

114TH CONGRESS  
1ST SESSION

# H. R. 3584

To authorize, streamline, and identify efficiencies within the Transportation Security Administration, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 22, 2015

Mr. KATKO (for himself and Mr. MCCAUL) introduced the following bill; which was referred to the Committee on Homeland Security

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## A BILL

To authorize, streamline, and identify efficiencies within the Transportation Security Administration, 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,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the  
5 “Transportation Security Administration Reform and Im-  
6 provement Act of 2015”.

7 (b) TABLE OF CONTENTS.—The table of contents for  
8 this Act is as follows:

Sec. 1. Short title; Table of contents.

Sec. 2. Definitions.

## TITLE I—AVIATION SECURITY

- Sec. 101. TSA PreCheck.
- Sec. 102. PreCheck and general passenger biometric identification.
- Sec. 103. Limitation; PreCheck operations maintained; Alternate methods.
- Sec. 104. Secure Flight program.
- Sec. 105. Efficiency review by TSA.
- Sec. 106. Donation of screening equipment to protect the United States.
- Sec. 107. Review of sustained security directives.
- Sec. 108. Maintenance of security-related technology.
- Sec. 109. Vetting of aviation workers.
- Sec. 110. Aviation Security Advisory Committee consultation.
- Sec. 111. Private contractor canine evaluation and integration pilot program.

## TITLE II—SURFACE TRANSPORTATION SECURITY

- Sec. 201. Surface Transportation Inspectors.
- Sec. 202. Inspector General audit; TSA Office of Inspection workforce certification.
- Sec. 203. Repeal of biennial reporting requirement for the Government Accountability Office relating to the Transportation Security Information Sharing Plan.
- Sec. 204. Security training for frontline transportation workers.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

3 (1) **ADMINISTRATION; TSA.**—The terms “Ad-  
 4 ministration” and “TSA” mean the Transportation  
 5 Security Administration.

6 (2) **ADMINISTRATOR.**—The term “Adminis-  
 7 trator” means the Administrator of the Transpor-  
 8 tation Security Administration.

9 (3) **INTELLIGENCE COMMUNITY.**—The term  
 10 “intelligence community” has the meaning given  
 11 such term in section 3(4) of the National Security  
 12 Act of 1947 (50 U.S.C. 3003(4)).

13 (4) **DEPARTMENT.**—The term “Department”  
 14 means the Department of Homeland Security.

1           (5) SECURE FLIGHT.—The term “Secure  
2       Flight” means the Administration’s watchlist match-  
3       ing program.

## 4       **TITLE I—AVIATION SECURITY**

### 5       **SEC. 101. TSA PRECHECK.**

6       (a) TSA PRECHECK.—Not later than 90 days after  
7       the date of the enactment of this Act, the Administrator  
8       shall—

9           (1) ensure that all screening of passengers and  
10       their accessible property shall be conducted in a  
11       risk-based, intelligence-driven manner with consider-  
12       ation given to the privacy and civil liberties of such  
13       passengers; and

14          (2) operate a trusted passenger screening pro-  
15       gram known as “TSA PreCheck” that provides ex-  
16       pedited screening for low-risk passengers and their  
17       accessible property based on a comprehensive and  
18       continuous analysis of factors specified in subsection

19       (b).

20       (b) FACTORS.—Factors referred to in subsection  
21       (a)(2) shall include the following:

22           (1) Whether passengers described in such sub-  
23       section are members of other trusted traveler pro-  
24       grams of the Department.

1           (2) Whether such passengers are traveling pur-  
2           suant to subsection (m) of section 44903 of title 49,  
3           United States Code (as established under the Risk-  
4           Based Security for Members of the Armed Forces  
5           Act (Public Law 112–86)), section 44927 of such  
6           title (as established under the Helping Heroes Fly  
7           Act (Public Law 113–27)), or section 44928 of such  
8           title (as established under the Honor Flight Act  
9           (Public Law 113–221)).

10           (3) Whether such passengers possess an active  
11           security clearance or other credential issued by the  
12           Federal Government for which TSA has conducted  
13           a written threat assessment and determined that  
14           such passengers present a low risk to transportation  
15           or national security.

16           (4) Whether such passengers are members of a  
17           population for whom TSA has conducted a written  
18           security threat assessment, determined that such  
19           population poses a low risk to transportation or na-  
20           tional security, and has issued such passengers a  
21           known traveler number.

22           (5) The ability of the Administration to verify  
23           such passengers' identity and whether such pas-  
24           sengers pose a risk to aviation security.

1           (6) Threats to transportation or national secu-  
2           rity as identified by the intelligence community and  
3           law enforcement community.

4           (c) ENROLLMENT EXPANSION.—

5           (1) IN GENERAL.—Not later than 90 days after  
6           the date of the enactment of this Act, the Adminis-  
7           trator shall publish PreCheck application enrollment  
8           standards to add multiple private sector application  
9           capabilities for the TSA PreCheck program to in-  
10          crease the public’s enrollment access to such pro-  
11          gram, including standards that allow the use of se-  
12          cure technologies, including online enrollment, ki-  
13          osks, tablets, or staffed computer stations at which  
14          individuals can apply for entry into such program.

