

Calendar No. 347118TH CONGRESS
2^D SESSION**S. 3613****[Report No. 118–160]**

To require Facility Security Committees to respond to security recommendations issued by the Federal Protective Service relating to facility security, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 18, 2024

Mr. PETERS (for himself and Mr. SCOTT of Florida) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

MARCH 14, 2024

Reported by Mr. PETERS, with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]**A BILL**

To require Facility Security Committees to respond to security recommendations issued by the Federal Protective Service relating to facility security, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Improving Federal
3 Building Security Act of 2024”.

4 **SEC. 2. RESPONDING TO SECURITY RECOMMENDATIONS.**

5 (a) **DEFINITIONS.**—In this section:

6 (1) **AGENCY.**—The term “agency” has the
7 meaning given the term in section 551 of title 5,
8 United States Code.

9 (2) **FACILITY SECURITY COMMITTEE.**—The
10 term “Facility Security Committee” means a com-
11 mittee that—

12 (A) consists of representatives of—

13 (i) all Federal tenants in a specific
14 non-military facility;

15 (ii) the security organization for the
16 facility; and

17 (iii) the owning or leasing Federal
18 tenant; and

19 (B) is responsible for addressing facility-
20 specific security issues and approving the imple-
21 mentation of security measures and practices in
22 the facility.

23 (3) **SECRETARY.**—The term “Secretary” means
24 the Secretary of Homeland Security.

25 (b) **RESPONSE.**—

1 (1) IN GENERAL.—Not later than 90 days after
2 the date on which the Federal Protective Service
3 issues a security recommendation to a Facility Secu-
4 rity Committee to improve facility security, the head
5 of the Facility Security Committee, or a designee
6 thereof, shall—

7 (A) respond to the Secretary indicating if
8 the Facility Security Committee intends to
9 adopt or reject the recommendation; and

10 (B) if the Facility Security Committee in-
11 tends to reject the recommendation, provide the
12 Secretary a justification for accepting the risk
13 posed by rejecting the recommendation.

14 (2) METHOD.—The Secretary shall—

15 (A) develop a method to monitor the rec-
16 ommendations and responses described in para-
17 graph (1); and

18 (B) take reasonable action to ensure Facil-
19 ity Security Committee response under para-
20 graph (1).

21 (c) ANNUAL REPORT.—Not later than 270 days after
22 the date of enactment of this Act, and annually thereafter,
23 the Secretary shall submit to the Committee on Homeland
24 Security and Governmental Affairs of the Senate and the
25 Committee on Homeland Security and the Committee on

1 Transportation and Infrastructure of the House of Rep-
2 resentatives a report that—

3 (1) for the fiscal year preceding the report, in-
4 dicates—

5 (A) each security recommendation issued
6 by the Federal Protective Service to a Facility
7 Security Committee to improve facility security;

8 (B) whether the Facility Security Com-
9 mittee accepted or rejected the recommenda-
10 tion;

11 (C) whether the Facility Security Com-
12 mittee failed to respond to the recommendation
13 or failed to respond to the recommendation in
14 a timely manner;

15 (D) whether, by some means, the Facility
16 Security Committee mitigated the risk posed by
17 rejecting the recommendation; and

18 (E) whether the Facility Security Com-
19 mittee formally accepted the risk;

20 (2) includes, if a Facility Security Committee
21 rejected a recommendation described in paragraph
22 (1)(A), the justification described in subsection
23 (b)(1)(B); and

24 (3) provides analysis for each Facility Security
25 Committee, if any, that failed to respond to a rec-

1 ommendation described in paragraph (1)(A), includ-
 2 ing any recommended actions to improve compliance
 3 with the response requirements under subsection
 4 (b)(1).

5 **SECTION 1. SHORT TITLE.**

6 *This Act may be cited as the “Improving Federal*
 7 *Building Security Act of 2024”.*

8 **SEC. 2. RESPONDING TO SECURITY RECOMMENDATIONS.**

9 (a) *DEFINITIONS.—In this section:*

10 (1) *AGENCY.—The term “agency” has the mean-*
 11 *ing given the term in section 551 of title 5, United*
 12 *States Code.*

13 (2) *FACILITY SECURITY COMMITTEE.—The term*
 14 *“Facility Security Committee” means a committee*
 15 *that—*

16 (A) *consists of representatives of—*

17 (i) *all Federal tenants in a specific*
 18 *non-military facility;*

19 (ii) *the security organization for the*
 20 *facility; and*

21 (iii) *the owning or leasing Federal ten-*
 22 *ant; and*

23 (B) *is responsible for addressing facility-*
 24 *specific security issues and approving the imple-*

