

## Union Calendar No. 298

114<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 3584

[Report No. 114–396]

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

JANUARY 12, 2016

Additional sponsor: Miss RICE of New York

JANUARY 12, 2016

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 *italie*]

[For text of introduced bill, see copy of bill as introduced on September 22, 2015]

# **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.*

*Sec. 112. Covert testing at airports.*

*Sec. 113. Training for transportation security officers.*

**TITLE II—SURFACE TRANSPORTATION SECURITY AND OTHER  
MATTERS**

*Sec. 201. Surface Transportation Inspectors.*

*Sec. 202. Inspector General audit; TSA Office of Inspection workforce certifi-*  
*cation.*

*Sec. 203. Repeal of biennial reporting requirement for the Government Account-*  
*ability Office relating to the Transportation Security Informa-*  
*tion Sharing Plan.*

*Sec. 204. Security training for frontline transportation workers.*

*Sec. 205. Feasibility assessment.*

9 **SEC. 2. DEFINITIONS.**

10 *In this Act:*

1           (1) *ADMINISTRATION; TSA.*—The terms “Admin-  
2           istration” and “TSA” mean the Transportation Secu-  
3           rity Administration.

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

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

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

13          (5) *SECURE FLIGHT.*—The term “Secure Flight”  
14          means the Administration’s watchlist matching pro-  
15          gram.

## 16          **TITLE I—AVIATION SECURITY**

### 17          **SEC. 101. TSA PRECHECK.**

18          (a) *TSA PRECHECK.*—Not later than 90 days after  
19          the date of the enactment of this Act, the Administrator  
20          shall—

21                 (1) ensure that all screening of passengers and  
22                 their accessible property shall be conducted in a risk-  
23                 based, intelligence-driven manner with consideration  
24                 given to the privacy and civil liberties of such pas-  
25                 sengers; and

1           (2) *operate a trusted passenger screening pro-*  
2 *gram known as “TSA PreCheck” that provides exped-*  
3 *ited screening for low-risk passengers and their ac-*  
4 *cessible property based on a comprehensive and con-*  
5 *tinuous analysis of factors specified in subsection (b).*

6           (b) *FACTORS.—Factors referred to in subsection (a)(2)*  
7 *shall include the following:*

8           (1) *Whether passengers described in such sub-*  
9 *section are members of other trusted traveler pro-*  
10 *grams of the Department.*

11           (2) *Whether such passengers are traveling pursu-*  
12 *ant to subsection (m) of section 44903 of title 49,*  
13 *United States Code (as established under the Risk-*  
14 *Based Security for Members of the Armed Forces Act*  
15 *(Public Law 112–86)), section 44927 of such title (as*  
16 *established under the Helping Heroes Fly Act (Public*  
17 *Law 113–27)), or section 44928 of such title (as es-*  
18 *tablished under the Honor Flight Act (Public Law*  
19 *113–221)).*

20           (3) *Whether such passengers possess an active se-*  
21 *curity clearance or other credential issued by the Fed-*  
22 *eral Government for which TSA has conducted a*  
23 *written threat assessment and determined that such*  
24 *passengers present a low risk to transportation or na-*  
25 *tional security.*

1           (4) *Whether such passengers are members of a*  
2           *population for whom TSA has conducted a written se-*  
3           *curity threat assessment, determined that such popu-*  
4           *lation poses a low risk to transportation or national*  
5           *security, and has issued such passengers a known*  
6           *traveler number.*

7           (5) *The ability of the Administration to verify*  
8           *such passengers' identity and whether such passengers*  
9           *pose a risk to aviation security.*

10          (6) *Threats to transportation or national secu-*  
11          *rity as identified by the intelligence community and*  
12          *law enforcement community.*

13          (c) *ENROLLMENT EXPANSION.—*

14               (1) *IN GENERAL.—Not later than 90 days after*  
15               *the date of the enactment of this Act, the Adminis-*  
16               *trator shall publish PreCheck application enrollment*  
17               *standards to add multiple private sector application*  
18               *capabilities for the TSA PreCheck program to in-*  
19               *crease the public's enrollment access to such program,*  
20               *including standards that allow the use of secure tech-*  
21               *nologies, including online enrollment, kiosks, tablets,*  
22               *or staffed computer stations at which individuals can*  
23               *apply for entry into such program.*

1           (2) *REQUIREMENTS.*—Upon publication of the  
2 *PreCheck* program application enrollment standards  
3 pursuant to paragraph (1), the Administrator shall—

4           (A) coordinate with interested parties to de-  
5 ploy TSA-approved ready-to-market private sec-  
6 tor solutions that meet the TSA *PreCheck* appli-  
7 cation enrollment standards described in para-  
8 graph (1), make available additional *PreCheck*  
9 enrollment capabilities, and offer secure online  
10 and mobile enrollment opportunities;

11           (B) partner with the private sector to collect  
12 biographic and biometric identification informa-  
13 tion via kiosks, mobile devices, or other mobile  
14 enrollment platforms to reduce the number of in-  
15 stances in which passengers need to travel to en-  
16 rollment centers;

