

115TH CONGRESS
1ST SESSION

H. R. 4561

To provide for third party testing of transportation security screening technology, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 6, 2017

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

A BILL

To provide for third party testing of transportation security screening technology, 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 “Security Assessment
5 Feasibility for Equipment Testing and Evaluation of Ca-
6 pabilities for our Homeland Act” or the “SAFE TECH
7 Act”.

8 **SEC. 2. DEFINITIONS.**

9 In this Act:

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

4 (2) ADMINISTRATOR.—The term “Adminis-
5 trator” means the Administrator of the Transpor-
6 tation Security Administration.

7 **SEC. 3. THIRD PARTY TESTING OF SECURITY SCREENING**
8 **TECHNOLOGY.**

9 (a) IN GENERAL.—Not later than one year after the
10 date of the enactment of this Act, the Administrator, in
11 consultation with the Under Secretary for Science and
12 Technology of the Department of Homeland Security,
13 shall develop a program to enable a vendor of transpor-
14 tation security screening technology to obtain testing, in-
15 cluding as an alternative to the Administration’s testing
16 process under paragraph (9) of section 114(f) of title 49,
17 United States Code, by an appropriate third party, as de-
18 termined by the Administrator, in consultation with the
19 Under Secretary, of such technology before procurement
20 or development of such technology.

21 (b) DETECTION TESTING.—

22 (1) IN GENERAL.—The third party testing pro-
23 gram authorized under subsection (a) shall include
24 detection testing to evaluate the performance of a
25 security screening technology relating to the prob-

1 ability of detection, the probability of false alarm,
2 and other indicators that such technology is able to
3 meet the Administration's mission needs for detec-
4 tion of—

5 (A) explosives; and

6 (B) prohibited items.

7 (2) COORDINATION WITH FINAL PROCESSES.—

8 To the extent practicable, and without compromising
9 the integrity of the Administration's testing process
10 under paragraph (9) of section 114(f) of title 49,
11 United States Code, or the Department of Home-
12 land Security's oversight of such testing process, or
13 increasing costs to the Administration, the Adminis-
14 trator shall coordinate the third party detection test-
15 ing under paragraph (1) with any associated subse-
16 quent final Government Department of Homeland
17 Security testing.

18 (3) INTERNATIONAL PARTNERSHIPS.—To the
19 extent practicable and permissible under law, and in
20 accordance with national security interests of the
21 United States, the Administrator shall—

22 (A) share with appropriate international
23 partners detection testing information and
24 standards; and

1 (B) coordinate with such appropriate inter-
2 national partners to align such testing informa-
3 tion and standards to maximize the capability
4 to detect explosives and other threats.

5 (c) ALTERNATIVE TESTING FACTORS.—Third party
6 testing under subsection (a) may include as an alternative,
7 at the discretion of the Administrator, the testing at the
8 TSA Systems Integration Facility of the Administration,
9 including testing for—

- 10 (1) health and safety factors;
- 11 (2) operator interface;
- 12 (3) human factors;
- 13 (4) environmental factors;
- 14 (5) throughput;
- 15 (6) reliability, maintainability, and availability
- 16 factors; and
- 17 (7) interoperability.

18 (d) TESTING FRAMEWORK.—

19 (1) IN GENERAL.—The Administrator, in con-
20 sultation with the Under Secretary for Science and
21 Technology of the Department of Homeland Secu-
22 rity, shall—

23 (A) establish a framework for the third
24 party testing under this section to determine if
25 the security screening technology that is the

1 subject of such testing satisfies the Administra-
2 tion's requirements before such technology may
3 enter or re-enter, as applicable, operational test-
4 ing at an airport or other transportation facil-
5 ity; and

6 (B) use phased implementation to allow
7 the Administration and the third party con-
8 cerned to establish best practices.

9 (e) PRIORITIZATION OF THIRD PARTY TESTING.—
10 The Administrator may prioritize, when appropriate, the
11 field testing of security screening technology and equip-
12 ment by third parties.

13 **SEC. 4. RECIPROCAL RECOGNITION OF SECURITY STAND-**
14 **ARDS.**

15 (a) IN GENERAL.—The Administrator, in coordina-
16 tion with the European Civil Aviation Conference, shall
17 continue development of a validation process for the recip-
18 rocal recognition of security validation processes for rec-
19 ognition of security screening technologies or certification
20 authorities for deployment.

21 (b) REQUIREMENT.—The validation process under
22 subsection (a) shall ensure that the certification process
23 of each participating international security partner or rec-

- 1 ognized certification authority complies with Administra-
- 2 tion standards.

