

Union Calendar No. 394

113TH CONGRESS
2^D SESSION

H. R. 3202

[Report No. 113-528]

To require the Secretary of Homeland Security to prepare a comprehensive security assessment of the transportation security card program, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 27, 2013

Ms. JACKSON LEE (for herself, Mr. THOMPSON of Mississippi, and Mrs. MILLER of Michigan) introduced the following bill; which was referred to the Committee on Homeland Security

JULY 17, 2014

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italics]

[For text of introduced bill, see copy of bill as introduced on September 27, 2013]

A BILL

To require the Secretary of Homeland Security to prepare a comprehensive security assessment of the transportation security card program, 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.**

4 *This Act may be cited as the “Essential Transpor-*
5 *tation Worker Identification Credential Assessment Act”.*

6 **SEC. 2. COMPREHENSIVE SECURITY ASSESSMENT OF THE**
7 **TRANSPORTATION SECURITY CARD PRO-**
8 **GRAM.**

9 *(a) IN GENERAL.—Not later than one year after the*
10 *date of enactment of this Act, the Secretary of Homeland*
11 *Security shall submit to the Committee on Homeland Secu-*
12 *rity of the House of Representatives, the Committee on*
13 *Commerce, Science, and Transportation of the Senate, and*
14 *the Comptroller General of the United States a comprehen-*
15 *sive assessment of the effectiveness of the transportation se-*
16 *curity card program under section 70105 of title 46, United*
17 *States Code, at enhancing security and reducing security*
18 *risks for facilities and vessels regulated pursuant to section*
19 *102 of Public Law 107–295. Such assessment shall be con-*
20 *ducted by a national laboratory that, to the extent prac-*
21 *ticable, is within the Department of Homeland Security*
22 *laboratory network with expertise in maritime security or*
23 *by a maritime security university-based center within the*
24 *Department of Homeland Security centers of excellence net-*
25 *work.*

1 (b) *CONTENTS.*—*The comprehensive assessment shall*
2 *include—*

3 (1) *an evaluation of the extent to which the pro-*
4 *gram, as implemented, addresses known or likely se-*
5 *curity risks in the maritime environment;*

6 (2) *an evaluation of the extent to which defi-*
7 *ciencies identified by the Comptroller General have*
8 *been addressed; and*

9 (3) *a cost-benefit analysis of the program, as im-*
10 *plemented.*

11 (c) *CORRECTIVE ACTION PLAN; PROGRAM RE-*
12 *FORMS.*—*Not later than 60 days after the Secretary submits*
13 *the assessment under subsection (a), the Secretary shall sub-*
14 *mit a corrective action plan to the Committee on Homeland*
15 *Security of the House of Representatives and the Committee*
16 *on Commerce, Science, and Transportation of the Senate*
17 *that responds to the assessment under subsection (b). The*
18 *corrective action plan shall include an implementation*
19 *plan with benchmarks, may include programmatic reforms,*
20 *revisions to regulations, or proposals for legislation, and*
21 *shall be considered in any rule making by the Department*
22 *relating to the transportation security card program.*

23 (d) *COMPTROLLER GENERAL REVIEW.*—*Not later than*
24 *120 days after the Secretary issues the corrective action*
25 *plan under subsection (c), the Comptroller General shall—*

1 (1) *review the extent to which such plan imple-*
2 *ments—*

3 (A) *recommendations issued by the national*
4 *laboratory or maritime security university-based*
5 *center, as applicable, in the assessment submitted*
6 *under subsection (a); and*

7 (B) *recommendations issued by the Comp-*
8 *troller General before the enactment of this Act;*
9 *and*

10 (2) *inform the Committee on Homeland Security*
11 *of the House of Representatives and the Committee on*
12 *Commerce, Science, and Transportation of the Senate*
13 *as to the responsiveness of such plan to such rec-*
14 *ommendations.*

15 (e) *TRANSPORTATION SECURITY CARD READER*
16 *RULE.—*

17 (1) *IN GENERAL.—The Secretary of Homeland*
18 *Security may not issue a final rule requiring the use*
19 *of transportation security card readers until—*

20 (A) *the Comptroller General informs the*
21 *Committees on Homeland Security of the House*
22 *of Representatives and Commerce, Science and*
23 *Transportation of the Senate that the submission*
24 *under subsection (a) is responsive to the rec-*
25 *ommendations of the Comptroller General; and*

1 (B) the Secretary issues an updated list of
2 transportation security card readers that are
3 compatible with active transportation security
4 cards.

5 (2) *LIMITATION ON APPLICATION.*—Paragraph
6 (1) shall not apply with respect to any final rule
7 issued pursuant to the notice of proposed rulemaking
8 on *Transportation Worker Identification Credential*
9 *(TWIC)-Reader Requirements* published by the Coast
10 Guard on March 22, 2013 (78 Fed. Reg. 17781)

11 (f) *COMPTROLLER GENERAL OVERSIGHT.*—Not less
12 than 18 months after the date of the issuance of the correc-
13 tive action plan under subsection (c), and every six months
14 thereafter during the 3-year period following the date of the
15 issuance of the first report under this subsection, the Com-
16 ptroller General shall report to the Committee on Homeland
17 Security of the House of Representatives and the Committee
18 on Commerce, Science, and Transportation of the Senate
19 regarding implementation of the corrective action plan.

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