15          (2) REQUIREMENTS.—Upon publication of the  
16          PreCheck program application enrollment standards  
17          pursuant to paragraph (1), the Administrator  
18          shall—

19                (A) coordinate with interested parties to  
20                deploy TSA-approved ready-to-market private  
21                sector solutions that meet the TSA PreCheck  
22                application enrollment standards described in  
23                paragraph (1), make available additional  
24                PreCheck enrollment capabilities, and offer se-

1           cure online and mobile enrollment opportuni-  
2           ties;

3           (B) partner with the private sector to col-  
4           lect biographic and biometric identification in-  
5           formation via kiosks, mobile devices, or other  
6           mobile enrollment platforms to reduce the num-  
7           ber of instances in which passengers need to  
8           travel to enrollment centers;

9           (C) ensure that the kiosks, mobile devices,  
10          or other mobile enrollment platforms referred to  
11          in subparagraph (E) are secure and not vulner-  
12          able to data breaches;

13          (D) ensure that any biometric and bio-  
14          graphic information is collected in a manner  
15          which is comparable with the National Institute  
16          of Standards and Technology standards and en-  
17          sures privacy and data security protections, in-  
18          cluding that applicants' personally identifiable  
19          information is collected, retained, used, and  
20          shared in a manner consistent with section  
21          552a of title 5, United States Code (commonly  
22          known as the "Privacy Act of 1974"), and  
23          agency regulations;

24          (E) ensure that an individual who wants to  
25          enroll in the PreCheck program and has started

1 an application with a single identification  
2 verification at one location will be able to save  
3 such individual's application on any kiosk, per-  
4 sonal computer, mobile device, or other mobile  
5 enrollment platform and be able to return with-  
6 in a reasonable time to submit a second identi-  
7 fication verification; and

8 (F) ensure that any enrollment expansion  
9 using a private sector risk assessment instead  
10 of a fingerprint-based criminal history records  
11 check is determined, by the Secretary of Home-  
12 land Security, to be equivalent to a fingerprint-  
13 based criminal history records check conducted  
14 through the Federal Bureau of Investigation.

15 (3) **MARKETING OF PRECHECK PROGRAM.**—

16 Upon publication of PreCheck program application  
17 enrollment standards pursuant to paragraph (1), the  
18 Administrator shall—

19 (A) in accordance with such standards, de-  
20 velop and implement—

21 (i) a process, including an associated  
22 timeframe, for approving private sector  
23 marketing of the TSA PreCheck program;  
24 and

1                   (ii) a strategy for partnering with the  
2                   private sector to encourage enrollment in  
3                   such program; and

4                   (B) submit to Congress a report on any  
5                   PreCheck fees collected in excess of the costs of  
6                   administering such program, including rec-  
7                   ommendations for using such amounts to sup-  
8                   port marketing of such program under this sub-  
9                   section.

10                  (4) IDENTITY VERIFICATION ENHANCEMENT.—

11                  Not later than 90 days after the date of the enact-  
12                  ment of this Act, the Administrator shall—

13                         (A) coordinate with the heads of appro-  
14                         priate components of the Department to lever-  
15                         age Department-held data and technologies to  
16                         verify the citizenship of individuals enrolling in  
17                         the TSA PreCheck program; and

18                         (B) partner with the private sector to use  
19                         advanced biometrics and standards comparable  
20                         with National Institute of Standards and Tech-  
21                         nology standards to facilitate enrollment in  
22                         such program.

23                  (5) PRECHECK LANE OPERATION.—The Admin-  
24                  istrator shall—



1 (A) ensure that TSA PreCheck screening  
2 lanes are open and available during peak and  
3 high-volume travel times at airports to individ-  
4 uals enrolled in the PreCheck program; and

5 (B) make every practicable effort to pro-  
6 vide expedited screening at standard screening  
7 lanes during times when PreCheck screening  
8 lanes are closed to individuals enrolled in such  
9 program in order to maintain operational effi-  
10 ciency.

11 (6) VETTING FOR PRECHECK PARTICIPANTS.—  
12 Not later than 90 days after the date of the enact-  
13 ment of this Act, the Administrator shall initiate an  
14 assessment of the security vulnerabilities in the vet-  
15 ting process for the PreCheck program that includes  
16 an evaluation of whether subjecting PreCheck par-  
17 ticipants to recurrent fingerprint-based criminal his-  
18 tory records checks, in addition to recurrent checks  
19 against the terrorist watchlist, could be done in a  
20 cost-effective manner to strengthen the security of  
21 the PreCheck program.

22 **SEC. 102. PRECHECK AND GENERAL PASSENGER BIOMET-**  
23 **RIC IDENTIFICATION.**

24 (a) IN GENERAL.—Not later than one year after the  
25 date of enactment of this Act, the Administrator shall con-

1 duct a pilot project to establish a secure, automated, bio-  
2 metric-based system at airports to verify the identity of  
3 passengers who are members of TSA PreCheck. Such sys-  
4 tem shall—

5 (1) reduce the need for security screening per-  
6 sonnel to perform travel document verification for  
7 individuals enrolled in TSA PreCheck;

8 (2) reduce the average wait time of individuals  
9 enrolled in TSA PreCheck;

10 (3) reduce overall operating expenses of the Ad-  
11 ministration;

12 (4) be integrated with the Administration's  
13 watch list and trusted traveler matching program;

14 (5) be integrated with other checkpoint tech-  
15 nologies to further facilitate risk-based passenger  
16 screening at the checkpoint, to the extent practicable  
17 and consistent with security standards; and

18 (6) consider capabilities and policies of U.S.  
19 Customs and Border Protection's Global Entry Pro-  
20 gram, as appropriate.

