

(1) Information on how existing Administration solicitation, testing, evaluation, piloting, acquisition, and procurement processes impact the Administrator's ability to acquire from the security technology industry marketplace, including small business innovators that have not previously provided technology to the Administration, innovative technologies or capabilities with the potential to enhance transportation security.

(2) Specific actions that the Administrator will take, including modifications to the processes described in paragraph (1), to foster diversification within the security technology industry marketplace.

(3) Projected timelines for implementing the actions described in paragraph (2).

(4) Plans for how the Administrator could, to the extent practicable, assist a small business innovator periodically during such processes, including when such an innovator lacks adequate resources to participate in such processes, to facilitate an advanced transportation security technology or capability being developed and acquired by the Administrator.

(5) An assessment of the feasibility of partnering with an organization described in section 501(c)(3) of title 26 and exempt from tax under section 501(a) of title 26 to provide venture capital to businesses, particularly small business innovators, for commercialization of innovative transportation security technologies that are expected to be ready for commercialization in the near term and within 36 months.

(c) Feasibility assessment

In conducting the feasibility assessment under subsection (b)(5), the Administrator shall consider the following:

(1) Establishing an organization described in section 501(c)(3) of title 26 and exempt from tax under section 501(a) of title 26 as a venture capital partnership between the private sector and the intelligence community to help businesses, particularly small business innovators, commercialize innovative security-related technologies.

(2) Enhanced engagement through the Science and Technology Directorate of the Department of Homeland Security.

(d) Rule of construction

Nothing in this section may be construed as requiring changes to the Transportation Security Administration standards for security technology.

(e) Definitions

In this section:

(1) Intelligence community

The term “intelligence community” has the meaning given the term in section 3003 of title 50.

(2) Small business concern

The term “small business concern” has the meaning described under section 632 of title 15.

(3) Small business innovator

The term “small business innovator” means a small business concern that has an advanced

transportation security technology or capability.

(Pub. L. 107-296, title XVI, §1617, as added Pub. L. 115-254, div. K, title I, §1913(a), Oct. 5, 2018, 132 Stat. 3554.)

PART C—MAINTENANCE OF SECURITY-RELATED TECHNOLOGY

§ 565. Maintenance validation and oversight

(a) In general

Not later than 180 days after October 5, 2018, the Administrator shall develop and implement a preventive maintenance validation process for security-related technology deployed to airports.

(b) Maintenance by Administration personnel at airports

For maintenance to be carried out by Administration personnel at airports, the process referred to in subsection (a) shall include the following:

(1) Guidance to Administration personnel at airports specifying how to conduct and document preventive maintenance actions.

(2) Mechanisms for the Administrator to verify compliance with the guidance issued pursuant to paragraph (1).

(c) Maintenance by contractors at airports

For maintenance to be carried by a contractor at airports, the process referred to in subsection (a) shall require the following:

(1) Provision of monthly preventative maintenance schedules to appropriate Administration personnel at each airport that includes information on each action to be completed by contractor.¹

(2) Notification to appropriate Administration personnel at each airport when maintenance action is completed by a contractor.

(3) A process for independent validation by a third party of contractor maintenance.

(d) Penalties for noncompliance

The Administrator shall require maintenance for any contracts entered into 60 days after October 5, 2018, or later for security-related technology deployed to airports to include penalties for noncompliance when it is determined that either preventive or corrective maintenance has not been completed according to contractual requirements and manufacturers' specifications.

(Pub. L. 107-296, title XVI, §1621, as added Pub. L. 115-254, div. K, title I, §1918(a), Oct. 5, 2018, 132 Stat. 3558.)

SUBCHAPTER XIII—EMERGENCY COMMUNICATIONS

Editorial Notes

CODIFICATION

This subchapter is comprised of title XVIII of Pub. L. 107-296, as added by Pub. L. 109-295, title VI, §671(b), Oct. 4, 2006, 120 Stat. 1433. Another title XVIII of Pub. L. 107-296 was renumbered title XIX and is classified to subchapter XIV (§591 et seq.) of this chapter.

¹ So in original. Probably should be preceded by “a”.