

years. What he did in 2 years really made a big difference in the trajectory of that agency. Much like other Federal agencies that are empowered to do very important things, like the FBI who has a long-term tenure, I think the same thing needs to be done here.

Admiral Neffenger and people like him should be in control of the agency for extended periods of time because then, and only then, can we make the true changes that we are going to need.

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

□ 1600

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. KATKO) that the House suspend the rules and pass the bill, H.R. 1309.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

TRANSPARENCY IN TECHNOLOGICAL ACQUISITIONS ACT OF 2017

Mr. RUTHERFORD. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 1353) to amend the Homeland Security Act of 2002 to require certain additional information to be submitted to Congress regarding the strategic 5-year technology investment plan of the Transportation Security Administration.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1353

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Transparency in Technological Acquisitions Act of 2017”.

SEC. 2. INFORMATION REQUIRED TO BE SUBMITTED TO CONGRESS UNDER THE STRATEGIC 5-YEAR TECHNOLOGY INVESTMENT PLAN OF THE TRANSPORTATION SECURITY ADMINISTRATION.

(a) ADDITIONAL INFORMATION REQUIRED.—Section 1611 of the Homeland Security Act of 2002 (6 U.S.C. 563) is amended—

(1) in subsection (g)—

(A) in the matter preceding paragraph (1), by striking “biennially” and inserting “annually”;

(B) in paragraph (1), by striking “and”;

(C) in paragraph (2), by striking the period and inserting “; and”;

(D) by adding at the end the following new paragraph:

“(3) information about acquisitions completed during the fiscal year preceding the fiscal year during which the report is submitted.”; and

(2) by adding at the end the following new subsections:

“(h) NOTICE OF COVERED CHANGES TO PLAN.—

“(1) NOTICE REQUIRED.—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 notice

of any covered change to the Plan by not later than 90 days after the date on which the change is made.

“(2) DEFINITION OF CHANGE.—In this subsection, the term ‘covered change’ means an increase or decrease in the dollar amount allocated to the procurement of a technology or an increase or decrease in the number of a technology.”.

(b) REPORT ON EQUIPMENT IN OPERATION POST-LIFE-CYCLE.—Not later than 90 days after the date of the enactment of this Act, the Administrator of the Transportation Security Administration 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 report describing any equipment of the Transportation Security Administration that is in operation after—

(1) the end of the life-cycle of the equipment specified by the manufacturer of the equipment; or

(2) the end of the useful life projection for the equipment under the strategic 5-year technology investment plan of the Transportation Security Administration, as required by section 1611 of the Homeland Security Act of 2002 (6 U.S.C. 563).

(c) NOTICE TO AIRPORTS AND AIRLINES.—Upon the enactment of this Act, the Administrator of the Transportation Security Administration shall notify airports and airlines of any changes to the 5-year technology investment plan of the Transportation Security Administration.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. RUTHERFORD) and the gentlewoman from New York (Miss RICE) each will control 20 minutes.

The Chair recognizes the gentleman from Florida.

GENERAL LEAVE

Mr. RUTHERFORD. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and to include any extraneous material in the RECORD.

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

There was no objection.

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

I rise today in strong support of H.R. 1353, the Transparency in Technological Acquisitions Act of 2017. I commend the gentlewoman from New York (Miss RICE) for introducing this very important bill.

Over the course of the last Congress, the Transportation and Protective Security Subcommittee conducted rigorous oversight of TSA’s technology and equipment acquisition process, and they found it fraught with waste and inefficiencies. The committee also found that TSA fails to effectively communicate its procurement needs with the private sector.

Our government relies upon private sector innovation to develop security technologies. However, that innovation comes with a price tag, and we cannot reasonably expect the private sector to spend millions of dollars in research and development of new emerging technologies without greater transparency and communication, both with the

TSA and the Department of Homeland Security, as to exactly what their future needs and technology investments will be in the future.

This bill will provide greater transparency into TSA’s acquisition plan, allowing for industry to better meet emerging needs, and enable better congressional oversight.

I urge my colleagues to support this important piece of legislation.

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

Miss RICE of New York. Mr. Speaker, I yield myself such time as I may consume. I rise in support of H.R. 1353, the Transparency in Technological Acquisitions Act of 2017.

Mr. Speaker, last Congress, I served as the ranking member of the Transportation and Protective Security Subcommittee, and we held multiple hearings on TSA’s acquisition processes.