21 (b) ESTABLISHMENT OF SCREENING SYSTEM FOR  
22 CERTAIN PASSENGERS.—Section 44901 of title 49,  
23 United States Code is amended—

24 (1) by redesignating subsections (c) through (l)  
25 as subsections (d) through (m), respectively; and

1           (2) by inserting after subsection (b) the fol-  
2           lowing new subsection:

3           “(c) ESTABLISHMENT OF SCREENING SYSTEM FOR  
4 CERTAIN PASSENGERS.—Not later than December 31,  
5 2017, in accordance with the requirements of the Trans-  
6 portation Security Administration Reform and Improve-  
7 ment Act of 2015, the Administrator of the Transpor-  
8 tation Security Administration shall establish a secure,  
9 automated system at all large hub airports for verifying  
10 travel and identity documents of passengers who are not  
11 members of the Administration’s risk-based aviation pas-  
12 senger screening program, known as ‘TSA PreCheck’.  
13 Such system shall—

14           “(1) assess the need for security screening per-  
15           sonnel to perform travel document verification for  
16           such passengers, thereby reducing the overall num-  
17           ber of such screening personnel;

18           “(2) assess the average wait time of such pas-  
19           sengers;

20           “(3) assess overall operating expenses of the  
21           Administration;

22           “(4) be integrated with the Administration’s  
23           watch list matching program; and

24           “(5) be integrated with other checkpoint tech-  
25           nologies to further facilitate risk-based passenger

1 screening at the checkpoint, to the extent practicable  
2 and consistent with security standards.”.

3 **SEC. 103. LIMITATION; PRECHECK OPERATIONS MAIN-**  
4 **TAINED; ALTERNATE METHODS.**

5 (a) IN GENERAL.—Except as provided in subsection  
6 (c), not later than 180 days after the date of the enact-  
7 ment of this Act, the Administrator shall direct that access  
8 to expedited airport security screening at an airport secu-  
9 rity checkpoint be limited to only the following:

10 (1) A passenger who voluntarily submits bio-  
11 graphic and biometric information for a security risk  
12 assessment and whose application for the PreCheck  
13 program has been approved, or a passenger who is  
14 a participant in another trusted or registered trav-  
15 eler program of the Department.

16 (2) A passenger traveling pursuant to section  
17 44903 of title 49, United States Code (as estab-  
18 lished under the Risk-Based Security for Members  
19 of the Armed Forces Act (Public Law 112–86)), sec-  
20 tion 44927 of such title (as established under the  
21 Helping Heroes Fly Act (Public Law 113–27)), or  
22 section 44928 of such title (as established under the  
23 Honor Flight Act (Public Law 113–221)).

24 (3) A passenger who did not voluntarily submit  
25 biographic and biometric information for a security

1 risk assessment but is a member of a population  
2 designated by the Administrator as known and low-  
3 risk and who may be issued a unique, known trav-  
4 eler number by the Administrator determining that  
5 such passenger is a member of a category of trav-  
6 elers designated by the Administrator as known and  
7 low-risk.

8 (b) PRECHECK OPERATIONS MAINTAINED.—In car-  
9 rying out subsection (a), the Administrator shall ensure  
10 that expedited airport security screening remains available  
11 to passengers at or above the level that exists on the day  
12 before the date of the enactment of this Act.

13 (c) FREQUENT FLIERS.—If the Administrator deter-  
14 mines that such is appropriate, the date specified in sub-  
15 section (a) may be extended by up to one year to imple-  
16 ment such subsection with respect to the population of  
17 passengers who did not voluntarily submit biographic and  
18 biometric information for security risk assessments but  
19 who nevertheless receive expedited airport security screen-  
20 ing because such passengers are designated as frequent  
21 fliers by air carriers. If the Administrator uses the author-  
22 ity provided by this subsection, the Administrator shall no-  
23 tify the Committee on Homeland Security of the House  
24 of Representatives and the Committee on Homeland Secu-  
25 rity and Governmental Affairs and the Committee on

1 Commerce, Science, and Transportation of the Senate of  
2 such phased-in implementation.

3 (d) ALTERNATE METHODS.—The Administrator may  
4 provide access to expedited airport security screening to  
5 additional passengers pursuant to an alternate method  
6 upon the submission to the Committee on Homeland Secu-  
7 rity of the House of Representatives and the Committee  
8 on Commerce, Science, and Transportation of the Senate  
9 of an independent assessment of the security effectiveness  
10 of such alternate method that is conducted by an inde-  
11 pendent entity that determines that such alternate method  
12 is designed to—

13 (1) reliably and effectively identify passengers  
14 who likely pose a low risk to the United States avia-  
15 tion system;

16 (2) mitigate the likelihood that a passenger who  
17 may pose a security threat to the United States  
18 aviation system is selected for expedited security  
19 screening; and

20 (3) address known and evolving security risks  
21 to the United States aviation system.

22 (e) INFORMATION SHARING.—The Administrator  
23 shall provide to the entity conducting the independent as-  
24 sessment under subsection (d) effectiveness testing results  
25 that are consistent with established evaluation design

1 practices, as identified by the Comptroller General of the  
2 United States.

3 (f) REPORTING.—Not later than three months after  
4 the date of the enactment of this Act and annually there-  
5 after, the Administrator shall report to the Committee on  
6 Homeland Security of the House of Representatives and  
7 the Committee on Commerce, Science, and Transportation  
8 of the Senate on the percentage of all passengers who are  
9 provided expedited security screening, and of such pas-  
10 sengers so provided, the percentage who are participants  
11 in the PreCheck program (who have voluntarily submitted  
12 biographic and biometric information for security risk as-  
13 sessments), the percentage who are participants in an-  
14 other trusted traveler program of the Department, the  
15 percentage who are participants in the PreCheck program  
16 due to the Administrator’s issuance of known traveler  
17 numbers, and for the remaining percentage of passengers  
18 granted access to expedited security screening in  
19 PreCheck security lanes, information on the percentages  
20 attributable to each alternative method utilized by the Ad-  
21 ministration to direct passengers to expedited airport se-  
22 curity screening at PreCheck security lanes.

