting  
18 “Director of National Intelligence”.

19 (8) By striking section 893 (6 U.S.C. 483).

20 (9) By redesignating section 894 (6 U.S.C.  
21 484) as section 893.

22 (i) TITLE IX.—Section 903(a) of the Homeland Se-  
23 curity Act of 2002 (6 U.S.C. 493(a)) is amended in the  
24 subsection heading by striking “MEMBERS—” and insert-  
25 ing “MEMBERS.—”.

1 (j) TITLE X.—Section 1001(c)(1) of the Homeland  
2 Security Act of 2002 (6 U.S.C. 511(c)(1)) is amended by  
3 striking “Director of Central Intelligence” and inserting  
4 “Director of National Intelligence”.

5 (k) TITLE XV.—Title XV of the Homeland Security  
6 Act of 2002 (6 U.S.C. 541 et seq.) is amended as follows:

7 (1) By striking section 1502 (6 U.S.C. 542).

8 (2) By redesignating section 1503 (6 U.S.C.  
9 543) as section 1502.

10 (l) TITLE XVI.—Section 1611(d)(1) of the Homeland  
11 Security Act of 2002 (6 U.S.C. 563(d)(1)) is amended by  
12 striking “section 707” and inserting “section 706”.

13 (m) TITLE XVIII.—Title XVIII of the Homeland Se-  
14 curity Act of 2002 (6 U.S.C. 571 et seq.) is amended as  
15 follows:

16 (1) In section 1801(c)(12) (6 U.S.C.  
17 571(c)(12)), by striking “Assistant Secretary for  
18 Grants and Training” and inserting “Administrator  
19 of the Federal Emergency Management Agency”.

20 (2) In section 1804(b)(1) (6 U.S.C. 574(b)(1)),  
21 in the matter preceding subparagraph (A), by strik-  
22 ing “Assistant Secretary for Grants and Planning”  
23 and inserting “Administrator of the Federal Emer-  
24 gency Management Agency”.



1 (n) TITLE XIX.—Section 1902(b)(3) of the Home-  
2 land Security Act of 2002 (6 U.S.C. 592(b)(3)) is amend-  
3 ed—

4 (1) in the paragraph heading, by striking “HA-  
5 WAIAN NATIVE-SERVING” and inserting “NATIVE  
6 HAWAIIAN-SERVING”; and

7 (2) by striking “Hawaiian native-serving” and  
8 inserting “Native Hawaiian-serving”.

9 (o) TITLE XX.—Section 2021 of the Homeland Secu-  
10 rity Act of 2002 (6 U.S.C. 611) is amended—

11 (1) by striking subsection (c); and

12 (2) by redesignating subsection (d) as sub-  
13 section (c).

14 (p) TABLE OF CONTENTS.—The table of contents in  
15 section 1(b) of the Homeland Security Act of 2002 (6  
16 U.S.C. 101 note) is amended as follows:

17 (1) By striking the items relating to sections  
18 317, 319, 318, and 319 and inserting the following  
19 new items:

“Sec. 317. Promoting antiterrorism through international cooperation program.

“Sec. 318. Social media working group.

“Sec. 319. Transparency in research and development.

“Sec. 320. EMP and GMD mitigation research and development.”.

20 (2) By striking the items relating to sections  
21 401 and 402 and inserting the following new item:

“Sec. 401. Border, maritime, and transportation responsibilities.”.



1           (10) By striking the items relating to sections  
2           472 through 478 and inserting the following new  
3           items:

“Sec. 472. Separation of funding.  
“Sec. 473. Annual report on immigration functions.”.

4           (11) By striking the item relating to section  
5           502.

6           (12) By striking the item relating to section  
7           524.

8           (13) By striking the items relating to sections  
9           706 through 709 and inserting the following new  
10          items:

“Sec. 706. Quadrennial Homeland Security Review.  
“Sec. 707. Joint Task Forces.  
“Sec. 708. Office of Strategy, Policy, and Plans.”.

11          (14) By striking the items relating to sections  
12          811 and 812 and inserting the following new item:

“Sec. 811. Law enforcement powers of Inspector General agents.”.

13          (15) By striking the items relating to sections  
14          857 and 858 and inserting the following new item:

“Sec. 857. Identification of new entrants into the Federal marketplace.”.

15          (16) By striking the item relating to section  
16          881.

17          (17) By striking the items relating to sections  
18          893 and 894 and inserting the following new item:

“Sec. 893. Authorization of appropriations.”.

- 1 (18) By striking the items relating to sections
- 2 1502 and 1503 and inserting the following new
- 3 item:

“Sec. 1502. Review of congressional committee structures.”.