17           (C) ensure that the kiosks, mobile devices, or  
18 other mobile enrollment platforms referred to in  
19 subparagraph (E) are secure and not vulnerable  
20 to data breaches;

21           (D) ensure that any biometric and bio-  
22 graphic information is collected in a manner  
23 which is comparable with the National Institute  
24 of Standards and Technology standards and en-  
25 sures privacy and data security protections, in-

1           cluding that applicants' personally identifiable  
2           information is collected, retained, used, and  
3           shared in a manner consistent with section 552a  
4           of title 5, United States Code (commonly known  
5           as the "Privacy Act of 1974"), and agency regu-  
6           lations;

7           (E) ensure that an individual who wants to  
8           enroll in the PreCheck program and has started  
9           an application with a single identification  
10          verification at one location will be able to save  
11          such individual's application on any kiosk, per-  
12          sonal computer, mobile device, or other mobile  
13          enrollment platform and be able to return within  
14          a reasonable time to submit a second identifica-  
15          tion verification; and

16          (F) ensure that any enrollment expansion  
17          using a private sector risk assessment instead of  
18          a fingerprint-based criminal history records  
19          check is determined, by the Secretary of Home-  
20          land Security, to be equivalent to a fingerprint-  
21          based criminal history records check conducted  
22          through the Federal Bureau of Investigation.

23          (3) *MARKETING OF PRECHECK PROGRAM.*—Upon  
24          publication of PreCheck program application enroll-

1 *ment standards pursuant to paragraph (1), the Ad-*  
2 *ministrator shall—*

3 *(A) in accordance with such standards, de-*  
4 *velop and implement—*

5 *(i) a process, including an associated*  
6 *timeframe, for approving private sector*  
7 *marketing of the TSA PreCheck program;*  
8 *and*

9 *(ii) a strategy for partnering with the*  
10 *private sector to encourage enrollment in*  
11 *such program; and*

12 *(B) submit to Congress a report on any*  
13 *PreCheck fees collected in excess of the costs of*  
14 *administering such program, including rec-*  
15 *ommendations for using such amounts to sup-*  
16 *port marketing of such program under this sub-*  
17 *section.*

18 *(4) IDENTITY VERIFICATION ENHANCEMENT.—*

19 *Not later than 90 days after the date of the enactment*  
20 *of this Act, the Administrator shall—*

21 *(A) coordinate with the heads of appro-*  
22 *priate components of the Department to leverage*  
23 *Department-held data and technologies to verify*  
24 *the citizenship of individuals enrolling in the*  
25 *TSA PreCheck program; and*

1           (B) partner with the private sector to use  
2           advanced biometrics and standards comparable  
3           with National Institute of Standards and Tech-  
4           nology standards to facilitate enrollment in such  
5           program.

6           (5) *PRECHECK LANE OPERATION.*—*The Adminis-*  
7           *trator shall—*

8                   (A) ensure that TSA PreCheck screening  
9                   lanes are open and available during peak and  
10                  high-volume travel times at airports to individ-  
11                  uals enrolled in the PreCheck program; and

12                   (B) make every practicable effort to provide  
13                   expedited screening at standard screening lanes  
14                   during times when PreCheck screening lanes are  
15                   closed to individuals enrolled in such program in  
16                   order to maintain operational efficiency.

17           (6) *VETTING FOR PRECHECK PARTICIPANTS.*—  
18           *Not later than 90 days after the date of the enactment*  
19           *of this Act, the Administrator shall initiate an assess-*  
20           *ment of the security vulnerabilities in the vetting*  
21           *process for the PreCheck program that includes an*  
22           *evaluation of whether subjecting PreCheck partici-*  
23           *pants to recurrent fingerprint-based criminal history*  
24           *records checks, in addition to recurrent checks against*  
25           *the terrorist watchlist, could be done in a cost-effective*



1           (6) *consider capabilities and policies of U.S.*  
2           *Customs and Border Protection’s Global Entry Pro-*  
3           *gram, as appropriate.*

4           (b) *ESTABLISHMENT OF SCREENING SYSTEM FOR*  
5           *CERTAIN PASSENGERS.—Section 44901 of title 49, United*  
6           *States Code is amended—*

7           (1) *by redesignating subsections (c) through (l)*  
8           *as subsections (d) through (m), respectively; and*

9           (2) *by inserting after subsection (b) the following*  
10          *new subsection:*

11          “(c) *ESTABLISHMENT OF SCREENING SYSTEM FOR*  
12          *CERTAIN PASSENGERS.—Not later than December 31, 2017,*  
13          *in accordance with the requirements of the Transportation*  
14          *Security Administration Reform and Improvement Act of*  
15          *2015, the Administrator of the Transportation Security Ad-*  
16          *ministration shall establish a secure, automated system at*  
17          *all large hub airports for verifying travel and identity docu-*  
18          *ments of passengers who are not members of the Adminis-*  
19          *tration’s risk-based aviation passenger screening program,*  
20          *known as ‘TSA PreCheck’. Such system shall—*

21                 “(1) *assess the need for security screening per-*  
22                 *sonnel to perform travel document verification for*  
23                 *such passengers, thereby assessing the overall number*  
24                 *of such screening personnel;*

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

3           “(3) assess overall operating expenses of the Ad-  
4           ministration;

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

7           “(5) be integrated with other checkpoint tech-  
8           nologies to further facilitate risk-based passenger  
9           screening at the checkpoint, to the extent practicable  
10          and consistent with security standards.”.