23 (g) RULE OF CONSTRUCTION.—Nothing in this sec-  
24 tion may be construed to—

1           (1) authorize or direct the Administrator to re-  
2           duce or limit the availability of expedited security  
3           screening at an airport; or

4           (2) limit the authority of the Administrator to  
5           use technologies and systems, including passenger  
6           screening canines and explosives trace detection, as  
7           a part of security screening operations.

8   **SEC. 104. SECURE FLIGHT PROGRAM.**

9           Not later than 90 days after the date of the enact-  
10          ment of this Act, the Administrator shall—

11           (1) develop a process for regularly evaluating  
12           the root causes of screening errors at checkpoints  
13           across airports so that corrective measures are able  
14           to be identified;

15           (2) implement such corrective measures to ad-  
16           dress the root causes of such screening errors occur-  
17           ring at the checkpoint;

18           (3) develop additional measures to address key  
19           performance aspects related to the Secure Flight  
20           program goals and ensure that such measures clear-  
21           ly identify activities necessary to achieve progress to-  
22           wards such goals;

23           (4) develop a mechanism to systematically docu-  
24           ment the number and causes of Secure Flight pro-  
25           gram matching errors for the purpose of improving



1 program performance and provide program man-  
2 agers with timely and reliable information;

3 (5) provide job-specific privacy refresher train-  
4 ing for Secure Flight program staff to further pro-  
5 tect personally identifiable information in the Secure  
6 Flight system program; and

7 (6) develop a mechanism to comprehensively  
8 document and track key Secure Flight program pri-  
9 vacy issues and decisions to ensure the Secure  
10 Flight program has complete information for effec-  
11 tive oversight of its privacy controls.

12 **SEC. 105. EFFICIENCY REVIEW BY TSA.**

13 (a) REVIEW REQUIRED.—Not later than 270 days  
14 after the date of the enactment of this Act, the Adminis-  
15 trator shall conduct and complete a comprehensive, agen-  
16 cy-wide efficiency review of the Administration to identify  
17 spending reductions and administrative savings through  
18 the streamlining and any necessary restructuring of agen-  
19 cy divisions to make the Administration more efficient. In  
20 carrying out the review under this section, the Adminis-  
21 trator shall consider each of the following:

22 (1) The elimination of any duplicative or over-  
23 lapping programs and initiatives that can be stream-  
24 lined.

1           (2) The elimination of any unnecessary or obso-  
2           lete rules, regulations, directives, or procedures.

3           (3) Any other matters the Administrator deter-  
4           mines are appropriate.

5           (b) REPORT TO CONGRESS.—Not later than 30 days  
6 after the completion of the efficiency review required  
7 under subsection (a), the Administrator shall submit to  
8 the Committee on Homeland Security of the House of  
9 Representatives and the Committee on Homeland Security  
10 and Governmental Affairs and the Committee on Com-  
11 merce, Science, and Transportation of the Senate a report  
12 that specifies the results and cost savings expected to be  
13 achieved through such efficiency review.

14 **SEC. 106. DONATION OF SCREENING EQUIPMENT TO PRO-**  
15 **TECT THE UNITED STATES.**

16           (a) IN GENERAL.—The Administrator is authorized  
17 to donate security screening equipment to a foreign last-  
18 point-of-departure airport operator if such equipment can  
19 be reasonably expected to mitigate a specific vulnerability  
20 to the security of the United States or United States citi-  
21 zens.

22           (b) REPORT TO CONGRESS.—Not later than 30 days  
23 before any donation of equipment under this section, the  
24 Administrator shall provide to the Committee on Home-  
25 land Security of the House of Representatives and the

1 Committee on Homeland Security and Governmental Af-  
2 fairs and the Committee on Commerce, Science, and  
3 Transportation of the Senate a detailed written expla-  
4 nation of—

5 (1) the specific vulnerability to the United  
6 States that will be mitigated with such donation;

7 (2) an explanation as to why the recipient is  
8 unable or unwilling to purchase equipment to miti-  
9 gate such threat;

10 (3) an evacuation plan for sensitive technologies  
11 in case of emergency or instability in the country to  
12 which such donation is being made;

13 (4) how the Administration will ensure the  
14 equipment that is being donated is used and main-  
15 tained over the course of its life by the recipient;  
16 and

17 (5) the total dollar value of such donation.

18 **SEC. 107. REVIEW OF SUSTAINED SECURITY DIRECTIVES.**

19 (a) IN GENERAL.—Not later than 90 days after the  
20 date of the enactment of this Act and annually thereafter,  
21 for any security directive that has been in effect for longer  
22 than one year, the Administrator shall review the necessity  
23 of such directives, from a risk-based perspective.

24 (b) BRIEFING TO CONGRESS.—Upon completion of  
25 each review pursuant to subsection (a), the Administrator

1 shall brief the Committee on Homeland Security of the  
2 House of Representatives and the Committee on Home-  
3 land Security and Governmental Affairs and the Com-  
4 mittee on Commerce, Science, and Transportation of the  
5 Senate on—

6 (1) any changes being made to existing security  
7 directives as a result of each such review;

8 (2) the specific threat that is being mitigated  
9 by any such directive that will remain in effect; and

10 (3) the planned disposition of any such direc-  
11 tive.

