

115TH CONGRESS  
2D SESSION

# H. R. 4433

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IN THE SENATE OF THE UNITED STATES

JANUARY 10, 2018

Received; read twice and referred to the Committee on Homeland Security and  
Governmental Affairs

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## AN ACT

To amend the Homeland Security Act of 2002 to require the Under Secretary for Management of the Department of Homeland Security to achieve security of sensitive assets among the components of the Department of Homeland Security, and for other purposes.

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

1 **SECTION 1. SHORT TITLE.**

2       This Act may be cited as the “Securing Department  
3 of Homeland Security Firearms Act of 2017” or the “Se-  
4 curing DHS Firearms Act of 2017”.

5 **SEC. 2. DEFINITIONS.**

6       In this Act:

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

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

11           (3) **SENSITIVE ASSETS.**—The term “sensitive  
12 assets” means any asset, regardless of value—

13                   (A) that the Department of Homeland Se-  
14 curity issues to a Department employee; and

15                   (B) that either the Under Secretary for  
16 Management of the Department or a compo-  
17 nent head determines requires special control  
18 and accounting.

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

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

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

6 (1) in subsection (a)(6), by inserting “(includ-  
7 ing firearms and other sensitive assets)” after  
8 “equipment”;

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

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

14 “(f) DEFINITIONS.—In this section:

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

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

22 “(A) that the Department of Homeland  
23 Security issues to a Department employee; and

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

1           nent head determines requires special control  
2           and accounting.”.

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

4           (a) SAFEGUARDING FIREARMS AND SENSITIVE AS-  
5 SETS DIRECTIVE.—

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

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

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

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

20                (C) A classification system for all cat-  
21                egories of Department-issued badges and cor-  
22                responding requirements for safeguarding such  
23                assets.

24                (D) Reporting requirements for lost fire-  
25                arms and other sensitive assets, including

1           timelines for such reporting, to supervisors,  
2           local law enforcement, the Federal Bureau of  
3           Investigation's National Crime Information  
4           Center, and Department headquarters.

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

9           (3) REVIEW AND UPDATE OF DIRECTIVE.—Not  
10          later than 1 year after the issuance of the directive  
11          required under subsection (a) the Under Secretary  
12          for Management shall review and update, as nec-  
13          essary, such directive, including adding a require-  
14          ment relating to recording in the inventory systems  
15          maintained by each component of the Department  
16          the acceptance or transfer of a firearm or other sen-  
17          sitive asset by such component.

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

1           (1) Requirements for component heads to de-  
2       velop procedures to safeguard firearms and other  
3       sensitive assets during on and off-duty time.

4           (2) Requirements for the issuance of safety  
5       locking devices and policies on the use of such as-  
6       sets, as applicable.

7           (3) Requirements for initial, recurrent, and re-  
8       medial training on safeguarding such assets.

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

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

19   **SEC. 5. COMPONENT RESPONSIBILITIES.**

20      Department component heads shall—

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

1           (2) review the need for non-law enforcement  
2       badges;

3           (3) require component personnel to safeguard  
4       firearms and other sensitive assets in accordance  
5       with the directive issued by the Under Secretary for  
6       Management under section 4;

7           (4) require that component personnel adhere to  
8       the procedures and timelines for properly reporting  
9       to supervisors lost firearms and other sensitive as-  
10      sets;

11          (5) require that lost firearms and other sen-  
12      sitive assets are reported to local law enforcement,  
13      the Federal Bureau of Investigation's National  
14      Crime Information Center, and Department head-  
15      quarters in the timeframe established in such direc-  
16      tive; and

17          (6) require that lost firearms and other sen-  
18      sitive assets are recorded in inventory systems in the  
19      timeframe established by such directive.

20   **SEC. 6. INSPECTOR GENERAL REVIEW.**

21       The Inspector General of the Department of Home-  
22      land Security shall, on an ongoing basis, review implemen-  
23      tation of this Act and, not later than 180 days after  
24      issuance of the directive under section 4, submit to the  
25      Committee on Homeland Security of the House of Rep-

1 representatives and the Committee on Homeland Security  
2 and Governmental Affairs of the Senate a review of the  
3 progress and effectiveness of such directive, including an  
4 assessment of the adequacy of such directive, as well as  
5 the level of compliance among the components of the De-  
6 partment to achieve adequate security of sensitive assets  
7 across Department components.

Passed the House of Representatives January 9,  
2018.

Attest:

KAREN L. HAAS,  
*Clerk.*