11 **SEC. 103. LIMITATION; PRECHECK OPERATIONS MAIN-**  
12 **TAINED; ALTERNATE METHODS.**

13          (a) *IN GENERAL.*—Except as provided in subsection  
14 (c), the Administrator shall direct that access to expedited  
15 airport security screening at an airport security checkpoint  
16 be limited to only the following:

17           (1) A passenger who voluntarily submits bio-  
18           graphic and biometric information for a security risk  
19           assessment and whose application for the PreCheck  
20           program has been approved, or a passenger who is a  
21           participant in another trusted or registered traveler  
22           program of the Department.

23           (2) A passenger traveling pursuant to section  
24           44903 of title 49, United States Code (as established  
25           under the Risk-Based Security for Members of the

1 *Armed Forces Act (Public Law 112–86)), section*  
2 *44927 of such title (as established under the Helping*  
3 *Heroes Fly Act (Public Law 113–27)), or section*  
4 *44928 of such title (as established under the Honor*  
5 *Flight Act (Public Law 113–221)).*

6 (3) *A passenger who did not voluntarily submit*  
7 *biographic and biometric information for a security*  
8 *risk assessment but is a member of a population des-*  
9 *ignated by the Administrator as known and low-risk*  
10 *and who may be issued a unique, known traveler*  
11 *number by the Administrator determining that such*  
12 *passenger is a member of a category of travelers des-*  
13 *ignated by the Administrator as known and low-risk.*

14 (b) *PRECHECK OPERATIONS MAINTAINED.—In car-*  
15 *rying out subsection (a), the Administrator shall ensure*  
16 *that expedited airport security screening remains available*  
17 *to passengers at or above the level that exists on the day*  
18 *before the date of the enactment of this Act.*

19 (c) *FREQUENT FLIERS.—If the Administrator deter-*  
20 *mines that such is appropriate, the implementation of sub-*  
21 *section (a) may be delayed by up to one year with respect*  
22 *to the population of passengers who did not voluntarily sub-*  
23 *mit biographic and biometric information for security risk*  
24 *assessments but who nevertheless receive expedited airport*  
25 *security screening because such passengers are designated*

1 *as frequent fliers by air carriers. If the Administrator uses*  
2 *the authority provided by this subsection, the Administrator*  
3 *shall notify the Committee on Homeland Security of the*  
4 *House of Representatives and the Committee on Homeland*  
5 *Security and Governmental Affairs and the Committee on*  
6 *Commerce, Science, and Transportation of the Senate of*  
7 *such phased-in implementation.*

8       *(d) ALTERNATE METHODS.—The Administrator may*  
9 *provide access to expedited airport security screening to ad-*  
10 *ditional passengers pursuant to an alternate method upon*  
11 *the submission to the Committee on Homeland Security of*  
12 *the House of Representatives and the Committee on Com-*  
13 *merce, Science, and Transportation of the Senate of an*  
14 *independent assessment of the security effectiveness of such*  
15 *alternate method that is conducted by an independent enti-*  
16 *ty that determines that such alternate method is designed*  
17 *to—*

18               *(1) reliably and effectively identify passengers*  
19               *who likely pose a low risk to the United States avia-*  
20               *tion system;*

21               *(2) mitigate the likelihood that a passenger who*  
22               *may pose a security threat to the United States avia-*  
23               *tion system is selected for expedited security screen-*  
24               *ing; and*

1           (3) *address known and evolving security risks to*  
2           *the United States aviation system.*

3           (e) *INFORMATION SHARING.—The Administrator shall*  
4           *provide to the entity conducting the independent assessment*  
5           *under subsection (d) effectiveness testing results that are*  
6           *consistent with established evaluation design practices, as*  
7           *identified by the Comptroller General of the United States.*

8           (f) *REPORTING.—Not later than three months after the*  
9           *date of the enactment of this Act and annually thereafter,*  
10          *the Administrator shall report to the Committee on Home-*  
11          *land Security of the House of Representatives and the Com-*  
12          *mittee on Commerce, Science, and Transportation of the*  
13          *Senate on the percentage of all passengers who are provided*  
14          *expedited security screening, and of such passengers so pro-*  
15          *vided, the percentage who are participants in the PreCheck*  
16          *program (who have voluntarily submitted biographic and*  
17          *biometric information for security risk assessments), the*  
18          *percentage who are participants in another trusted traveler*  
19          *program of the Department, the percentage who are partici-*  
20          *pants in the PreCheck program due to the Administrator's*  
21          *issuance of known traveler numbers, and for the remaining*  
22          *percentage of passengers granted access to expedited security*  
23          *screening in PreCheck security lanes, information on the*  
24          *percentages attributable to each alternative method utilized*

1 *by the Administration to direct passengers to expedited air-*  
2 *port security screening at PreCheck security lanes.*

