

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. POCAN. Mr. Speaker, on rollcall No. 555, had I been present, I would have voted "yes."

Mr. AL GREEN of Texas. Mr. Speaker, today I missed the following vote: S. 1000—Chesapeake Bay Accountability and Recovery Act of 2014. Had I been present, I would have voted "yes" on this bill.

Mr. NORCROSS. Mr. Speaker, had I been present for rollcall No. 555 on passage of the Chesapeake Bay Accountability and Recovery Act of 2014 under suspension of this rules, I would have voted "yes."

MOMENT OF SILENCE IN REMEMBRANCE OF MEMBERS OF ARMED FORCES AND THEIR FAMILIES

The SPEAKER pro tempore (Mr. STEWART). The Chair would ask all present to rise for the purpose of a moment of silence.

The Chair asks that the House now observe a moment of silence in remembrance of our brave men and women in uniform who have given their lives in the service of our country in Iraq and Afghanistan and their families, and of all who serve in our Armed Forces and their families.

THE JOURNAL

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER pro tempore. The unfinished business is the question on agreeing to the Speaker's approval of the Journal, on which the yeas and nays were ordered.

The question is on the Speaker's approval of the Journal.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 261, nays 155, answered "present" 1, not voting 17, as follows:

[Roll No. 556]

YEAS—261

Aderholt	Butterfield	Cotton
Amodel	Byrne	Courtney
Bachmann	Calvert	Cramer
Bachus	Camp	Crenshaw
Barber	Capito	Crowley
Barletta	Capps	Cuellar
Barr	Cárdenas	Culberson
Barrow (GA)	Carney	Cummings
Beatty	Carson (IN)	Daines
Becerra	Carter	Davis (CA)
Bilirakis	Cassidy	Davis, Danny
Bishop (GA)	Castor (FL)	DeGette
Bishop (UT)	Castro (TX)	DelBene
Black	Chabot	DesJarlais
Blackburn	Cicilline	Deutch
Blumenauer	Clark (MA)	Diaz-Balart
Bonamici	Clarke (NY)	Dingell
Boustany	Clay	Doggett
Brady (TX)	Cleaver	Doyle
Brat	Coble	Duncan (SC)
Bridenstine	Cole	Duncan (TN)
Brooks (AL)	Collins (NY)	Edwards
Brooks (IN)	Conyers	Engel
Brown (FL)	Cook	Enyart
Bustos	Cooper	Eshoo

Esty	Lucas	Roskam
Farr	Luetkemeyer	Ross
Fattah	Luft Grisham	Rothfus
Fleischmann	(NM)	Roybal-Allard
Fortenberry	Luján, Ben Ray	Royce
Foster	(NM)	Ruiz
Frankel (FL)	Lummis	Runyan
Franks (AZ)	Marchant	Ruppersberger
Frelinghuysen	Massie	Rush
Gabbard	Matsui	Ryan (WI)
Gallego	McAllister	Salmon
Garamendi	McCarthy (CA)	Sanford
Gerlach	McCarthy (NY)	Scalise
Gingrey (GA)	McCaul	Schiff
Goodlatte	McClintock	Schneider
Gowdy	McCollum	Schrader
Granger	McHenry	Schwartz
Grayson	McIntyre	Schweikert
Griffith (VA)	McKeon	Scott (VA)
Grimm	McMorris	Scott, Austin
Guthrie	Rodgers	Scott, David
Hahn	McNerney	Sensenbrenner
Hanabusa	Meadows	Serrano
Harper	Meehan	Sessions
Harris	Meeks	Shea-Porter
Hartzler	Meng	Sherman
Hastings (WA)	Messer	Shimkus
Heck (WA)	Mica	Simpson
Hensarling	Michaud	Sinema
Himes	Miller (MI)	Smith (NE)
Hinojosa	Moran	Smith (NJ)
Horsford	Mullin	Smith (TX)
Huelskamp	Murphy (FL)	Nadler
Huffman	Huffman	Napolitano
Hultgren	Hultgren	Neugebauer
Hunter	Hunter	Noem
Hurt	Hurt	Norcross
Issa	Issa	Nugent
Johnson (GA)	Johnson (GA)	Nunes
Johnson, Sam	Johnson, Sam	Nunnelee
Jolly	Jolly	O'Rourke
Kaptur	Kaptur	Olson
Keating	Keating	Pascrell
Kelly (IL)	Kelly (IL)	Pelosi
Kelly (PA)	Kelly (PA)	Perlmutter
Kildee	Kildee	Petri
King (IA)	King (IA)	Pingree (ME)
King (NY)	King (NY)	Pitts
Kingston	Kingston	Pocan
Kline	Kline	Polis
Labrador	Labrador	Pompeo
LaMalfa	LaMalfa	Posey
Lamborn	Lamborn	Price (NC)
Lankford	Lankford	Quigley
Larson (CT)	Larson (CT)	Rangel
Latham	Latham	Ribble
Latta	Latta	Roby
Levin	Levin	Rogers (AL)
Lipinski	Lipinski	Rogers (KY)
Loeb sack	Loeb sack	Rogers (MI)
Lofgren	Lofgren	Rohrabacher
Long	Long	Rokita
Lowenthal	Lowenthal	Rooney
Lowe y	Lowe y	