12 **SEC. 108. MAINTENANCE OF SECURITY-RELATED TECH-**  
13 **NOLOGY.**

14 (a) IN GENERAL.—Title XVI of the Homeland Secu-  
15 rity Act of 2002 (6 U.S.C. 561 et seq.) is amended by  
16 adding at the end the following:

17 **“Subtitle C—Maintenance of**  
18 **Security-Related Technology**

19 **“SEC. 1621. MAINTENANCE VALIDATION AND OVERSIGHT.**

20 “(a) IN GENERAL.—Not later than 180 days after  
21 the date of the enactment of this subtitle, the Adminis-  
22 trator shall develop and implement a preventive mainte-  
23 nance validation process for security-related technology  
24 deployed to airports.

1       “(b) MAINTENANCE BY ADMINISTRATION PER-  
2 SONNEL AT AIRPORTS.—For maintenance to be carried  
3 out by Administration personnel at airports, the process  
4 referred to in subsection (a) shall include the following:

5           “(1) Guidance to Administration personnel,  
6 equipment maintenance technicians, and other per-  
7 sonnel at airports specifying how to conduct and  
8 document preventive maintenance actions.

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

12       “(c) MAINTENANCE BY CONTRACTORS AT AIR-  
13 PORTS.—For maintenance to be carried out by a con-  
14 tractor at airports, the process referred to in subsection  
15 (a) shall require the following:

16           “(1) Provision of monthly preventive mainte-  
17 nance schedules to appropriate Administration per-  
18 sonnel at each airport that includes information on  
19 each action to be completed by a contractor.

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

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

1       “(d) PENALTIES FOR NONCOMPLIANCE.—The Ad-  
2       ministrators shall require maintenance contracts for secu-  
3       rity-related technology deployed to airports to include pen-  
4       alties for noncompliance when it is determined that either  
5       preventive or corrective maintenance has not been com-  
6       pleted according to contractual requirements and manu-  
7       facturers’ specifications.”.

8       (b) INSPECTOR GENERAL ASSESSMENT.—Not later  
9       than one year after the date of the enactment of this Act,  
10      the Inspector General of the Department of Homeland Se-  
11      curity shall assess implementation of the requirements  
12      under section 1621 of the Homeland Security Act of 2002  
13      (as added by subsection (a) of this section), and provide  
14      findings and recommendations with respect to the provi-  
15      sion of training to Administration personnel, equipment  
16      maintenance technicians, and other personnel under such  
17      section 1621 and the availability and utilization of equip-  
18      ment maintenance technicians employed by the Adminis-  
19      tration.

20      (c) CLERICAL AMENDMENT.—The table of contents  
21      of the Homeland Security Act of 2002 is amended by in-  
22      serting after the item relating to section 1616 the fol-  
23      lowing:

“Subtitle C—Maintenance of Security-Related Technology

“Sec. 1621. Maintenance validation and oversight.”.

1 **SEC. 109. VETTING OF AVIATION WORKERS.**

2 (a) IN GENERAL.—Subtitle A of title XVI of the  
3 Homeland Security Act of 2002 (6 U.S.C. 561 et seq.)  
4 is amended by adding after section 1601 the following new  
5 section:

6 **“SEC. 1602. VETTING OF AVIATION WORKERS.**

7 “(a) IN GENERAL.—By not later than December 31,  
8 2015, the Administrator, in coordination with the Assist-  
9 ant Secretary for Policy of the Department, shall request  
10 from the Director of National Intelligence access to addi-  
11 tional data from the Terrorist Identities Datamart Envi-  
12 ronment (TIDE) data and any or other terrorism-related  
13 information to improve the effectiveness of the Adminis-  
14 tration’s credential vetting program for individuals with  
15 unescorted access to sensitive areas of airports.

16 “(b) SECURITY INSPECTION.—By not later than De-  
17 cember 31, 2015, the Administrator shall issue guidance  
18 for Transportation Security Inspectors to annually review  
19 airport badging office procedures for applicants seeking  
20 access to sensitive areas of airports. Such guidance shall  
21 include a comprehensive review of applicants’ Criminal  
22 History Records Check (CHRC) and work authorization  
23 documentation during the course of an inspection.

24 “(c) INFORMATION SHARING.—By not later than De-  
25 cember 31, 2015, the Administrator may conduct a pilot  
26 program of the Rap Back Service, in coordination with

1 the Director of the Federal Bureau of Investigation, to  
2 determine the feasibility of full implementation of a service  
3 through which the Administrator would be notified of a  
4 change in status of an individual holding a valid credential  
5 granting unescorted access to sensitive areas of airports  
6 across eligible Administration-regulated populations.

7       “(d) PROCEDURES.—The pilot program under sub-  
8 section (c) shall evaluate whether information can be nar-  
9 rowly tailored to ensure that the Administrator only re-  
10 ceives notification of a change with respect to a disquali-  
11 fying offense under the credential vetting program under  
12 subsection (a), as specified in 49 CFR 1542.209, and in  
13 a manner that complies with current regulations for fin-  
14 gerprint-based criminal history records checks. The pilot  
15 program shall be carried out in a manner so as to ensure  
16 that, in the event that notification is made through the  
17 Rap Back Service of a change but a determination of ar-  
18 rest status or conviction is in question, the matter will be  
19 handled in a manner that is consistent with current regu-  
20 lations. The pilot program shall also be carried out in a  
21 manner that is consistent with current regulations gov-  
22 erning an investigation of arrest status, correction of Fed-  
23 eral Bureau of Investigation records and notification of  
24 disqualification, and corrective action by the individual  
25 who is the subject of an inquiry.