3 *(g) RULE OF CONSTRUCTION.—Nothing in this section*  
4 *may be construed to—*

5 *(1) authorize or direct the Administrator to re-*  
6 *duce or limit the availability of expedited security*  
7 *screening at an airport; or*

8 *(2) limit the authority of the Administrator to*  
9 *use technologies and systems, including passenger*  
10 *screening canines and explosives trace detection, as a*  
11 *part of security screening operations.*

12 **SEC. 104. SECURE FLIGHT PROGRAM.**

13 *Not later than 90 days after the date of the enactment*  
14 *of this Act, the Administrator shall—*

15 *(1) develop a process for regularly evaluating the*  
16 *root causes of screening errors at checkpoints across*  
17 *airports so that corrective measures are able to be*  
18 *identified;*

19 *(2) implement such corrective measures to ad-*  
20 *dress the root causes of such screening errors occur-*  
21 *ring at the checkpoint;*

22 *(3) develop additional measures to address key*  
23 *performance aspects related to the Secure Flight pro-*  
24 *gram goals and ensure that such measures clearly*

1       *identify activities necessary to achieve progress to-*  
2       *wards such goals;*

3               *(4) develop a mechanism to systematically docu-*  
4       *ment the number and causes of Secure Flight pro-*  
5       *gram matching errors for the purpose of improving*  
6       *program performance and provide program managers*  
7       *with timely and reliable information;*

8               *(5) provide job-specific privacy refresher train-*  
9       *ing for Secure Flight program staff to further protect*  
10       *personally identifiable information in the Secure*  
11       *Flight system program; and*

12               *(6) develop a mechanism to comprehensively docu-*  
13       *ment and track key Secure Flight program privacy*  
14       *issues and decisions to ensure the Secure Flight pro-*  
15       *gram has complete information for effective oversight*  
16       *of its privacy controls.*

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

18       *(a) REVIEW REQUIRED.—Not later than 270 days*  
19       *after the date of the enactment of this Act, the Adminis-*  
20       *trator shall conduct and complete a comprehensive, agency-*  
21       *wide efficiency review of the Administration to identify*  
22       *spending reductions and administrative savings through the*  
23       *streamlining and any necessary restructuring of agency di-*  
24       *visions to make the Administration more efficient. In car-*

1 *rying out the review under this section, the Administrator*  
2 *shall consider each of the following:*

3           (1) *The elimination of any duplicative or over-*  
4 *lapping programs and initiatives that can be stream-*  
5 *lined.*

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

8           (3) *Any other matters the Administrator deter-*  
9 *mines are appropriate.*

10       (b) *REPORT TO CONGRESS.—Not later than 30 days*  
11 *after the completion of the efficiency review required under*  
12 *subsection (a), the Administrator shall submit to the Com-*  
13 *mittee on Homeland Security of the House of Representa-*  
14 *tives and the Committee on Homeland Security and Gov-*  
15 *ernmental Affairs and the Committee on Commerce,*  
16 *Science, and Transportation of the Senate a report that*  
17 *specifies the results and cost savings expected to be achieved*  
18 *through such efficiency review. Such report shall also in-*  
19 *clude information relating to how the Administration may*  
20 *use efficiencies identified through such efficiency review to*  
21 *provide funding to reimburse airports that incurred eligible*  
22 *costs for in-line baggage screening systems.*

1 **SEC. 106. DONATION OF SCREENING EQUIPMENT TO PRO-**  
2 **TECT THE UNITED STATES.**

3 (a) *IN GENERAL.*—*The Administrator is authorized to*  
4 *donate security screening equipment to a foreign last-point-*  
5 *of-departure airport operator if such equipment can be rea-*  
6 *sonably expected to mitigate a specific vulnerability to the*  
7 *security of the United States or United States citizens.*

8 (b) *REPORT TO CONGRESS.*—*Not later than 30 days*  
9 *before any donation of equipment under this section, the*  
10 *Administrator shall provide to the Committee on Homeland*  
11 *Security of the House of Representatives and the Committee*  
12 *on Homeland Security and Governmental Affairs and the*  
13 *Committee on Commerce, Science, and Transportation of*  
14 *the Senate a detailed written explanation of—*

15 (1) *the specific vulnerability to the United States*  
16 *that will be mitigated with such donation;*

17 (2) *an explanation as to why the recipient is un-*  
18 *able or unwilling to purchase equipment to mitigate*  
19 *such threat;*

20 (3) *an evacuation plan for sensitive technologies*  
21 *in case of emergency or instability in the country to*  
22 *which such donation is being made;*

23 (4) *how the Administration will ensure the*  
24 *equipment that is being donated is used and main-*  
25 *tained over the course of its life by the recipient; and*

26 (5) *the total dollar value of such donation.*

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

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

7 (b) *BRIEFING TO CONGRESS.*—Upon completion of  
8 each review pursuant to subsection (a), the Administrator  
9 shall brief the Committee on Homeland Security of the  
10 House of Representatives and the Committee on Homeland  
11 Security and Governmental Affairs and the Committee on  
12 Commerce, Science, and Transportation of the Senate on—

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

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

17 (3) the planned disposition of any such directive.