NAYS—155

Adams	Ellmers	Jeffries
Amash	Farenthold	Jenkins
Bass	Fincher	Johnson (OH)
Benishek	Fitzpatrick	Johnson, E. B.
Bentivolio	Fleming	Jones
Bera (CA)	Flores	Jordan
Bishop (NY)	Foxx	Joyce
Brady (PA)	Fudge	Kilmer
Broun (GA)	Garcia	Kind
Brownley (CA)	Gardner	Kinzinger (IL)
Buchanan	Garrett	Kirkpatrick
Bucshon	Gibbs	Kuster
Burgess	Gibson	Lance
Cartwright	Gosar	Langevin
Chaffetz	Graves (GA)	Lee (CA)
Chu	Graves (MO)	Lewis
Clawson (FL)	Green, Al	LoBiondo
Clyburn	Green, Gene	Lynch
Coffman	Griffin (AR)	Maffei
Cohen	Gutiérrez	Maloney,
Collins (GA)	Hanna	Carolyn
Conaway	Hastings (FL)	Maloney, Sean
Connolly	Heck (NV)	Marino
Costa	Herrera Beutler	Matheson
Crawford	Higgins	McDermott
Davis, Rodney	Holding	McGovern
DeFazio	Holt	McKinley
Delaney	Honda	Miller, George
Denham	Hoyer	Moore
Dent	Hudson	Mulvaney
DeSantis	Huizenga (MI)	Murphy (PA)
Duffy	Israel	Neal
Ellison	Jackson Lee	Nolan

Palazzo	Roe (TN)	Thompson (PA)
Pallone	Ros-Lehtinen	Tiberi
Pastor (AZ)	Ryan (OH)	Tipton
Paulsen	Sánchez, Linda	Turner
Payne	T.	Upton
Pearce	Sanchez, Loretta	Valadao
Perry	Sarbanes	Veasey
Peters (CA)	Schakowsky	Vela
Peters (MI)	Schock	Velázquez
Peterson	Sewell (AL)	Vislosky
Pittenger	Shuster	Walberg
Poe (TX)	Sires	Walden
Price (GA)	Slaughter	Weber (TX)
Rahall	Smith (MO)	Wenstrup
Reed	Stivers	Wilson (FL)
Reichert	Stockman	Wittman
Renacci	Swalwell (CA)	Woodall
Rice (SC)	Terry	Yoder
Richmond	Thompson (CA)	
Rigell	Thompson (MS)	

ANSWERED "PRESENT"—1

Owens

NOT VOTING—17

Barton	Forbes	Miller (FL)
Braley (IA)	Gohmert	Miller, Gary
Campbell	Grijalva	Negrete McLeod
Capuano	Hall	Smith (WA)
DeLauro	Kennedy	Young (AK)
Duckworth	Larsen (WA)	

□ 1447

So the Journal was approved.

The result of the vote was announced as above recorded.

Stated for:

Ms. DELAURO. Mr. Speaker, on rollcall No. 556, had I been present, I would have voted "yes."

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed with an amendment a bill of the House of the following title:

H.R. 4007. An act to recodify and reauthorize the Chemical Facility Anti-Terrorism Standards Program.

The message also announced that the Senate has passed with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 2952. An act to amend the Homeland Security Act of 2002 to make certain improvements in the laws relating to the advancement of security technologies for critical infrastructure protection, and for other purposes.

The message also announced that the Senate has passed bills of the following titles in which the concurrence of the House is requested:

S. 2444. An act to authorize appropriations for the Coast Guard for fiscal year 2015, and for other purposes.

S. 2519. An act to codify an existing operations center for cybersecurity.

TRANSPORTATION SECURITY ACQUISITION REFORM ACT

Mr. HUDSON. Mr. Speaker, I move to suspend the rules and concur in the Senate amendment to the bill (H.R. 2719) to require the Transportation Security Administration to implement best practices and improve transparency with regard to technology acquisition programs, and for other purposes.

The Clerk read the title of the bill.

The text of the Senate amendment is as follows:

Senate amendment:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Transportation Security Acquisition Reform Act”.

SEC. 2. FINDINGS.

Congress finds the following:

(1) The Transportation Security Administration has not consistently implemented Department of Homeland Security policies and Government best practices for acquisition and procurement.

(2) The Transportation Security Administration has only recently developed a multiyear technology investment plan, and has underutilized innovation opportunities within the private sector, including from small businesses.

(3) The Transportation Security Administration has faced challenges in meeting key performance requirements for several major acquisitions and procurements, resulting in reduced security effectiveness and wasted expenditures.

SEC. 3. TRANSPORTATION SECURITY ADMINISTRATION ACQUISITION REFORM.

(a) *IN GENERAL.*—Title XVI of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2312) is amended to read as follows:

**“TITLE XVI—TRANSPORTATION SECURITY
“Subtitle A—General Provisions**

“SEC. 1601. DEFINITIONS.

“In this title:

“(1) *ADMINISTRATION.*—The term ‘Administration’ means the Transportation Security Administration.

“(2) *ADMINISTRATOR.*—The term ‘Administrator’ means the Administrator of the Transportation Security Administration.

“(3) *PLAN.*—The term ‘Plan’ means the strategic 5-year technology investment plan developed by the Administrator under section 1611.

“(4) *SECURITY-RELATED TECHNOLOGY.*—The term ‘security-related technology’ means any technology that assists the Administration in the prevention of, or defense against, threats to United States transportation systems, including threats to people, property, and information.

**“Subtitle B—Transportation Security
Administration Acquisition Improvements**

“SEC. 1611. 5-YEAR TECHNOLOGY INVESTMENT PLAN.

“(a) *IN GENERAL.*—The Administrator shall—
“(1) not later than 180 days after the date of the enactment of the Transportation Security Acquisition Reform Act, develop and submit to Congress a strategic 5-year technology investment plan, that may include a classified addendum to report sensitive transportation security risks, technology vulnerabilities, or other sensitive security information; and

“(2) to the extent possible, publish the Plan in an unclassified format in the public domain.

“(b) *CONSULTATION.*—The Administrator shall develop the Plan in consultation with—

“(1) the Under Secretary for Management;

“(2) the Under Secretary for Science and Technology;

“(3) the Chief Information Officer; and

“(4) the aviation industry stakeholder advisory committee established by the Administrator.

“(c) *APPROVAL.*—The Administrator may not publish the Plan under subsection (a)(2) until it has been approved by the Secretary.