1           “(e) DETERMINATION AND SUBMISSION.—If the Ad-  
2 ministrator determines that full implementation of the  
3 Rap Back Service is feasible and can be carried out in  
4 a manner that is consistent with current regulations for  
5 fingerprint-based criminal history checks, including the  
6 rights of individuals seeking credentials, the Administrator  
7 shall submit such determination, in writing, to the Com-  
8 mittee on Homeland Security of the House of Representa-  
9 tives and the Committee on Homeland Security and Gov-  
10 ernmental Affairs and the Committee on Commerce,  
11 Science, and Transportation of the Senate, together with  
12 information on the costs associated with such implementa-  
13 tion, including the costs incurred by the private sector.  
14 In preparing this determination, the Administrator shall  
15 consult with the Chief Civil Rights and Civil Liberties Of-  
16 ficer of the Department to ensure that protocols are in  
17 place to align the period of retention of personally identifi-  
18 able information and biometric information, including fin-  
19 gerprints, in the Rap Back Service with the period in  
20 which the individual who is the subject of an inquiry has  
21 a valid credential.

22           “(f) CREDENTIAL SECURITY.—By not later than  
23 September 30, 2015, the Administrator shall issue guid-  
24 ance to airports mandating that all federalized airport  
25 badging authorities place an expiration date on airport

1 credentials commensurate with the period of time during  
2 which an individual is lawfully authorized to work in the  
3 United States.

4 “(g) AVIATION WORKER LAWFUL STATUS.—By not  
5 later than December 31, 2015, the Administrator shall re-  
6 view the denial of credentials due to issues associated with  
7 determining an applicant’s lawful status in order to iden-  
8 tify airports with specific weaknesses and shall coordinate  
9 with such airports to mutually address such weaknesses,  
10 as appropriate.

11 “(h) REPORTS TO CONGRESS.—Upon completion of  
12 the determinations and reviews required under this sec-  
13 tion, the Administrator shall brief the Committee on  
14 Homeland Security and the Committee on Transportation  
15 and Infrastructure of the House of Representatives and  
16 the Committee on Homeland Security and Governmental  
17 Affairs and the Committee on Commerce, Science, and  
18 Transportation of the Senate on the results of such deter-  
19 minations and reviews.”.

20 (b) CLERICAL AMENDMENT.—The table of contents  
21 of the Homeland Security Act of 2002 is amended by in-  
22 serting after the item relating to section 1601 the fol-  
23 lowing new item:

“Sec. 1602. Vetting of aviation workers.”.

24 (c) STATUS UPDATE ON RAP BACK SERVICE PILOT  
25 PROGRAM.—Not later than 60 days after the date of the

1 enactment of this Act, the Administrator of the Transpor-  
2 tation Security Administration shall submit to the Com-  
3 mittee on Homeland Security of the House of Representa-  
4 tives and the Committee on Homeland Security and Gov-  
5 ernmental Affairs and the Committee on Commerce,  
6 Science, and Transportation of the Senate a report on the  
7 status of plans to conduct a pilot program in coordination  
8 with the Federal Bureau of Investigation of the Rap Back  
9 Service in accordance with subsection (c) of section 1602  
10 of the Homeland Security Act of 2002, as added by sub-  
11 section (a) of this section. The report shall include details  
12 on the business, technical, and resource requirements for  
13 the Transportation Security Administration and pilot pro-  
14 gram participants, and provide a timeline and goals for  
15 the pilot program.

16 **SEC. 110. AVIATION SECURITY ADVISORY COMMITTEE CON-**  
17 **SULTATION.**

18 (a) IN GENERAL.—The Administrator shall consult,  
19 to the extent practicable, with the Aviation Security Advi-  
20 sory Committee (established pursuant to section 44946 of  
21 title 49 of the United States Code) regarding any modi-  
22 fication to the prohibited item list prior to issuing a deter-  
23 mination about any such modification.

24 (b) REPORT ON THE TRANSPORTATION SECURITY  
25 OVERSIGHT BOARD.—Not later than 120 days after the

1 date of the enactment of this Act, the Secretary of Home-  
2 land Security shall submit to the Transportation Security  
3 Oversight Board (established pursuant to section 115 of  
4 title 49, United States Code), the Committee on Home-  
5 land Security of the House of Representatives, and the  
6 Committee on Homeland Security and Governmental Af-  
7 fairs and the Committee on Commerce, Science, and  
8 Transportation of the Senate a report that includes gen-  
9 eral information on how often the Board has met, the cur-  
10 rent composition of the Board, and what activities the  
11 Board has undertaken, consistent with the duties specified  
12 in subsection (c) of such section. The Secretary may in-  
13 clude in such report recommendations for changes to such  
14 section in consideration of the provisions of section 44946  
15 of title 49, United States Code.

16 (c) TECHNICAL CORRECTION.—Subparagraph (A) of  
17 section 44946(c)(2) of title 49, United States Code, is  
18 amended to read as follows:

19 (A) TERMS.—The term of each member  
20 of the Advisory Committee shall be two years  
21 but may continue until such time as a successor  
22 member begins serving on the Advisory Com-  
23 mittee. A member of the Advisory Committee  
24 may be reappointed.”.

1 (d) DEFINITION.—In this section, the term “prohib-  
2 ited item list” means the list of items passengers are pro-  
3 hibited from carrying as accessible property or on their  
4 persons through passenger screening checkpoints at air-  
5 ports, into sterile areas at airports, and on board pas-  
6 senger aircraft, pursuant to section 1540.111 of title 49,  
7 Code of Federal Regulations (as in effect on January 1,  
8 2015).

