

114TH CONGRESS
1ST SESSION

H. R. 2750

IN THE SENATE OF THE UNITED STATES

JULY 28, 2015

Received; read twice and referred to the Committee on Commerce, Science,
and Transportation

AN ACT

To reform programs of the Transportation Security Administration, streamline transportation security regulations, 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 “Improved Security Vet-
3 ting for Aviation Workers Act of 2015”.

4 **SEC. 2. AVIATION SECURITY.**

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

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

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

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

1 “(c) INFORMATION SHARING.—By not later than De-
2 cember 31, 2015, the Administrator may conduct a pilot
3 program of the Rap Back Service, in coordination with
4 the Director of the Federal Bureau of Investigation, to
5 determine the feasibility of full implementation of a service
6 through which the Administrator would be notified of a
7 change in status of an individual holding a valid credential
8 granting unescorted access to sensitive areas of airports
9 across eligible Administration-regulated populations.

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

1 eral Bureau of Investigation records and notification of
2 disqualification, and corrective action by the individual
3 who is the subject of an inquiry.

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

1 “(f) CREDENTIAL SECURITY.—By not later than
2 September 30, 2015, the Administrator shall issue guid-
3 ance to airports mandating that all federalized airport
4 badging authorities place an expiration date on airport
5 credentials commensurate with the period of time during
6 which an individual is lawfully authorized to work in the
7 United States.

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

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

24 (b) CLERICAL AMENDMENT.—The table of contents
25 of the Homeland Security Act of 2002 is amended by in-

1 serting after the item relating to section 1601 the fol-
2 lowing new item:

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

3 **SEC. 3. STATUS UPDATE ON RAP BACK SERVICE PILOT**
4 **PROGRAM.**

5 Not later than 60 days after the date of the enact-
6 ment of this Act, the Administrator of the Transportation
7 Security Administration shall submit to the Committee on
8 Homeland Security of the House of Representatives and
9 the Committee on Homeland Security and Governmental
10 Affairs and the Committee on Commerce, Science, and
11 Transportation of the Senate a report on the status of
12 plans to conduct a pilot program in coordination with the
13 Federal Bureau of Investigation of the Rap Back Service
14 in accordance with subsection (c) of section 1602 of the
15 Homeland Security Act of 2002, as added by section 2
16 of this Act. The report shall include details on the busi-
17 ness, technical, and resource requirements for the Trans-
18 portation Security Administration and pilot program par-
19 ticipants, and provide a timeline and goals for the pilot
20 program.

Passed the House of Representatives July 27, 2015.

Attest:

KAREN L. HAAS,

Clerk.