18 **SEC. 108. MAINTENANCE OF SECURITY-RELATED TECH-**  
19 **NOLOGY.**

20 (a) *IN GENERAL.*—Title XVI of the Homeland Secu-  
21 rity Act of 2002 (6 U.S.C. 561 et seq.) is amended by add-  
22 ing at the end the following:

1           **“Subtitle C—Maintenance of**  
2           **Security-Related Technology**

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

4           “(a) *IN GENERAL.*—Not later than 180 days after the  
5 date of the enactment of this subtitle, the Administrator  
6 shall develop and implement a preventive maintenance val-  
7 idation process for security-related technology deployed to  
8 airports.

9           “(b) *MAINTENANCE BY ADMINISTRATION PERSONNEL*  
10 *AT AIRPORTS.*—For maintenance to be carried out by Ad-  
11 ministration personnel at airports, the process referred to  
12 in subsection (a) shall include the following:

13           “(1) *Guidance to Administration personnel,*  
14 *equipment maintenance technicians, and other per-*  
15 *sonnel at airports specifying how to conduct and doc-*  
16 *ument preventive maintenance actions.*

17           “(2) *Mechanisms for the Administrator to verify*  
18 *compliance with the guidance issued pursuant to*  
19 *paragraph (1).*

20           “(c) *MAINTENANCE BY CONTRACTORS AT AIRPORTS.*—  
21 *For maintenance to be carried out by a contractor at air-*  
22 *ports, the process referred to in subsection (a) shall require*  
23 *the following:*

24           “(1) *Provision of monthly preventive mainte-*  
25 *nance schedules to appropriate Administration per-*

1        *sonnel at each airport that includes information on*  
2        *each action to be completed by a contractor.*

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

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

8            *“(d) PENALTIES FOR NONCOMPLIANCE.—The Admin-*  
9        *istrator shall require maintenance contracts for security-re-*  
10       *lated technology deployed to airports to include penalties*  
11       *for noncompliance when it is determined that either preven-*  
12       *tive or corrective maintenance has not been completed ac-*  
13       *cording to contractual requirements and manufacturers’*  
14       *specifications.”.*

15           *(b) INSPECTOR GENERAL ASSESSMENT.—Not later*  
16       *than one year after the date of the enactment of this Act,*  
17       *the Inspector General of the Department of Homeland Secu-*  
18       *rity shall assess implementation of the requirements under*  
19       *section 1621 of the Homeland Security Act of 2002 (as*  
20       *added by subsection (a) of this section), and provide find-*  
21       *ings and recommendations with respect to the provision of*  
22       *training to Administration personnel, equipment mainte-*  
23       *nance technicians, and other personnel under such section*  
24       *1621 and the availability and utilization of equipment*  
25       *maintenance technicians employed by the Administration.*

1           (c) *CLERICAL AMENDMENT.*—*The table of contents of*  
2 *the Homeland Security Act of 2002 is amended by inserting*  
3 *after the item relating to section 1616 the following:*

*“Subtitle C—Maintenance of Security-Related Technology*  
*“Sec. 1621. Maintenance validation and oversight.”.*

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

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

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

9           “(a) *IN GENERAL.*—*By not later than December 31,*  
10 *2015, the Administrator, in coordination with the Assistant*  
11 *Secretary for Policy of the Department, shall request from*  
12 *the Director of National Intelligence access to additional*  
13 *data from the Terrorist Identities Datamart Environment*  
14 *(TIDE) data and any or other terrorism-related informa-*  
15 *tion to improve the effectiveness of the Administration’s cre-*  
16 *dential vetting program for individuals with unescorted ac-*  
17 *cess to sensitive areas of airports.*

18           “(b) *SECURITY INSPECTION.*—*By not later than De-*  
19 *cember 31, 2015, the Administrator shall issue guidance for*  
20 *Transportation Security Inspectors to annually review air-*  
21 *port badging office procedures for applicants seeking access*  
22 *to sensitive areas of airports. Such guidance shall include*  
23 *a comprehensive review of applicants’ Criminal History*

1 *Records Check (CHRC) and work authorization documenta-*  
2 *tion during the course of an inspection.*

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

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

1 *is consistent with current regulations governing an inves-*  
2 *tigation of arrest status, correction of Federal Bureau of*  
3 *Investigation records and notification of disqualification,*  
4 *and corrective action by the individual who is the subject*  
5 *of an inquiry.*

6       “(e) *DETERMINATION AND SUBMISSION.—If the Ad-*  
7 *ministrator determines that full implementation of the Rap*  
8 *Back Service is feasible and can be carried out in a manner*  
9 *that is consistent with current regulations for fingerprint-*  
10 *based criminal history checks, including the rights of indi-*  
11 *viduals seeking credentials, the Administrator shall submit*  
12 *such determination, in writing, to the Committee on Home-*  
13 *land Security of the House of Representatives and the Com-*  
14 *mittee on Homeland Security and Governmental Affairs*  
15 *and the Committee on Commerce, Science, and Transpor-*  
16 *tation of the Senate, together with information on the costs*  
17 *associated with such implementation, including the costs*  
18 *incurred by the private sector. In preparing this determina-*  
19 *tion, the Administrator shall consult with the Chief Civil*  
20 *Rights and Civil Liberties Officer of the Department to en-*  
21 *sure that protocols are in place to align the period of reten-*  
22 *tion of personally identifiable information and biometric*  
23 *information, including fingerprints, in the Rap Back Serv-*  
24 *ice with the period in which the individual who is the sub-*  
25 *ject of an inquiry has a valid credential.*

1           “(f) *CREDENTIAL SECURITY.*—By not later than Sep-  
2   tember 30, 2015, the Administrator shall issue guidance to  
3   airports mandating that all federalized airport badging au-  
4   thorities place an expiration date on airport credentials  
5   commensurate with the period of time during which an in-  
6   dividual is lawfully authorized to work in the United  
7   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, as  
14  appropriate.