“(d) *CONTENTS OF PLAN.*—The Plan shall include—

“(1) an analysis of transportation security risks and the associated capability gaps that would be best addressed by security-related technology, including consideration of the most recent quadrennial homeland security review under section 707;

“(2) a set of security-related technology acquisition needs that—

“(A) is prioritized based on risk and associated capability gaps identified under paragraph (1); and

“(B) includes planned technology programs and projects with defined objectives, goals, timelines, and measures;

“(3) an analysis of current and forecast trends in domestic and international passenger travel;

“(4) an identification of currently deployed security-related technologies that are at or near the end of their lifecycles;

“(5) an identification of test, evaluation, modeling, and simulation capabilities, including target methodologies, rationales, and timelines necessary to support the acquisition of the security-related technologies expected to meet the needs under paragraph (2);

“(6) an identification of opportunities for public-private partnerships, small and disadvantaged company participation, intragovernment collaboration, university centers of excellence, and national laboratory technology transfer;

“(7) an identification of the Administration’s acquisition workforce needs for the management of planned security-related technology acquisitions, including consideration of leveraging acquisition expertise of other Federal agencies;

“(8) an identification of the security resources, including information security resources, that will be required to protect security-related technology from physical or cyber theft, diversion, sabotage, or attack;

“(9) an identification of initiatives to streamline the Administration’s acquisition process and provide greater predictability and clarity to small, medium, and large businesses, including the timeline for testing and evaluation;

“(10) an assessment of the impact to commercial aviation passengers;

“(11) a strategy for consulting airport management, air carrier representatives, and Federal security directors whenever an acquisition will lead to the removal of equipment at airports, and how the strategy for consulting with such officials of the relevant airports will address potential negative impacts on commercial passengers or airport operations; and

“(12) in consultation with the National Institutes of Standards and Technology, an identification of security-related technology interface standards, in existence or if implemented, that could promote more interoperable passenger, baggage, and cargo screening systems.

“(e) *LEVERAGING THE PRIVATE SECTOR.*—To the extent possible, and in a manner that is consistent with fair and equitable practices, the Plan shall—

“(1) leverage emerging technology trends and research and development investment trends within the public and private sectors;

“(2) incorporate private sector input, including from the aviation industry stakeholder advisory committee established by the Administrator, through requests for information, industry days, and other innovative means consistent with the Federal Acquisition Regulation; and

“(3) in consultation with the Under Secretary for Science and Technology, identify technologies in existence or in development that, with or without adaptation, are expected to be suitable to meeting mission needs.

“(f) *DISCLOSURE.*—The Administrator shall include with the Plan a list of nongovernment persons that contributed to the writing of the Plan.

“(g) *UPDATE AND REPORT.*—Beginning 2 years after the date the Plan is submitted to Congress under subsection (a), and biennially thereafter, the Administrator shall submit to Congress—

“(1) an update of the Plan; and

“(2) a report on the extent to which each security-related technology acquired by the Administration since the last issuance or update of the Plan is consistent with the planned technology programs and projects identified under subsection (d)(2) for that security-related technology.

“SEC. 1612. ACQUISITION JUSTIFICATION AND REPORTS.

“(a) *ACQUISITION JUSTIFICATION.*—Before the Administration implements any security-related technology acquisition, the Administrator, in accordance with the Department’s policies and directives, shall determine whether the acquisition is justified by conducting an analysis that includes—

“(1) an identification of the scenarios and level of risk to transportation security from those scenarios that would be addressed by the security-related technology acquisition;

“(2) an assessment of how the proposed acquisition aligns to the Plan;

“(3) a comparison of the total expected lifecycle cost against the total expected quantitative and qualitative benefits to transportation security;

“(4) an analysis of alternative security solutions, including policy or procedure solutions, to determine if the proposed security-related technology acquisition is the most effective and cost-efficient solution based on cost-benefit considerations;

“(5) an assessment of the potential privacy and civil liberties implications of the proposed acquisition that includes, to the extent practicable, consultation with organizations that advocate for the protection of privacy and civil liberties;

“(6) a determination that the proposed acquisition is consistent with fair information practice principles issued by the Privacy Officer of the Department;

“(7) confirmation that there are no significant risks to human health or safety posed by the proposed acquisition; and

“(8) an estimate of the benefits to commercial aviation passengers.

“(b) REPORTS AND CERTIFICATION TO CONGRESS.—

“(1) *IN GENERAL.*—Not later than the end of the 30-day period preceding the award by the Administration of a contract for any security-related technology acquisition exceeding \$30,000,000, the Administrator shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Homeland Security of the House of Representatives—

“(A) the results of the comprehensive acquisition justification under subsection (a); and

“(B) a certification by the Administrator that the benefits to transportation security justify the contract cost.

“(2) *EXTENSION DUE TO IMMINENT TERRORIST THREAT.*—If there is a known or suspected imminent threat to transportation security, the Administrator—

“(A) may reduce the 30-day period under paragraph (1) to 5 days to rapidly respond to the threat; and

“(B) shall immediately notify the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Homeland Security of the House of Representatives of the known or suspected imminent threat.

“SEC. 1613. ACQUISITION BASELINE ESTABLISHMENT AND REPORTS.

“(a) *BASELINE REQUIREMENTS.—*

“(1) *IN GENERAL.*—Before the Administration implements any security-related technology acquisition, the appropriate acquisition official of the Department shall establish and document a set of formal baseline requirements.

“(2) *CONTENTS.*—The baseline requirements under paragraph (1) shall—

“(A) include the estimated costs (including lifecycle costs), schedule, and performance milestones for the planned duration of the acquisition;

“(B) identify the acquisition risks and a plan for mitigating those risks; and

“(C) assess the personnel necessary to manage the acquisition process, manage the ongoing program, and support training and other operations as necessary.

“(3) **FEASIBILITY.**—In establishing the performance milestones under paragraph (2)(A), the appropriate acquisition official of the Department, to the extent possible and in consultation with the Under Secretary for Science and Technology, shall ensure that achieving those milestones is technologically feasible.

