

Union Calendar No. 602

115TH CONGRESS
2^D SESSION

H. R. 5730

[Report No. 115–776]

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

IN THE HOUSE OF REPRESENTATIVES

MAY 9, 2018

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

JUNE 22, 2018

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 *italie*]

[For text of introduced bill, see copy of bill as introduced on May 9, 2018]

A BILL

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

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

3 **SECTION 1. SHORT TITLE.**

4 *This Act may be cited as the “Transportation Security*
5 *Technology Innovation Reform Act of 2018”.*

6 **SEC. 2. DEFINITIONS.**

7 *In this Act:*

8 (1) *ADMINISTRATION.*—*The term “Administra-*
9 *tion” means the Transportation Security Administra-*
10 *tion.*

11 (2) *ADMINISTRATOR.*—*The term “Adminis-*
12 *trator” means the Administrator of the Administra-*
13 *tion.*

14 (3) *APPROPRIATE CONGRESSIONAL COM-*
15 *MITTEE.*—*The term “appropriate congressional com-*
16 *mittees” means the Committee on Homeland Security*
17 *of the House of Representatives and the Committee on*
18 *Commerce, Science, and Transportation of the Senate.*

19 (4) *DEPARTMENT.*—*The term “Department”*
20 *means the Department of Homeland Security.*

21 **SEC. 3. TRANSPORTATION SYSTEMS INTEGRATION FACIL-**
22 **ITY.**

23 (a) *IN GENERAL.*—*There is established in the Admin-*
24 *istration a Transportation Security Administration Sys-*
25 *tems Integration Facility (TSIF) for the purposes of testing*

1 *and evaluating advanced transportation security screening*
2 *technologies related to the mission of the Administration.*
3 *The TSIF shall—*

4 *(1) evaluate such technologies to enhance the se-*
5 *curity of transportation systems through screening*
6 *and threat mitigation and detection;*

7 *(2) conduct testing of such technologies to sup-*
8 *port identified mission needs of the Administration*
9 *and to meet requirements for acquisitions and pro-*
10 *curement;*

11 *(3) to the extent practicable, provide original*
12 *equipment manufacturers with test plans to minimize*
13 *requirement interpretation disputes and adhere to*
14 *provided test plans;*

15 *(4) collaborate with other technical laboratories*
16 *and facilities for purposes of augmenting TSIF's ca-*
17 *pabilities;*

18 *(5) deliver advanced transportation security*
19 *screening technologies that enhance the overall secu-*
20 *rity of domestic transportation systems; and*

21 *(6) to the extent practicable, provide funding*
22 *and promote efforts to enable participation by a small*
23 *business concern (as such term is described under sec-*
24 *tion 3 of the Small Business Act (15 U.S.C. 632))*
25 *that has an advanced technology or capability but*

1 *does not have adequate resources to participate in*
2 *testing and evaluation processes.*

3 *(b) STAFFING AND RESOURCE ALLOCATION.—The Ad-*
4 *ministrator shall ensure adequate staffing and resource al-*
5 *locations for the TSIF in a manner which—*

6 *(1) prevents unnecessary delays in testing and*
7 *evaluating advanced transportation security screening*
8 *technologies for acquisitions and procurement deter-*
9 *minations;*

10 *(2) ensures the issuance of final paperwork cer-*
11 *tification does not exceed 45 days after the conclusion*
12 *of such testing and evaluation; and*

13 *(3) collaborates with technology stakeholders to*
14 *close capabilities gaps in transportation security.*

15 *(c) TIMEFRAME.—*

16 *(1) IN GENERAL.—The Administrator shall no-*
17 *tify the appropriate congressional committees when-*
18 *ever testing and evaluation by TSIF of an advanced*
19 *transportation security screening technology under*
20 *this section exceeds 180 days as determined from the*
21 *date on which the owner of such technology turned*
22 *over such technology to the Administration after in-*
23 *stallation for testing and evaluation purposes, as evi-*
24 *denced by a signed Test Readiness Notification from*

1 *such owner to the Administration. Such notification*
 2 *shall include—*

3 *(A) information relating to the arrival date*
 4 *of such technology;*

5 *(B) reasons why the testing and evaluation*
 6 *process has exceeded 180 days; and*

7 *(C) an estimated time for completion of*
 8 *such testing and evaluation.*

9 *(2) RETESTING AND EVALUATION.—Advanced*
 10 *transportation security screening technology that fails*
 11 *testing and evaluation by the TSIF may be retested*
 12 *and evaluated.*

13 *(d) RELATIONSHIP TO OTHER DEPARTMENT ENTITIES*
 14 *AND FEDERAL AGENCIES.—The authority of the Adminis-*
 15 *trator under this title shall not affect the authorities or re-*
 16 *sponsibilities of any officer of the Department or of any*
 17 *officer of any other department or agency of the United*
 18 *States with respect to research, development, testing, and*
 19 *evaluation, including the authorities and responsibilities of*
 20 *the Undersecretary for Science and Technology of the De-*
 21 *partment and the Countering Weapons of Mass Destruction*
 22 *Office of the Department.*

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

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

1 *in coordination with relevant officials of the Department,*
2 *conduct a review of existing advanced transportation secu-*
3 *rity screening technology development, acquisitions, and*
4 *procurement practices within the Administration. Such re-*
5 *view shall include—*

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

10 (2) *assessing whether the Administration can*
11 *better leverage existing resources or processes of the*
12 *Department for the purposes of technology innovation*
13 *and development;*

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

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

23 (5) *a plan to address problems and challenges*
24 *identified by such review.*

1 (b) *BRIEFING.*—*The Administrator shall provide to the*
2 *appropriate congressional committees a briefing on the*
3 *findings of the review required under this section and a*
4 *plan to address problems and challenges identified by such*
5 *review.*

6 **SEC. 5. ADMINISTRATION ACQUISITIONS AND PROCURE-**
7 **MENT ENHANCEMENT.**

8 *The Administrator shall—*

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

13 (2) *streamline the overall technology develop-*
14 *ment, testing, evaluation, acquisitions, procurement,*
15 *and deployment processes of the Administration; and*

16 (3) *ensure the effectiveness and efficiency of such*
17 *processes.*

18 **SEC. 6. ASSESSMENT.**

19 *The Secretary of Homeland Security, in consultation*
20 *with the Chief Privacy Officer of the Department of Home-*
21 *land Security, shall submit to the Committee on Homeland*
22 *Security of the House of Representatives and the Committee*
23 *on Homeland Security and Governmental Affairs of the*
24 *Senate a compliance assessment of the Transportation Se-*
25 *curity Administration's acquisition process relating to the*

- 1 *health and safety risks associated with implementation of*
- 2 *screening technologies.*

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