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

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

1 *after the item relating to section 1601 the following new*  
2 *item:*

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

3       *(c) STATUS UPDATE ON RAP BACK SERVICE PILOT*  
4 *PROGRAM.—Not later than 60 days after the date of the*  
5 *enactment of this Act, the Administrator of the Transpor-*  
6 *tation Security Administration shall submit to the Com-*  
7 *mittee on Homeland Security of the House of Representa-*  
8 *tives and the Committee on Homeland Security and Gov-*  
9 *ernmental Affairs and the Committee on Commerce,*  
10 *Science, and Transportation of the Senate a report on the*  
11 *status of plans to conduct a pilot program in coordination*  
12 *with the Federal Bureau of Investigation of the Rap Back*  
13 *Service in accordance with subsection (c) of section 1602*  
14 *of the Homeland Security Act of 2002, as added by sub-*  
15 *section (a) of this section. The report shall include details*  
16 *on the business, technical, and resource requirements for the*  
17 *Transportation Security Administration and pilot pro-*  
18 *gram participants, and provide a timeline and goals for*  
19 *the pilot program.*

20 **SEC. 110. AVIATION SECURITY ADVISORY COMMITTEE CON-**  
21 **SULTATION.**

22       *(a) IN GENERAL.—The Administrator shall consult, to*  
23 *the extent practicable, with the Aviation Security Advisory*  
24 *Committee (established pursuant to section 44946 of title*  
25 *49 of the United States Code) regarding any modification*

1 *to the prohibited item list prior to issuing a determination*  
2 *about any such modification.*

3       **(b) REPORT ON THE TRANSPORTATION SECURITY**  
4 **OVERSIGHT BOARD.**—*Not later than 120 days after the*  
5 *date of the enactment of this Act, the Secretary of Homeland*  
6 *Security shall submit to the Transportation Security Over-*  
7 *sight Board (established pursuant to section 115 of title 49,*  
8 *United States Code), the Committee on Homeland Security*  
9 *of the House of Representatives, and the Committee on*  
10 *Homeland Security and Governmental Affairs and the*  
11 *Committee on Commerce, Science, and Transportation of*  
12 *the Senate a report that includes general information on*  
13 *how often the Board has met, the current composition of*  
14 *the Board, and what activities the Board has undertaken,*  
15 *consistent with the duties specified in subsection (c) of such*  
16 *section. The Secretary may include in such report rec-*  
17 *ommendations for changes to such section in consideration*  
18 *of the provisions of section 44946 of title 49, United States*  
19 *Code.*

20       **(c) TECHNICAL CORRECTION.**—*Subparagraph (A) of*  
21 *section 44946(c)(2) of title 49, United States Code, is*  
22 *amended to read as follows:*

23                   **“(A) TERMS.**—*The term of each member of*  
24                   *the Advisory Committee shall be two years but*  
25                   *may continue until such time as a successor*



1           (3) *A methodology for evaluating how to inte-*  
2           *grate private contractor teams into the checkpoint*  
3           *area to detect explosive devices missed by mechanical*  
4           *or human error at other points in the screening proc-*  
5           *ess.*

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

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

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

1       (e) *FUNDING.*—*Out of funds made available to the Of-*  
2 *fice of the Secretary of Homeland Security, \$6,000,000 is*  
3 *authorized to be used to carry out this section.*

4 **SEC. 112. COVERT TESTING AT AIRPORTS.**

5       (a) *IN GENERAL.*—*Not later than one year after the*  
6 *date of the enactment of this Act and annually thereafter*  
7 *through 2020, the Administrator shall conduct covert test-*  
8 *ing on an on-going basis to test vulnerabilities and identify*  
9 *weaknesses in the measures used to secure the aviation sys-*  
10 *tem of the United States. The Administrator shall, on a*  
11 *quarterly basis if practicable, provide to the Inspector Gen-*  
12 *eral of the Department such testing results, methodology,*  
13 *and data.*

14       (b) *ELEMENTS.*—*In carrying out the covert testing re-*  
15 *quired under subsection (a), the Administrator shall—*

16           (1) *consider security screening and procedures*  
17 *conducted by TSA;*

18           (2) *use available threat information and intel-*  
19 *ligence to determine the types and sizes of simulated*  
20 *threat items and threat item-body location configura-*  
21 *tions for such covert testing;*

22           (3) *use a risk-based approach to determine the*  
23 *location and number of such covert testing;*