“(4) **TEST AND EVALUATION PLAN.**—The Administrator, in consultation with the Under Secretary for Science and Technology, shall develop a test and evaluation plan that describes—

“(A) the activities that are expected to be required to assess acquired technologies against the performance milestones established under paragraph (2)(A);

“(B) the necessary and cost-effective combination of laboratory testing, field testing, modeling, simulation, and supporting analysis to ensure that such technologies meet the Administration’s mission needs;

“(C) an efficient planning schedule to ensure that test and evaluation activities are completed without undue delay; and

“(D) if commercial aviation passengers are expected to interact with the security-related technology, methods that could be used to measure passenger acceptance of and familiarization with the security-related technology.

“(5) **VERIFICATION AND VALIDATION.**—The appropriate acquisition official of the Department—

“(A) subject to subparagraph (B), shall utilize independent reviewers to verify and validate the performance milestones and cost estimates developed under paragraph (2) for a security-related technology that pursuant to section 1611(d)(2) has been identified as a high priority need in the most recent Plan; and

“(B) shall ensure that the use of independent reviewers does not unduly delay the schedule of any acquisition.

“(6) **STREAMLINING ACCESS FOR INTERESTED VENDORS.**—The Administrator shall establish a streamlined process for an interested vendor of a security-related technology to request and receive appropriate access to the baseline requirements and test and evaluation plans that are necessary for the vendor to participate in the acquisitions process for that technology.

“(b) **REVIEW OF BASELINE REQUIREMENTS AND DEVIATION; REPORT TO CONGRESS.**—

“(1) **REVIEW.**—

“(A) **IN GENERAL.**—The appropriate acquisition official of the Department shall review and assess each implemented acquisition to determine if the acquisition is meeting the baseline requirements established under subsection (a).

“(B) **TEST AND EVALUATION ASSESSMENT.**—The review shall include an assessment of whether—

“(i) the planned testing and evaluation activities have been completed; and

“(ii) the results of that testing and evaluation demonstrate that the performance milestones are technologically feasible.

“(2) **REPORT.**—Not later than 30 days after making a finding described in clause (i), (ii), or (iii) of subparagraph (A), the Administrator shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Homeland Security of the House of Representatives that includes—

“(A) the results of any assessment that finds that—

“(i) the actual or planned costs exceed the baseline costs by more than 10 percent;

“(ii) the actual or planned schedule for delivery has been delayed by more than 180 days; or

“(iii) there is a failure to meet any performance milestone that directly impacts security effectiveness;

“(B) the cause for such excessive costs, delay, or failure; and

“(C) a plan for corrective action.

“**SEC. 1614. INVENTORY UTILIZATION.**

“(a) **IN GENERAL.**—Before the procurement of additional quantities of equipment to fulfill a

mission need, the Administrator, to the extent practicable, shall utilize any existing units in the Administration’s inventory to meet that need.

“(b) **TRACKING OF INVENTORY.**—

“(1) **IN GENERAL.**—The Administrator shall establish a process for tracking—

“(A) the location of security-related equipment in the inventory under subsection (a);

“(B) the utilization status of security-related technology in the inventory under subsection (a); and

“(C) the quantity of security-related equipment in the inventory under subsection (a).

“(2) **INTERNAL CONTROLS.**—The Administrator shall implement internal controls to ensure up-to-date accurate data on security-related technology owned, deployed, and in use.

“(c) **LOGISTICS MANAGEMENT.**—

“(1) **IN GENERAL.**—The Administrator shall establish logistics principles for managing inventory in an effective and efficient manner.

“(2) **LIMITATION ON JUST-IN-TIME LOGISTICS.**—The Administrator may not use just-in-time logistics if doing so—

“(A) would inhibit necessary planning for large-scale delivery of equipment to airports or other facilities; or

“(B) would unduly diminish surge capacity for response to a terrorist threat.

“**SEC. 1615. SMALL BUSINESS CONTRACTING GOALS.**

“Not later than 90 days after the date of enactment of the Transportation Security Acquisition Reform Act, and annually thereafter, the Administrator shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Homeland Security of the House of Representatives that includes—

“(1) the Administration’s performance record with respect to meeting its published small-business contracting goals during the preceding fiscal year;

“(2) if the goals described in paragraph (1) were not met or the Administration’s performance was below the published small-business contracting goals of the Department—

“(A) a list of challenges, including deviations from the Administration’s subcontracting plans, and factors that contributed to the level of performance during the preceding fiscal year;

“(B) an action plan, with benchmarks, for addressing each of the challenges identified in subparagraph (A) that—

“(i) is prepared after consultation with the Secretary of Defense and the heads of Federal departments and agencies that achieved their published goals for prime contracting with small and minority-owned businesses, including small and disadvantaged businesses, in prior fiscal years; and

“(ii) identifies policies and procedures that could be incorporated by the Administration in furtherance of achieving the Administration’s published goal for such contracting; and

“(3) a status report on the implementation of the action plan that was developed in the preceding fiscal year in accordance with paragraph (2)(B), if such a plan was required.

“**SEC. 1616. CONSISTENCY WITH THE FEDERAL ACQUISITION REGULATION AND DEPARTMENTAL POLICIES AND DIRECTIVES.**

“The Administrator shall execute the responsibilities set forth in this subtitle in a manner consistent with, and not duplicative of, the Federal Acquisition Regulation and the Department’s policies and directives.”

(b) **CONFORMING AMENDMENT.**—The table of contents in section 1(b) of the Homeland Security Act of 2002 is amended by striking the items relating to title XVI and inserting the following:

“**TITLE XVI—TRANSPORTATION SECURITY**
“Subtitle A—General Provisions

“Sec. 1601. Definitions.

“Subtitle B—Transportation Security Administration Acquisition Improvements

“Sec. 1611. 5-year technology investment plan.

“Sec. 1612. Acquisition justification and reports.

“Sec. 1613. Acquisition baseline establishment and reports.

“Sec. 1614. Inventory utilization.

“Sec. 1615. Small business contracting goals.

“Sec. 1616. Consistency with the Federal acquisition regulation and departmental policies and directives.”