9 **SEC. 111. PRIVATE CONTRACTOR CANINE EVALUATION**  
10 **AND INTEGRATION PILOT PROGRAM.**

11 (a) IN GENERAL.—Not later than 180 days after the  
12 date of the enactment of this Act, the Administrator shall  
13 establish a pilot program to evaluate the use, effectiveness,  
14 and integration of privately-operated explosives detection  
15 canine teams using both the passenger screening canine  
16 and traditional explosives detection canine methods.

17 (b) ELEMENTS.—The pilot program under subsection  
18 (a) shall include the following elements:

19 (1) A full-time presence in three Category X,  
20 two Category I, and one Category II airports.

21 (2) A duration of at least twelve months from  
22 the time private contractor teams are operating at  
23 full capacity.

24 (3) A methodology for evaluating how to inte-  
25 grate private contractor teams into the checkpoint

1 area to detect explosive devices missed by mechan-  
2 ical or human error at other points in the screening  
3 process.

4 (4) Covert testing with inert improvised explo-  
5 sive devices and accurately recreated explosives odor  
6 traces to determine the relative effectiveness of a  
7 full-time canine team in strengthening checkpoint  
8 security.

9 (c) QUARTERLY UPDATES.—The Administrator shall  
10 submit to the Committee on Homeland Security of the  
11 House of Representatives and the Committee on Home-  
12 land Security and Governmental Affairs of the Senate  
13 written updates on the procurement, deployment, and  
14 evaluation process related to the implementation of the  
15 pilot program under subsection (a) for every calendar  
16 quarter after the date of the enactment of this Act.

17 (d) FINAL REPORT.—Not later than 90 days after  
18 the completion of the pilot program under subsection (a),  
19 the Administrator shall submit to the Committee on  
20 Homeland Security of the House of Representatives and  
21 the Committee on Homeland Security and Governmental  
22 Affairs of the Senate a final report on such pilot program.

23 (e) FUNDING.—Out of funds made available to the  
24 Office of the Secretary of Homeland Security, \$6,000,000  
25 is authorized to be used to carry out this section.

1                   **TITLE II—SURFACE**  
2                   **TRANSPORTATION SECURITY**

3   **SEC. 201. SURFACE TRANSPORTATION INSPECTORS.**

4           (a) IN GENERAL.—Section 1304(d) of the Imple-  
5   menting Recommendations of the 9/11 Commission Act of  
6   2007 (6 U.S.C. 1113; Public Law 110–53) is amended—

7                   (1) by inserting “surface” after “relevant”; and

8                   (2) by striking “, as determined appropriate”.

9           (b) REPORT TO CONGRESS.—Not later than one year  
10 after the date of the enactment of this Act, the Comp-  
11 troller General of the United States shall submit to the  
12 Committee on Homeland Security of the House of Rep-  
13 resentatives and the Committee on Homeland Security  
14 and Governmental Affairs and the Committee on Com-  
15 merce, Science, and Transportation of the Senate a report  
16 on the efficiency and effectiveness of the Administration’s  
17 Surface Transportation Security Inspectors Program  
18 under subsection (d) of section 1304 of the Implementing  
19 Recommendations of the 9/11 Commission Act of 2007 (6  
20 U.S.C. 1113; Public Law 110–53).

21           (c) CONTENTS.—The report required under sub-  
22 section (b) shall include a review of the following:

23                   (1) The roles and responsibilities of surface  
24   transportation security inspectors.

1           (2) The extent to which the TSA has used a  
2 risk-based, strategic approach to determine the ap-  
3 propriate number of surface transportation security  
4 inspectors and resource allocation across field of-  
5 fices.

6           (3) Whether TSA's surface transportation regu-  
7 lations are risk-based and whether surface transpor-  
8 tation security inspectors have adequate experience  
9 and training to perform their day-to-day responsibil-  
10 ities.

11           (4) Feedback from regulated surface transpor-  
12 tation industry stakeholders on the benefit of surface  
13 transportation security inspectors to the overall se-  
14 curity of the surface transportation systems of such  
15 stakeholders and the consistency of regulatory en-  
16 forcement.

17           (5) Whether surface transportation security in-  
18 spectors have appropriate qualifications to help se-  
19 cure and inspect surface transportation systems.

20           (6) Whether TSA measures the effectiveness of  
21 surface transportation security inspectors.

22           (7) Any overlap between the TSA and the De-  
23 partment of Transportation as such relates to sur-  
24 face transportation security inspectors in accordance  
25 with section 1310 of the Implementing Rec-



1 ommendations of the 9/11 Commission Act of 2007  
2 (6 U.S.C. 1117; Public Law 110–53).

3 **SEC. 202. INSPECTOR GENERAL AUDIT; TSA OFFICE OF IN-**  
4 **SPECTION WORKFORCE CERTIFICATION.**

5 (a) INSPECTOR GENERAL AUDIT.—

6 (1) IN GENERAL.—Not later than 60 days after  
7 the date of the enactment of this Act, the Inspector  
8 General of the Department shall analyze the data  
9 and methods that the Administrator uses to identify  
10 Office of Inspection employees of the Administration  
11 who meet the requirements of sections 8331(20),  
12 8401(17), and 5545a of title 5, United States Code,  
13 and provide the relevant findings to the Adminis-  
14 trator, including a finding on whether such data and  
15 methods are adequate and valid.