1 *mentation of security measures and practices in*
2 *the facility.*

3 (3) *SECRETARY.*—*The term “Secretary” means*
4 *the Secretary of Homeland Security.*

5 (b) *RESPONSE.*—

6 (1) *IN GENERAL.*—*Not later than 90 days after*
7 *the date on which the Federal Protective Service*
8 *issues a security recommendation to a Facility Secu-*
9 *urity Committee to improve facility security, the head*
10 *of the Facility Security Committee, or a designee*
11 *thereof, shall—*

12 (A) *respond to the Secretary—*

13 (i) *indicating if the Facility Security*
14 *Committee intends to adopt or reject the*
15 *recommendation; and*

16 (ii) *describing the financial implica-*
17 *tions of adopting or rejecting the rec-*
18 *ommendation, including if the benefits out-*
19 *weigh the costs; and*

20 (B) *if the Facility Security Committee in-*
21 *tends to reject the recommendation, provide the*
22 *Secretary a justification for accepting the risk*
23 *posed by rejecting the recommendation.*

24 (2) *METHOD.*—*The Secretary shall—*

1 (A) develop a method to monitor the rec-
2 ommendations and responses described in para-
3 graph (1); and

4 (B) take reasonable action to ensure Facil-
5 ity Security Committee responsiveness under
6 paragraph (1).

7 (c) ANNUAL REPORT.—

8 (1) IN GENERAL.—Not later than 270 days after
9 the date of enactment of this Act, and annually there-
10 after, the Secretary shall submit to the Committee on
11 Homeland Security and Governmental Affairs of the
12 Senate and the Committee on Homeland Security and
13 the Committee on Transportation and Infrastructure
14 of the House of Representatives a report that, for the
15 fiscal year preceding the report, includes—

16 (A) a summary of the security recommenda-
17 tions issued by the Federal Protective Service to
18 Facility Security Committees to improve facility
19 security;

20 (B) the percentage of recommendations de-
21 scribed in subparagraph (A) that were accepted
22 and the percentage of such recommendations that
23 were rejected;

24 (C) the percentage of Facility Security
25 Committees that failed to respond to a rec-

1 *ommendation described in subparagraph (A) in*
2 *a timely manner;*

3 *(D) a summary of justifications provided*
4 *by Facility Security Committees if a Facility*
5 *Security Committee rejected a recommendation*
6 *described in subparagraph (A);*

7 *(E) a summary of the financial implica-*
8 *tions of Facility Security Committee responses to*
9 *recommendations described in subparagraph (A),*
10 *including if the benefits outweigh the costs;*

11 *(F) an analysis of steps taken by Facility*
12 *Security Committees to mitigate the risk posed*
13 *by rejecting a recommendation described in sub-*
14 *paragraph (A); and*

15 *(G) an analysis of any trends found among*
16 *the findings in the report.*

17 (2) *FORM.—Each report required under para-*
18 *graph (1) shall be submitted in unclassified form, but*
19 *may include a classified annex.*

20 (3) *BRIEFING.—The Secretary shall brief the*
21 *Committee on Homeland Security and Governmental*
22 *Affairs of the Senate and the Committee on Home-*
23 *land Security and the Committee on Transportation*
24 *and Infrastructure of the House of Representatives on*

1 *an annual basis on the findings of the most recently*
2 *submitted report under paragraph (1).*

3 *(d) REPORT ON SURVEILLANCE TECHNOLOGY.—Not*
4 *later than 180 days after the date of enactment of this Act,*
5 *the Secretary shall submit to the Committee on Homeland*
6 *Security and Governmental Affairs of the Senate and the*
7 *Committee on Homeland Security and the Committee on*
8 *Transportation and Infrastructure of the House of Rep-*
9 *resentatives an unredacted report on—*

10 *(1) all surveillance technology recommended by*
11 *the Federal Protective Service; and*

12 *(2) any intended use of the technology described*
13 *in paragraph (1).*

14 *(e) NO ADDITIONAL FUNDS.—No additional funds are*
15 *authorized to be appropriated for the purpose of carrying*
16 *out this Act.*

17 *(f) SUNSET AND REPORT.—*

18 *(1) SUNSET.—This Act shall cease to be effective*
19 *on the date that is 5 years after the date of enactment*
20 *of this Act.*

21 *(2) GAO REPORT.—Not later than 5 years after*
22 *the date of enactment of this Act, the Comptroller*
23 *General of the United States shall submit to Congress*
24 *a report on the effectiveness of this Act.*

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