(c) **PRIOR AMENDMENTS NOT AFFECTED.**—Nothing in this section may be construed to affect any amendment made by title XVI of the Homeland Security Act of 2002 as in effect before the date of enactment of this Act.

SEC. 4. GOVERNMENT ACCOUNTABILITY OFFICE REPORTS.

(a) **IMPLEMENTATION OF PREVIOUS RECOMMENDATIONS.**—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit a report to Congress that contains an assessment of the Transportation Security Administration’s implementation of recommendations regarding the acquisition of security-related technology that were made by the Government Accountability Office before the date of the enactment of this Act.

(b) **IMPLEMENTATION OF SUBTITLE B OF TITLE XVI.**—Not later than 1 year after the date of enactment of this Act and 3 years thereafter, the Comptroller General of the United States shall submit a report to Congress that contains an evaluation of the Transportation Security Administration’s progress in implementing subtitle B of title XVI of the Homeland Security Act of 2002, as amended by section 3, including any efficiencies, cost savings, or delays that have resulted from such implementation.

SEC. 5. REPORT ON FEASIBILITY OF INVENTORY TRACKING.

Not later than 90 days after the date of enactment of this Act, the Administrator of the Transportation Security Administration shall submit a report to Congress on the feasibility of tracking security-related technology, including software solutions, of the Administration through automated information and data capture technologies.

SEC. 6. GOVERNMENT ACCOUNTABILITY OFFICE REVIEW OF TSA’S TEST AND EVALUATION PROCESS.

Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit a report to Congress that includes—

(1) an evaluation of the Transportation Security Administration’s testing and evaluation activities related to security-related technology;

(2) information on the extent to which—

(A) the execution of such testing and evaluation activities is aligned, temporally and otherwise, with the Administration’s annual budget request, acquisition needs, planned procurements, and acquisitions for technology programs and projects; and

(B) security-related technology that has been tested, evaluated, and certified for use by the Administration but was not procured by the Administration, including the reasons the procurement did not occur; and

(3) recommendations—

(A) to improve the efficiency and efficacy of such testing and evaluation activities; and

(B) to better align such testing and evaluation with the acquisitions process.

SEC. 7. NO ADDITIONAL AUTHORIZATION OF APPROPRIATIONS.

No additional funds are authorized to be appropriated to carry out this Act or the amendments made by this Act.

The **SPEAKER** pro tempore (Mr. LATHAM). Pursuant to the rule, the gentleman from North Carolina (Mr. HUDSON) and the gentleman from Mississippi (Mr. THOMPSON) each will control 20 minutes.

The Chair recognizes the gentleman from North Carolina.

GENERAL LEAVE

Mr. HUDSON. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and include any extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. HUDSON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in strong support of the Senate amendment to H.R. 2719, the Transportation Security Acquisition Reform Act, a bill that I introduced in July of last year, which passed the House unanimously 1 year ago.

This commonsense, bipartisan legislation is the culmination of 2 years of collaborative efforts by my colleagues in the House and Senate and 4 years of strong oversight by the Transportation Security Subcommittee.

H.R. 2719 will save significant tax dollars by forcing TSA to make thoughtful, informed decisions about what kinds of technology to deploy in our Nation's airports. We simply cannot afford to see TSA repeat the mistakes of the past which have resulted in technologies such as "puffer machines" and body scanners being pulled out of airports prematurely and others sitting idle in warehouses, never to see the light of day.

H.R. 2719 requires TSA to develop and share with industry and the public a detailed 5-year technology investment plan. The bill gives Congress early warning about any cost overruns, delays, or technical failures encountered by TSA.

It ensures that TSA is implementing acquisition best practices as identified by the Government Accountability Office and other experts. It also mandates a better process for managing security equipment in TSA's inventory. Finally, the Senate strengthened the bill by, among other things, requiring more consultation with experts in the public and private sectors during the acquisition process.

I would like to thank the chairman of the Committee on Homeland Security, Mr. McCAUL, for his assistance in moving this bill through the committee and the House, as well as the ranking member of the full committee, Mr. THOMPSON, for his work alongside myself and our chairman. I really appreciate the work and cooperation of Mr. THOMPSON and the ranking member for our subcommittee, Mr. RICHMOND. Again, their work made this a better bill.

I would also like to thank Senator AYOTTE for introducing a companion bill in the Senate and leading the effort to see it through the Senate Commerce Committee and the full Senate. I would also like to thank Senators ROCKEFELLER, THUNE, and TESTER and their

staffs for their strong support and their important efforts to move this bill.

Finally, I would like to thank the 18 industry groups that have endorsed this bill, including the Security Manufacturers Coalition, Airlines for America, Airports Council International—North America, the American Association of Airport Executives, the General Aviation Manufacturers Association, the Security Industry Association, the U.S. Travel Association, and many others who provided valuable feedback and worked with us throughout this process.

I will insert into the RECORD a letter from these groups and others.

NOVEMBER 12, 2014.

Hon. HARRY REID,
*Senate Majority Leader, U.S. Capitol Building,
Washington, DC.*

Hon. MITCH MCCONNELL,
*Senate Minority Leader, U.S. Capitol Building,
Washington, DC.*

DEAR LEADERS REID AND MCCONNELL: Together our associations proudly represent the strength of the aviation, aerospace, and travel industry, which combined contribute billions of dollars to the U.S. economy every year and maintain thousands of high-tech jobs in the United States. We write to express our strong support for S. 1893, the Transportation Security Acquisition Reform Act introduced by Senator Kelly Ayotte (R-NH) and S. 1804, the Aviation Security Stakeholder Participation Act introduced by Senator Jon Tester (D-MT). Companion versions (H.R. 2719 and H.R. 1204) of these two bills passed the House of Representatives with overwhelming bipartisan support on December 3, 2013, and were reported unanimously from the Committee on Commerce, Science, and Transportation on July 24, 2014.