24           (4) *conduct such covert testing without notifying*  
25 *personnel at airports prior to such covert testing; and*

1           (5) *identify reasons for failure when TSA per-*  
2           *sonnel or the screening equipment used do not iden-*  
3           *tify and resolve any threat item used during such a*  
4           *covert test.*

5           (c) *INDEPENDENT REVIEW.*—*The Inspector General of*  
6           *the Department shall conduct covert testing of the aviation*  
7           *system of the United States in addition to the covert testing*  
8           *conducted by the Administrator under subsection (a), as ap-*  
9           *propriate, and analyze TSA covert testing results, method-*  
10          *ology, and data provided pursuant to such subsection to de-*  
11          *termine the sufficiency of TSA covert testing protocols. The*  
12          *Inspector General shall, as appropriate, compare testing re-*  
13          *sults of any additional covert testing conducted pursuant*  
14          *to this subsection with the results of TSA covert testing*  
15          *under subsection (a) to determine systemic weaknesses in*  
16          *the security of the aviation system of the United States.*

17          (d) *CORRECTIVE ACTION.*—*Not later than 30 days*  
18          *upon completion of any covert testing under subsection (a),*  
19          *the Administrator shall make recommendations and imple-*  
20          *ment corrective actions to mitigate vulnerabilities identified*  
21          *by such covert testing and shall notify the Inspector General*  
22          *of the Department of such recommendations and actions.*  
23          *The Inspector General shall review the extent to which such*  
24          *recommendations and actions are implemented and the de-*

1 *gree to which such recommendations and actions improve*  
2 *the security of the aviation system of the United States.*

3 *(e) CONGRESSIONAL NOTIFICATION.—*

4 *(1) BY THE ADMINISTRATOR.—Not later than 30*  
5 *days upon completion of any covert testing under sub-*  
6 *section (a), the Administrator shall brief the Com-*  
7 *mittee on Homeland Security of the House of Rep-*  
8 *resentatives and the Committee on Homeland Secu-*  
9 *rity and Governmental Affairs and the Committee on*  
10 *Commerce, Science, and Transportation of the Senate*  
11 *on the results of such covert testing.*

12 *(2) BY THE INSPECTOR GENERAL OF THE DE-*  
13 *PARTMENT.—The Inspector General shall brief the*  
14 *Committee on Homeland Security of the House of*  
15 *Representatives and the Committee on Homeland Se-*  
16 *curity and Governmental Affairs and the Committee*  
17 *on Commerce, Science, and Transportation of the*  
18 *Senate annually on the requirements specified in this*  
19 *section.*

20 *(f) RULE OF CONSTRUCTION.—Nothing in this section*  
21 *may be construed to prohibit the Administrator or the In-*  
22 *spector General of the Department from conducting covert*  
23 *testing of the aviation system of the United States with*  
24 *greater frequency than required under this section.*

1 **SEC. 113. TRAINING FOR TRANSPORTATION SECURITY OF-**  
2 **FICERS.**

3 *The Administrator shall, on a periodic basis, brief the*  
4 *Committee on Homeland Security of the House of Rep-*  
5 *resentatives and the Committee on Homeland Security and*  
6 *Governmental Affairs and the Committee on Commerce,*  
7 *Science, and Transportation of the Senate on the status of*  
8 *efforts to enhance initial and recurrent training of Trans-*  
9 *portation Security Officers.*

10 **TITLE II—SURFACE TRANSPOR-**  
11 **TATION SECURITY AND**  
12 **OTHER MATTERS**

13 **SEC. 201. SURFACE TRANSPORTATION INSPECTORS.**

14 *(a) IN GENERAL.—Section 1304(d) of the Imple-*  
15 *menting Recommendations of the 9/11 Commission Act of*  
16 *2007 (6 U.S.C. 1113; Public Law 110–53) is amended—*

- 17 *(1) by inserting “surface” after “relevant”; and*  
18 *(2) by striking “, as determined appropriate”.*

19 *(b) REPORT TO CONGRESS.—Not later than one year*  
20 *after the date of the enactment of this Act, the Comptroller*  
21 *General of the United States shall submit to the Committee*  
22 *on Homeland Security of the House of Representatives and*  
23 *the Committee on Homeland Security and Governmental*  
24 *Affairs and the Committee on Commerce, Science, and*  
25 *Transportation of the Senate a report on the efficiency and*  
26 *effectiveness of the Administration’s Surface Transportation*

1 *Security Inspectors Program under subsection (d) of section*  
2 *1304 of the Implementing Recommendations of the 9/11*  
3 *Commission Act of 2007 (6 U.S.C. 1113; Public Law 110–*  
4 *53).*

5 *(c) CONTENTS.—The report required under subsection*  
6 *(b) shall include a review of the following:*

7 *(1) The roles and responsibilities of surface*  
8 *transportation security inspectors.*

9 *(2) The extent to which the TSA has used a risk-*  
10 *based, strategic approach to determine the appro-*  
11 *priate number of surface transportation security in-*  
12 *spectors and resource allocation across field offices.*