In the course of conducting oversight and engaging with stakeholders, we learned that deficiencies in TSA’s planning for technology investments were causing serious issues for technology companies who produce products to meet the Agency’s needs.

Under the Transportation Security Acquisition Reform Act, TSA was required to develop a 5-year technology investment plan. Stakeholders widely supported this strategy and welcomed the release of TSA’s first 5-year plan in August of 2015, but that support eroded when the budget request for the same year did not align with the acquisition schedule in the 5-year plan.

The purpose of the plan was to give businesses the time and certainty they need to align their resources and planning to meet TSA’s technology needs. Security technology manufacturers looked at the plan and invested significant resources in the technology that TSA planned to acquire, but then they saw the budget request and found that TSA had shifted direction and no longer planned to procure that technology.

That lost investment of time and resources hurts all technology manufacturers, but it can completely destroy small businesses and discourage small-business owners from working with the Federal Government.

My bill, H.R. 1353, will help solve this problem by requiring TSA to report to Congress on their 5-year plan annually instead of biennially, and it will require TSA to notify Congress and all relevant stakeholders of any changes or updates to the plan.

These commonsense steps will help ensure that there is ongoing engagement between TSA and industry stakeholders so that manufacturers of all sizes can continue to meet TSA’s technological needs and continue to innovate and address security vulnerabilities.

Mr. Speaker, I urge Members to support this legislation.

I want to thank Subcommittee Ranking Member BONNIE WATSON COLEMAN, Congressman KEATING, and Subcommittee Chairman JOHN KATKO for

being original cosponsors of this bipartisan legislation.

H.R. 1353 was unanimously approved by the full Committee on Homeland Security earlier this month. Enacting my bill will ensure that TSA's technology objectives are more closely aligned with the industry's stakeholders that produce technologies to help TSA meet those objectives.

Mr. Speaker, I thank the Chair for his support, and I yield back the balance of my time.

Mr. RUTHERFORD. Mr. Speaker, I first want to congratulate my colleague, Miss RICE, for what I think is a great bill that is going to bring some accountability to TSA.

Once again, I urge my colleagues to support this bill, and I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, as a senior member of the House Committee on Homeland Security I rise in support of H.R. 1353, the "Transparency in Technological Acquisitions Act."

This bipartisan bill requires the Transportation Security Administration (TSA) to provide more frequent and detailed updates on its strategy to invest in security technology.

The five-year investment plan includes information such as:

1. Transportation security risks and gaps that could be addressed by technology
2. Current and expected trends in domestic and international travel
3. Opportunities for public-private partnerships and collaboration with small and disadvantaged companies, other government agencies, university centers of excellence and national laboratories
4. Resources required to protect technology from cyber theft, diversion, sabotage or attack
5. Potential effects on commercial airline passengers.

This bill would require the updates to be submitted annually and to include information on acquisitions made during the previous fiscal year.

Requiring TSA to provide annual updates on the acquisition plan and to notify Congress and industry stakeholders about any changes to the plan which will provide much-needed clarity, certainty, and transparency.

In 2015, TSA screened more than 708 million passengers, which is more than 1.9 million per day.

Of the 2,653 firearms discovered in carry-on bags, 82.8 percent were loaded.

Houston George Bush Intercontinental Airport ranked 3rd among airports with the most firearms discovered in 2015.

This last January, Esteban Santiago shot and killed five people inside Fort Lauderdale airport using a firearm stored in his luggage.

Terrorism and cyberattacks are likely to remain a reality for the transportation industry for the foreseeable future.

It is absolutely critical that we invest in minimizing transportation safety security risks to keep our citizens safe.

I ask my colleagues to join me in supporting H.R. 1353.

The SPEAKER pro tempore (Mr. FITZPATRICK). The question is on the motion offered by the gentleman from Florida (Mr. RUTHERFORD) that the House suspend the rules and pass the bill, H.R. 1353.

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. RUTHERFORD. 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.

REDUCING DHS ACQUISITION COST GROWTH ACT

Mr. RUTHERFORD. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1294) to amend the Homeland Security Act of 2002 to provide for congressional notification regarding major acquisition program breaches, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1294

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Reducing DHS Acquisition Cost Growth Act".

SEC. 2. CONGRESSIONAL NOTIFICATION FOR MAJOR ACQUISITION PROGRAMS.