Both bills were developed with significant input from our industries and represent important progress toward streamlining the Transportation Security Administration (TSA) acquisition process and improving decision-making, by including industry stakeholders on issues affecting aviation" security. These no-cost, common-sense bills will benefit the transportation industry by requiring TSA to conduct meaningful private sector engagement and coordination, strategic planning, and transparent technology procurements, which will save taxpayer dollars and strengthen security in the long term.

As associations concerned with improving aviation safety and security, we ask that you bring S.1804/H.R. 1204 and S. 1893/H.R. 2719 to the Senate floor for the Senate's prompt consideration and passage in order to send these critical bills to the President for his signature.

Sincerely,

American Association of Airport Executives, Airlines for America, Aeronautical Repair Station Association, General Aviation Manufacturers Association, International Air Transport Association, National Association of State Aviation Officials, NetJets Association of Shared Aircraft Pilots, Security Manufacturers Coalition, U.S. Travel Association, Airports Council International-North America, Aircraft Owners and Pilots Association, Cargo Airline Association, Helicopter Association International, National Air Transportation Association, National Business Aviation Association, Security Industry Association, Southwest Airlines Pilots Association, National Air Carrier Association.

Mr. HUDSON. This no-cost, bipartisan legislation will go a long way toward improving transparency and accountability for TSA. I urge my colleagues to support this bill, and I reserve the balance of my time.

Mr. THOMPSON of Mississippi. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of the Senate amendment to H.R. 2719, the Transportation Security Acquisition Reform Act.

For years, both as chairman and ranking member of the Committee on Homeland Security, I have been troubled by the way TSA goes about technology acquisition. Time and again, taxpayer dollars have been wasted on technologies that either do not work or cannot be upgraded to meet the agency's need.

I have also been troubled by TSA's apparent inability to effectively manage its inventory of security-related technology and meet its goals for contracting with small and disadvantaged businesses.

The bill before us today addresses these concerns through greater transparency and accountability. In this age of tight budgets, TSA cannot purchase technologies on a whim and outside of robust acquisition controls. Under H.R. 2719, of which I was proud to be an original cosponsor, TSA will be required to develop and publish a multiyear technology investment plan that will guide the agency's security-related technology purchases.

This plan will give both the agency and Congress a clear understanding of how taxpayer dollars will be allocated in future years.

The bill also requires TSA to develop a plan for managing its inventory of security-related technologies. Last year, the Department of Homeland Security's Office of Inspector General found that TSA had more than 17,000 items in its warehouse inventory, at an estimated cost of \$185 million. The IG concluded that TSA may be able to put approximately \$800,000 per year to better use by managing its inventory more effectively.

For fiscal year 2012, TSA's goal for prime contracting with small businesses was set at 23 percent; yet the agency barely reached 16 percent. While TSA improved its performance in 2013, it still failed to meet its goal for prime contracting with small businesses.

To address TSA's chronic problems meeting its small business contracting goal, the bill requires TSA to consult with other Federal agencies that get small business contracting done and done right. Under H.R. 2719, TSA will be required to develop an action plan for improving its performance and report to Congress on its progress in implementing the plan.

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For too long TSA has relied upon the same limited number of companies to

develop and produce the security-related technologies it puts into the field. Doing so comes at the peril of small and minority-owned businesses that are essential to innovation. This dynamic also results in additional cost to taxpayers due to a lack of competition in the marketplace.

H.R. 2719 received the unanimous support of the Committee on Homeland Security and this full House later last year. The Senate amendment to this bill that we are considering today makes minor and beneficial modifications.

With that, Mr. Speaker, I reserve the balance of my time.

Mr. HUDSON. I have no further speakers. If the gentleman from Mississippi has no further speakers, I am prepared to close once the gentleman does.

I reserve the balance of my time.

Mr. THOMPSON of Mississippi. Mr. Speaker, I have one speaker before I close. I yield 3 minutes to the gentlewoman from Texas (Ms. JACKSON LEE), the ranking member on the Subcommittee on Border and Maritime Security of the Committee on Homeland Security.

Ms. JACKSON LEE. Mr. Speaker, I thank Mr. THOMPSON for his leadership as ranking member and formerly chair, and Mr. HUDSON. Let me also acknowledge Mr. RICHMOND, who is the ranking member on the Subcommittee on Transportation Security.

It is clear that this committee, Homeland Security overall, has worked together for the betterment of the national security of this Nation, and these legislative initiatives in particular. I remember distinctly the hearings, the collaboration with a number of groups, and so I rise today to speak on the transportation security bill regarding best practices to improve transparency with regard to technology acquisition programs, and for other purposes.

The Transportation Security Administration, now under Homeland Security, is one of our vital organs that relates to the security of America. We only need look at special holidays throughout the Nation and throughout the year and realize how vital the aviation system is and how important it is to work together with the Transportation Security Administration, covering TSOs and certainly a large component of research and technology dealing with the security of our airports.

This initiative is an important one. It is almost unspeakable to have this size of inventory, some \$185 million in assessment, languishing in warehouses under the name of the Transportation Security Administration.

Over the years as a ranking member and chairwoman on Transportation Security and now Border Security, likewise I have joined my colleagues in fighting for small businesses because there lies technology.

So this initiative to open the doors for the idea of a multiyear technology

investment plan and underutilized innovation opportunities that can be provided in this area of security I believe is very important, and then of course to insist that 16 percent not be the number that we rely upon in terms of investment and opportunity for minorities and small businesses.

I support this initiative, and I must at this moment add my support for the legislation dealing with insisting on an aviation security advisory committee. I want to congratulate Mr. THOMPSON on that and indicate that the issue of aviation security matters needs collaboration.

Let me finish by saying, as we experienced over the last year, a decision to add or take away what item you could bring through security—we found out that collaboration on this is crucial.

So this is an important initiative, and I thank both the managers on the floor, and I support both of these initiatives and congratulate them for moving the security of America further.

Mr. HUDSON. Mr. Speaker, I continue to reserve the balance of my time.