16 (2) PROHIBITION ON HIRING.—If the Inspector  
17 General of the Department finds that the data and  
18 methods referred to in paragraph (1) are inadequate  
19 or invalid, the Administrator may not hire any new  
20 employee to work in the Office of Inspection of the  
21 Administration until—

22 (A) the Administrator makes a certifi-  
23 cation described in subsection (b)(1) to the  
24 Committee on Homeland Security of the House  
25 of Representatives and the Committee on

1 Homeland Security and Governmental Affairs  
2 and the Committee on Commerce, Science, and  
3 Transportation of the Senate; and

4 (B) the Inspector General submits to such  
5 Committees a finding, not later than 30 days  
6 after the Administrator makes such certifi-  
7 cation, that the Administrator utilized adequate  
8 and valid data and methods to make such cer-  
9 tification.

10 (b) TSA OFFICE OF INSPECTION WORKFORCE CER-  
11 TIFICATION.—

12 (1) IN GENERAL.—The Administrator shall, by  
13 not later than 90 days after the date the Inspector  
14 General of the Department provides its findings to  
15 the Assistant Secretary under subsection (a)(1), doc-  
16 ument and certify in writing to the Committee on  
17 Homeland Security of the House of Representatives  
18 and the Committee on Homeland Security and Gov-  
19 ernmental Affairs and the Committee on Commerce,  
20 Science, and Transportation of the Senate that only  
21 those Office of Inspection employees of the Adminis-  
22 tration who meet the requirements of sections  
23 8331(20), 8401(17), and 5545a of title 5, United  
24 States Code, are classified as criminal investigators

1 and are receiving premium pay and other benefits  
2 associated with such classification.

3 (2) EMPLOYEE RECLASSIFICATION.—The Ad-  
4 ministrator shall reclassify criminal investigator po-  
5 sitions in the Office of Inspection of the Administra-  
6 tion as noncriminal investigator positions or non-law  
7 enforcement positions if the individuals in such posi-  
8 tions do not, or are not expected to, spend an aver-  
9 age of at least 50 percent of their time performing  
10 criminal investigative duties.

11 (3) PROJECTED COST SAVINGS.—

12 (A) IN GENERAL.—The Administrator  
13 shall estimate the total long-term cost savings  
14 to the Federal Government resulting from the  
15 implementation of paragraph (2), and provide  
16 such estimate to the Committee on Homeland  
17 Security of the House of Representatives and  
18 the Committee on Homeland Security and Gov-  
19 ernmental Affairs and the Committee on Com-  
20 merce, Science, and Transportation of the Sen-  
21 ate by not later than 180 days after the date  
22 of enactment of this Act.

23 (B) CONTENTS.—The estimate described  
24 in subparagraph (A) shall identify savings asso-  
25 ciated with the positions reclassified under

1 paragraph (2) and include, among other factors  
2 the Administrator considers appropriate, sav-  
3 ings from—

- 4 (i) law enforcement training;
- 5 (ii) early retirement benefits;
- 6 (iii) law enforcement availability and  
7 other premium pay; and
- 8 (iv) weapons, vehicles, and commu-  
9 nications devices.

10 (c) STUDY.—Not later than 180 days after the date  
11 that the Administrator submits the certification under  
12 subsection (b)(1), the Inspector General of the Depart-  
13 ment shall submit to the Committee on Homeland Secu-  
14 rity of the House of Representatives and the Committee  
15 on Homeland Security and Governmental Affairs and the  
16 Committee on Commerce, Science, and Transportation of  
17 the Senate a study—

- 18 (1) reviewing the employee requirements, re-  
19 sponsibilities, and benefits of criminal investigators  
20 in the Office of Inspection of the Administration  
21 with criminal investigators employed at agencies ad-  
22 hering to the Office of Personnel Management em-  
23 ployee classification system; and

1           (2) identifying any inconsistencies and costs im-  
2           plications for differences between the varying em-  
3           ployee requirements, responsibilities, and benefits.

4 **SEC. 203. REPEAL OF BIENNIAL REPORTING REQUIREMENT**  
5                   **FOR THE GOVERNMENT ACCOUNTABILITY**  
6                   **OFFICE RELATING TO THE TRANSPORTATION**  
7                   **SECURITY INFORMATION SHARING PLAN.**

8           Subsection (u) of section 114 of title 49, United  
9 States Code, is amended by—

10           (1) striking paragraph (7); and

11           (2) redesignating paragraphs (8) and (9) as  
12           paragraphs (7) and (8), respectively.

13 **SEC. 204. SECURITY TRAINING FOR FRONTLINE TRANSPOR-**  
14                   **TATION WORKERS.**

15           Not later than 90 days after the date of the enact-  
16 ment of the Act, the Administrator shall submit to the  
17 Committee on Homeland Security of the House of Rep-  
18 resentatives and the Committee on Homeland Security  
19 and Governmental Affairs and the Committee on Com-  
20 merce, Science, and Transportation of the Senate a report  
21 regarding the status of the implementation of sections  
22 1408 (6 U.S.C. 1137) and 1534 (6 U.S.C. 1184) of the  
23 Implementing Recommendations of the 9/11 Commission  
24 Act of 2007 (Public Law 110–53). The Administrator  
25 shall include in such report specific information on the

1 challenges that the Administrator has encountered since  
2 the date of the enactment of the Implementing Rec-  
3 ommendations of the 9/11 Commission Act of 2007 with  
4 respect to establishing regulations requiring the provision  
5 of basic security training to public transportation frontline  
6 employees and over-the-road bus frontline employees for  
7 preparedness for potential security threats and conditions.

○