(a) IN GENERAL.—Subtitle D of title VIII of the Homeland Security Act of 2002 (6 U.S.C. 391 et seq.) is further amended by adding at the end the following new section:

"SEC. 836. CONGRESSIONAL NOTIFICATION AND OTHER REQUIREMENTS FOR MAJOR ACQUISITION PROGRAM BREACH.

"(a) REQUIREMENTS WITHIN DEPARTMENT IN EVENT OF BREACH.—

"(1) NOTIFICATIONS.—

"(A) NOTIFICATION OF BREACH.—If a breach occurs in a major acquisition program, the program manager for such program shall notify the Component Acquisition Executive for such program, the head of the component concerned, the Executive Director of the Program Accountability and Risk Management division, the Under Secretary for Management, and the Deputy Secretary not later than 30 calendar days after such breach is identified.

"(B) NOTIFICATION TO SECRETARY.—If a breach occurs in a major acquisition program and such breach results in a cost overrun greater than 15 percent, a schedule delay greater than 180 days, or a failure to meet any of the performance thresholds from the cost, schedule, or performance parameters specified in the most recently approved acquisition program baseline for such program, the Component Acquisition Executive for such program shall notify the Secretary and the Inspector General of the Department not later than five business days after the Component Acquisition Executive for such program, the head of the component concerned, the Executive Director of the Program Accountability and Risk Management Division, the Under Secretary for Management, and the Deputy Secretary are notified of the breach pursuant to subparagraph (A).

"(2) REMEDIATION PLAN AND ROOT CAUSE ANALYSIS.—

"(A) IN GENERAL.—If a breach occurs in a major acquisition program, the program manager for such program shall submit to the head of the component concerned, the Executive Director of the Program Accountability and Risk Management division, and the Under Secretary for Management in writing a remediation plan and root cause

analysis relating to such breach and program. Such plan and analysis shall be submitted at a date established at the discretion of the Under Secretary for Management.

"(B) REMEDIATION PLAN.—The remediation plan required under this subparagraph (A) shall—

"(i) explain the circumstances of the breach at issue;

"(ii) provide prior cost estimating information;

"(iii) include a root cause analysis that determines the underlying cause or causes of shortcomings in cost, schedule, or performance of the major acquisition program with respect to which such breach has occurred, including the role, if any, of—

"(I) unrealistic performance expectations;

"(II) unrealistic baseline estimates for cost or schedule or changes in program requirements;

"(III) immature technologies or excessive manufacturing or integration risk;

"(IV) unanticipated design, engineering, manufacturing, or technology integration issues arising during program performance;

"(V) changes to the scope of such program;

"(VI) inadequate program funding or changes in planned out-year funding from one 5-year funding plan to the next 5-year funding plan as outlined in the Future Years Homeland Security Program required under section 874;

"(VII) legislative, legal, or regulatory changes; or

"(VIII) inadequate program management personnel, including lack of sufficient number of staff, training, credentials, certifications, or use of best practices;

"(iv) propose corrective action to address cost growth, schedule delays, or performance issues;

"(v) explain the rationale for why a proposed corrective action is recommended; and

"(vi) in coordination with the Component Acquisition Executive for such program, discuss all options considered, including the estimated impact on cost, schedule, or performance of such program if no changes are made to current requirements, the estimated cost of such program if requirements are modified, and the extent to which funding from other programs will need to be reduced to cover the cost growth of such program.

"(3) REVIEW OF CORRECTIVE ACTIONS.—

"(A) IN GENERAL.—The Under Secretary for Management shall review the remediation plan required under paragraph (2). The Under Secretary may approve such plan or provide an alternative proposed corrective action within 30 days of the submission of such plan under such paragraph.

"(B) SUBMISSION TO CONGRESS.—Not later than 30 days after the review required under subparagraph (A) is completed, the Under Secretary for Management shall submit to the congressional homeland security committees the following:

"(i) A copy of the remediation plan and the root cause analysis required under paragraph (2).

"(ii) A statement describing the corrective action or actions that have occurred pursuant to paragraph (2)(b)(iv) for the major acquisition program at issue, with a justification for such action or actions.

"(b) REQUIREMENTS RELATING TO CONGRESSIONAL NOTIFICATION IF BREACH OCCURS.—

"(1) NOTIFICATION TO CONGRESS.—If a notification to the Secretary is made under subsection (a)(1)(B) relating to a breach in a major acquisition program, the Under Secretary for Management shall notify the congressional homeland security committees of such breach in the next quarterly Comprehensive Acquisition Status Report, as required by title I of division D of the Consolidated Appropriations Act, 2016, (Public Law