Mr. THOMPSON of Mississippi. Mr. Speaker, I have no further speakers. I am prepared to close.

Mr. Speaker, in closing I would like to thank Subcommittee Chairman HUDSON and Ranking Member RICHMOND for working in collaboration to develop this important legislation.

I would also like to acknowledge the bipartisan staff work that went in to getting us to this point. Specifically, I want to acknowledge Brian Turbyfill on my staff and Amanda Parikh on the majority staff for their work on this legislation over the past 2 years.

Mr. Speaker, I urge all Members to support the Senate amendment to H.R. 2719 so that this bill can be enacted and TSA's acquisition process is on a path to improvement.

With that, Mr. Speaker, I yield back the balance of my time.

Mr. HUDSON. Mr. Speaker, I want to thank the former chairman for his kind remarks and for the collaborative nature in which we have worked throughout this Congress. I appreciate his leadership and advice. I believe we have done good work, and we have done it because we have listened to each other and we have worked well together. I appreciate your leadership, as well as that of CEDRIC RICHMOND, the ranking member on this committee.

Mr. Speaker, I would like to acknowledge that this would not be possible had they not worked so closely with us. I would also like to thank the chairman for mentioning our staffs. Our staffs have worked very hard, they have worked in a bipartisan manner, and I attach myself to his compliments for our staff there and thank him for that kindness.

Mr. Speaker, I am proud of the accomplishments we have made on this subcommittee. In particular I am proud of this piece of legislation, H.R.

2719. It was developed with input from stakeholders in an exhaustive process with subject matter experts across government and industry to address different deficiencies we had identified throughout the TSA's acquisition process.

I urge my colleagues to vote "yes" on Senator AYOTTE's amendment to H.R. 2719, and let's send this bill to the President for his signature.

Mr. Speaker, I yield back the balance of my time.

Mr. RICHMOND. Mr. Speaker, I rise in strong support of H.R. 2719, the "Transportation Security Acquisition Reform Act."

H.R. 2719 addresses longstanding concerns that I and other Members of this Committee have raised about the Transportation Security Administration's stewardship of taxpayer funds when pursuing, acquiring, and deploying security-related technologies.

Importantly, the bill also seeks to address TSA's lackluster record of contracting with small businesses.

Last year, the Subcommittee on Transportation Security, of which I am the Ranking Member, held a hearing with industry stakeholders where we heard from representatives of both small and large businesses on how to improve TSA's acquisition practices and to engage with small businesses more effectively.

There are ample small, minority-owned and disadvantaged businesses that are ready, willing and able to provide services and technologies to TSA that would enhance our security and likely reduce contracting costs.

If TSA cannot identify such businesses, I will be happy to refer them to some.

The bill takes a significant step toward holding TSA accountable for achieving its goals for contracting with small and disadvantaged businesses by requiring the agency to develop an action plan to accomplish its goals and report to Congress on how it plans to get there.

I thank the Subcommittee Chairman, the gentleman from North Carolina, Mr. HUDSON, for his willingness to include small businesses in the discussion as we developed the legislation before the House today.

I also congratulate Chairman HUDSON on his work on this legislation.

As the Ranking Member on the Subcommittee on Transportation Security, I was proud to work with the Chairman to lay the groundwork for this legislation through multiple hearings with both industry and TSA.

The bill tackles head on the lack of transparency and accountability that has plagued TSA's acquisition practices since the Agency's inception.

Mr. Speaker, the Senate amendment to H.R. 2719 is sound, bipartisan legislation that deserves the support of the Full House.

I would like to express my gratitude to Chairman HUDSON for the bipartisan manner in which he operated the Subcommittee on Transportation Security this Congress.

I look forward to continuing to work with the gentleman in his new role as a Member on the Committee on Energy and Commerce.

With that Mr. Speaker, I urge support for the bill.

Mr. MCCAUL. Mr. Speaker, I strongly support H.R. 2719, the Transportation Security Acquisition Reform Act, which was developed, introduced, and championed by the Chairman of the Subcommittee on Transportation Security,

the distinguished gentleman from North Carolina, Mr. HUDSON. The Senate amendment to H.R. 2719, offered by Senator AYOTTE, would strengthen the underlying bill and ensure that TSA is consulting stakeholders throughout the technology acquisition process. I thank the Senator for working with our Committee to move this common sense bill across the finish line.

As Chairman of the House Committee on Homeland Security, I have seen first-hand the need for TSA to develop a comprehensive investment plan for acquiring new technologies and to use its limited resources in a more efficient and effective manner. H.R. 2719 sets clear mandates for TSA to develop and maintain a five-year acquisition strategy that will help industry make informed investment decisions and lead to more effective technologies in our nation's airports to meet the evolving terrorist threats we face. The requirements of this bill will also ensure that Congress receives early warning and insight into potentially wasteful spending practices, which will strengthen the Committee's oversight and enable TSA to be a better steward of taxpayer dollars.

I would like to thank Chairman HUDSON for his dedicated effort to reform TSA, as well as the Ranking Member of the Full Committee and the Ranking Member of the Subcommittee for their strong support of this important legislation, which will hold TSA accountable and increase transparency for the millions of dollars the agency spends every year on technology. I would also like to express appreciation to the many stakeholder associations that have provided their input and given their support to this no-cost, bipartisan bill.

I urge my colleagues to support the Senate amendment to H.R. 2719 and send this bill to the President for his signature.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina (Mr. HUDSON) that the House suspend the rules and concur in the Senate amendment to the bill, H.R. 2719.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. HUDSON. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

AVIATION SECURITY STAKEHOLDER PARTICIPATION ACT OF 2013

Mr. HUDSON. Mr. Speaker, I move to suspend the rules and concur in the Senate amendment to the bill (H.R. 1204) to amend title 49, United States Code, to direct the Assistant Secretary of Homeland Security (Transportation Security Administration) to establish an Aviation Security Advisory Committee, and for other purposes.

The Clerk read the title of the bill.

