

Union Calendar No. 164

114TH CONGRESS
1ST SESSION

H. R. 2770

[Report No. 114-218]

To amend the Homeland Security Act of 2002 to require certain maintenance of security-related technology at airports, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 15, 2015

Miss RICE of New York (for herself, Mr. THOMPSON of Mississippi, Mr. KATKO, and Mr. PAYNE) introduced the following bill; which was referred to the Committee on Homeland Security

JULY 22, 2015

Additional sponsors: Mr. KEATING, Mr. KING of New York, Mr. RICHMOND, Mr. HIGGINS, and Mr. DONOVAN

JULY 22, 2015

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

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

[For text of introduced bill, see copy of bill as introduced on June 15, 2015]

A BILL

To amend the Homeland Security Act of 2002 to require certain maintenance of security-related technology at airports, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 *This Act may be cited as the “Keeping our Travelers*
5 *Safe and Secure Act”.*

6 **SEC. 2. FINDINGS.**

7 *Congress finds the following:*

8 *(1) The Administrator of the Transportation Se-*
9 *curity Administration has stated that the mainte-*
10 *nance of security-related technology such as x-rays,*
11 *explosive trace detection systems, explosive detection*
12 *systems, liquid scanners, and enhanced walk-through*
13 *metal detectors, is central to the execution of Trans-*
14 *portation Security Administration’s mission to pro-*
15 *tect United States transportation systems.*

16 *(2) Preventive and corrective maintenance is es-*
17 *sential to ensuring and extending the service lives of*
18 *security-related technology.*

19 *(3) In May 2015, the Inspector General of the*
20 *Department of Homeland Security, reporting on the*
21 *results of a performance audit conducted between De-*
22 *cember 2013 and November 2014, concluded that be-*
23 *cause the Transportation Security Administration*
24 *did not properly manage the maintenance of its secu-*
25 *rity-related technology deployed to airports, it cannot*

1 *be assured that routine preventive maintenance is*
2 *performed or that equipment is repaired and ready*
3 *for operational use.*

4 *(4) Specifically, the Inspector General found that*
5 *the Transportation Security Administration did not*
6 *issue adequate policies and procedures to document,*
7 *track, and maintain preventive maintenance actions*
8 *at the airport level and oversight of contractor-per-*
9 *formed maintenance needed to be strengthened.*

10 *(5) According to the Inspector General, if the*
11 *equipment is not fully operational, the Transpor-*
12 *tation Security Administration may have to use other*
13 *screening measures that may be less effective at detect-*
14 *ing dangerous items, thereby potentially jeopardizing*
15 *passenger safety and security.*

16 **SEC. 3. MAINTENANCE OF SECURITY-RELATED TECH-**
17 **NOLOGY.**

18 *(a) IN GENERAL.—Title XVI of the Homeland Secu-*
19 *rity Act of 2002 (6 U.S.C. 561 et seq.) is amended by add-*
20 *ing at the end the following:*

21 **“Subtitle C—Maintenance of**
22 **Security-Related Technology**

23 **“SEC. 1621. MAINTENANCE VALIDATION AND OVERSIGHT.**

24 *“(a) IN GENERAL.—Not later than 180 days after the*
25 *date of the enactment of this subtitle, the Administrator*

1 *shall develop and implement a preventive maintenance val-*
2 *idation process for security-related technology deployed to*
3 *airports.*

4 “(b) *MAINTENANCE BY ADMINISTRATION PERSONNEL*
5 *AT AIRPORTS.—For maintenance to be carried out by Ad-*
6 *ministration personnel at airports, the process referred to*
7 *in subsection (a) shall include the following:*

8 “(1) *Guidance to Administration personnel,*
9 *equipment maintenance technicians, and other per-*
10 *sonnel at airports specifying how to conduct and doc-*
11 *ument preventive maintenance actions.*

12 “(2) *Mechanisms for the Administrator to verify*
13 *compliance with the guidance issued pursuant to*
14 *paragraph (1).*

15 “(c) *MAINTENANCE BY CONTRACTORS AT AIRPORTS.—*
16 *For maintenance to be carried out by a contractor at air-*
17 *ports, the process referred to in subsection (a) shall require*
18 *the following:*

19 “(1) *Provision of monthly preventive mainte-*
20 *nance schedules to appropriate Administration per-*
21 *sonnel at each airport that includes information on*
22 *each action to be completed by a contractor.*

23 “(2) *Notification to appropriate Administration*
24 *personnel at each airport when maintenance action is*
25 *completed by a contractor.*

1 “(3) A process for independent validation by a
2 third party of contractor maintenance.

3 “(d) *PENALTIES FOR NONCOMPLIANCE.*—*The Admin-*
4 *istrator shall require maintenance contracts for security-re-*
5 *lated technology deployed to airports to include penalties*
6 *for noncompliance when it is determined that either preven-*
7 *tive or corrective maintenance has not been completed ac-*
8 *ording to contractual requirements and manufacturers’*
9 *specifications.”.*

10 (b) *CLERICAL AMENDMENT.*—*The table of contents of*
11 *the Homeland Security Act of 2002 is amended by inserting*
12 *after the item relating to section 1616 the following:*

“Subtitle C—Maintenance of Security-Related Technology
“Sec. 1621. Maintenance validation and oversight.”.

13 **SEC. 4. INSPECTOR GENERAL ASSESSMENT.**

14 *Not later than one year after the date of the enactment*
15 *of this Act, the Inspector General of the Department of*
16 *Homeland Security shall assess implementation of the re-*
17 *quirements under this Act and the amendments made by*
18 *this Act, and provide findings and recommendations with*
19 *respect to the provision of training to Administration per-*
20 *sonnel, equipment maintenance technicians, and other per-*
21 *sonnel under section 1621 of the Homeland Security Act*
22 *of 2002 (as added by section 3 of this Act) and the avail-*
23 *ability and utilization of equipment maintenance techni-*
24 *cians employed by the Administration.*

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