

108TH CONGRESS
1ST SESSION

H. R. 1407

To amend title 40, United States Code, to enhance security at executive and judicial branch facilities by requiring locksmiths who provide locksmith services at such a facility to be credentialed, which includes undergoing a criminal history background check.

IN THE HOUSE OF REPRESENTATIVES

MARCH 20, 2003

Mr. SESSIONS introduced the following bill; which was referred to the Committee on Government Reform

A BILL

To amend title 40, United States Code, to enhance security at executive and judicial branch facilities by requiring locksmiths who provide locksmith services at such a facility to be credentialed, which includes undergoing a criminal history background check.

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 “Federal Facilities
5 Locksmith Services Act of 2003”.

1 **SEC. 2. USE OF CREDENTIALED LOCKSMITHS TO PROVIDE**
2 **LOCKSMITH SERVICES IN FEDERAL FACILI-**
3 **TIES.**

4 (a) USE OF CREDENTIALED LOCKSMITH.—Chapter
5 5 of title 40, United States Code, is amended by inserting
6 after section 593 the following new section:

7 **“§ 594. Use of credentialed locksmiths to provide**
8 **locksmith services in executive facilities**

9 “(a) USE OF CREDENTIALED LOCKSMITHS.—The
10 Administrator of General Services shall ensure that every
11 locksmith who provides locksmith services in an executive
12 facility is credentialed as provided in subsection (b).

13 “(b) CREDENTIALING REQUIREMENTS.—To be a
14 credentialed locksmith for purposes of subsection (a), a
15 locksmith must—

16 “(1) be accredited by a nationally recognized
17 accrediting agency or association;

18 “(2) satisfactorily undergo a criminal history
19 background check conducted using the national
20 criminal history background check system and State
21 criminal history repositories of all States in which
22 the locksmith has resided; and

23 “(3) satisfy established industry standards of
24 professional education or training.

25 “(c) DESIGNATION OF ACCREDITING AGENCIES.—
26 For purposes of subsection (b), the Administrator shall

1 publish a list of nationally recognized accrediting agencies
2 or associations that the Administrator determines to be
3 reliable authority regarding the performance of a criminal
4 history background check and the quality of the education
5 or training of the locksmith seeking credentialing.

6 “(d) RELATION TO STATE LICENSING LAWS.—Nothing in this section shall be construed to supersede any provision of State law that establishes licensing requirements
7 for locksmiths.

10 “(e) LIMITATION OF LIABILITY.—No action may be
11 brought against an accrediting agency or association, or
12 its employees, for the denial of accreditation based upon
13 reliance on information provided by a Federal or State
14 governmental agency.

15 “(f) RECOVERY OF COSTS.—The Administrator may
16 require a locksmith seeking credentialing to pay the reasonable fees and expenses incurred to conduct the background check and other investigations required as a condition of obtaining the credentialing.

17 “(g) DEFINITIONS.—In this section:

18 “(1) EXECUTIVE FACILITY.—The term ‘executive facility’ has the meaning given the term in section 590(f) of this title.

19 “(2) LOCKSMITH.—The term ‘locksmith’ means
20 an individual who—

1 “(A) provides locksmith services to the
2 public for any type of compensation; or

3 “(B) otherwise holds himself or herself out
4 to the public as a locksmith.

5 “(3) LOCKSMITH SERVICES.—The term ‘lock-
6 smith services’ means—

7 “(A) servicing, installing, repairing, re-
8 building, rekeying, repining, or adjusting locks,
9 mechanical or electronic access control security
10 devices, safes, vaults, or safe deposit boxes; and

11 “(B) operating a mechanical or electrical
12 security device, safe, or vault by a means other
13 than those intended by the manufacturer of the
14 device, safe or vault.

15 “(4) NATIONAL CRIMINAL HISTORY BACK-
16 GROUND CHECK SYSTEM.—The term ‘national crimi-
17 nal history background check system’ has the mean-
18 ing given the term in section 5 of the National Child
19 Protection Act of 1993 (42 U.S.C. 5119c).”.

20 (b) CLERICAL AMENDMENT.—The table of sections
21 at the beginning of such chapter is amended by inserting
22 after the item relating to section 593 the following new
23 item:

“594. Use of credentialed locksmiths to provide locksmith services in executive
facilities.”.

1 (c) REGULATIONS.—Not later than 180 days after
2 the date of enactment of this Act, the Administrator of
3 General Services, in consultation with the Attorney Gen-
4 eral, shall issue such rules as may be necessary to carry
5 out section 594 of title 40, United States Code, as added
6 by subsection (a), including measures relating to the secu-
7 rity, confidentiality, processing, cost reimbursement, use,
8 dissemination, maintenance, and destruction of criminal
9 background check records and other information obtained
10 pursuant to such section.

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