The text of the Senate amendment is as follows:

Senate amendment:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Aviation Security Stakeholder Participation Act of 2014".

SEC. 2. AVIATION SECURITY ADVISORY COMMITTEE.

(a) IN GENERAL.—Subchapter II of chapter 449 of title 49, United States Code, is amended by adding at the end the following:

"§44946. Aviation Security Advisory Committee

"(a) ESTABLISHMENT.—The Assistant Secretary shall establish within the Transportation Security Administration an aviation security advisory committee.

"(b) DUTIES.—

"(1) IN GENERAL.—The Assistant Secretary shall consult the Advisory Committee, as appropriate, on aviation security matters, including on the development, refinement, and implementation of policies, programs, rulemaking, and security directives pertaining to aviation security, while adhering to sensitive security guidelines.

"(2) RECOMMENDATIONS.—

"(A) IN GENERAL.—The Advisory Committee shall develop, at the request of the Assistant Secretary, recommendations for improvements to aviation security.

"(B) RECOMMENDATIONS OF SUBCOMMITTEES.—Recommendations agreed upon by the subcommittees established under this section shall be approved by the Advisory Committee before transmission to the Assistant Secretary.

"(3) PERIODIC REPORTS.—The Advisory Committee shall periodically submit to the Assistant Secretary—

"(A) reports on matters identified by the Assistant Secretary; and

"(B) reports on other matters identified by a majority of the members of the Advisory Committee.

"(4) ANNUAL REPORT.—The Advisory Committee shall submit to the Assistant Secretary an annual report providing information on the activities, findings, and recommendations of the Advisory Committee, including its subcommittees, for the preceding year. Not later than 6 months after the date that the Secretary receives the annual report, the Secretary shall publish a public version describing the Advisory Committee's activities and such related matters as would be informative to the public consistent with the policy of section 552(b) of title 5.

"(5) FEEDBACK.—Not later than 90 days after receiving recommendations transmitted by the Advisory Committee under paragraph (4), the Assistant Secretary shall respond in writing to the Advisory Committee with feedback on each of the recommendations, an action plan to implement any of the recommendations with which the Assistant Secretary concurs, and a justification for why any of the recommendations have been rejected.

"(6) CONGRESSIONAL NOTIFICATION.—Not later than 30 days after providing written feedback to the Advisory Committee under paragraph (5), the Assistant Secretary shall notify the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Homeland Security of the House of Representatives on such feedback, and provide a briefing upon request.

"(7) REPORT TO CONGRESS.—Prior to briefing the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Homeland Security of the House of Representatives under paragraph (6), the Assistant Secretary shall submit to such committees a report containing information relating to the recommendations transmitted by the Advisory Committee in accordance with paragraph (4).

"(c) MEMBERSHIP.—

"(1) APPOINTMENT.—

"(A) IN GENERAL.—Not later than 180 days after the date of enactment of the Aviation Security Stakeholder Participation Act of 2014, the Assistant Secretary shall appoint the members of the Advisory Committee.

"(B) COMPOSITION.—The membership of the Advisory Committee shall consist of individuals representing not more than 34 member organizations. Each organization shall be represented by 1 individual (or the individual's designee).

"(C) REPRESENTATION.—The membership of the Advisory Committee shall include representatives of air carriers, all-cargo air transportation, indirect air carriers, labor organizations representing air carrier employees, labor organizations representing transportation security officers, aircraft manufacturers, airport operators, airport construction and maintenance contractors, labor organizations representing employees of airport construction and maintenance contractors, general aviation, privacy organizations, the travel industry, airport-based businesses (including minority-owned small businesses), businesses that conduct security screening operations at airports, aeronautical repair stations, passenger advocacy groups, the aviation security technology industry (including screening technology and biometrics), victims of terrorist acts against aviation, and law enforcement and security experts.

"(2) TERM OF OFFICE.—

"(A) TERMS.—The term of each member of the Advisory Committee shall be 2 years. A member of the Advisory Committee may be reappointed.

"(B) REMOVAL.—The Assistant Secretary may review the participation of a member of the Advisory Committee and remove such member for cause at any time.

"(3) PROHIBITION ON COMPENSATION.—The members of the Advisory Committee shall not receive pay, allowances, or benefits from the Government by reason of their service on the Advisory Committee.

"(4) MEETINGS.—

"(A) IN GENERAL.—The Assistant Secretary shall require the Advisory Committee to meet at least semiannually and may convene additional meetings as necessary.

"(B) PUBLIC MEETINGS.—At least 1 of the meetings described in subparagraph (A) shall be open to the public.

"(C) ATTENDANCE.—The Advisory Committee shall maintain a record of the persons present at each meeting.

"(5) MEMBER ACCESS TO SENSITIVE SECURITY INFORMATION.—Not later than 60 days after the date of a member's appointment, the Assistant Secretary shall determine if there is cause for the member to be restricted from possessing sensitive security information. Without such cause, and upon the member voluntarily signing a non-disclosure agreement, the member may be granted access to sensitive security information that is relevant to the member's advisory duties. The member shall protect the sensitive security information in accordance with part 1520 of title 49, Code of Federal Regulations.

"(6) CHAIRPERSON.—A stakeholder representative on the Advisory Committee who is elected by the appointed membership of the Advisory Committee shall chair the Advisory Committee.

"(d) SUBCOMMITTEES.—

"(1) MEMBERSHIP.—The Advisory Committee chairperson, in coordination with the Assistant Secretary, may establish within the Advisory Committee any subcommittee that the Assistant Secretary and Advisory Committee determine to be necessary. The Assistant Secretary and the Advisory Committee shall create subcommittees to address aviation security issues, including the following:

"(A) AIR CARGO SECURITY.—The implementation of the air cargo security programs established by the Transportation Security Administration to screen air cargo on passenger aircraft and all-cargo aircraft in accordance with established cargo screening mandates.

"(B) GENERAL AVIATION.—General aviation facilities, general aviation aircraft, and helicopter operations at general aviation and commercial service airports.