13 *(3) Whether TSA’s surface transportation regula-*  
14 *tions are risk-based and whether surface transpor-*  
15 *tation security inspectors have adequate experience*  
16 *and training to perform their day-to-day responsibil-*  
17 *ities.*

18 *(4) Feedback from regulated surface transpor-*  
19 *tation industry stakeholders on the benefit of surface*  
20 *transportation security inspectors to the overall secu-*  
21 *rity of the surface transportation systems of such*  
22 *stakeholders and the consistency of regulatory enforce-*  
23 *ment.*

1           (5) *Whether surface transportation security in-*  
2 *spectors have appropriate qualifications to help secure*  
3 *and inspect surface transportation systems.*

4           (6) *Whether TSA measures the effectiveness of*  
5 *surface transportation security inspectors.*

6           (7) *Any overlap between the TSA and the De-*  
7 *partment of Transportation as such relates to surface*  
8 *transportation security inspectors in accordance with*  
9 *section 1310 of the Implementing Recommendations*  
10 *of the 9/11 Commission Act of 2007 (6 U.S.C. 1117;*  
11 *Public Law 110–53).*

12           (8) *The extent to which surface transportation*  
13 *security inspectors review and enhance information*  
14 *security practices and enforce applicable information*  
15 *security regulations and directives.*

16           (9) *Any recommendations relating to the effi-*  
17 *ciency and effectiveness of the TSA’s surface transpor-*  
18 *tation security inspectors program.*

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

21 *(a) INSPECTOR GENERAL AUDIT.—*

22           (1) *IN GENERAL.—Not later than 60 days after*  
23 *the date of the enactment of this Act, the Inspector*  
24 *General of the Department shall analyze the data and*  
25 *methods that the Administrator uses to identify Office*

1 of Inspection employees of the Administration who  
2 meet the requirements of sections 8331(20), 8401(17),  
3 and 5545a of title 5, United States Code, and provide  
4 the relevant findings to the Administrator, including  
5 a finding on whether such data and methods are ade-  
6 quate and valid.

7 (2) *PROHIBITION ON HIRING.*—If the Inspector  
8 General of the Department finds that the data and  
9 methods referred to in paragraph (1) are inadequate  
10 or invalid, the Administrator may not hire any new  
11 employee to work in the Office of Inspection of the  
12 Administration until—

13 (A) the Administrator makes a certification  
14 described in subsection (b)(1) to the Committee  
15 on Homeland Security of the House of Rep-  
16 resentatives and the Committee on Homeland Se-  
17 curity and Governmental Affairs and the Com-  
18 mittee on Commerce, Science, and Transpor-  
19 tation of the Senate; and

20 (B) the Inspector General submits to such  
21 Committees a finding, not later than 30 days  
22 after the Administrator makes such certification,  
23 that the Administrator utilized adequate and  
24 valid data and methods to make such certifi-  
25 cation.

1       **(b) TSA OFFICE OF INSPECTION WORKFORCE CER-**  
2 **TIFICATION.—**

3           **(1) IN GENERAL.—***The Administrator shall, by*  
4 *not later than 90 days after the date the Inspector*  
5 *General of the Department provides its findings to the*  
6 *Assistant Secretary under subsection (a)(1), document*  
7 *and certify in writing to the Committee on Homeland*  
8 *Security of the House of Representatives and the*  
9 *Committee on Homeland Security and Governmental*  
10 *Affairs and the Committee on Commerce, Science,*  
11 *and Transportation of the Senate that only those Of-*  
12 *fice of Inspection employees of the Administration*  
13 *who meet the requirements of sections 8331(20),*  
14 *8401(17), and 5545a of title 5, United States Code,*  
15 *are classified as criminal investigators and are re-*  
16 *ceiving premium pay and other benefits associated*  
17 *with such classification.*

18           **(2) EMPLOYEE RECLASSIFICATION.—***The Admin-*  
19 *istrator shall reclassify criminal investigator posi-*  
20 *tions in the Office of Inspection of the Administration*  
21 *as noncriminal investigator positions or non-law en-*  
22 *forcement positions if the individuals in such posi-*  
23 *tions do not, or are not expected to, spend an average*  
24 *of at least 50 percent of their time performing crimi-*  
25 *nal investigative duties.*

1           (3) *PROJECTED COST SAVINGS.*—

2                   (A) *IN GENERAL.*—*The Administrator shall*  
3                   *estimate the total long-term cost savings to the*  
4                   *Federal Government resulting from the imple-*  
5                   *mentation of paragraph (2), and provide such*  
6                   *estimate to the Committee on Homeland Security*  
7                   *of the House of Representatives and the Com-*  
8                   *mittee on Homeland Security and Governmental*  
9                   *Affairs and the Committee on Commerce,*  
10                   *Science, and Transportation of the Senate by not*  
11                   *later than 180 days after the date of enactment*  
12                   *of this Act.*

13                   (B) *CONTENTS.*—*The estimate described in*  
14                   *subparagraph (A) shall identify savings associ-*  
15                   *ated with the positions reclassified under para-*  
16                   *graph (2) and include, among other factors the*  
17                   *Administrator considers appropriate, savings*  
18                   *from—*

19                           (i) *law enforcement training;*  
20                           (ii) *early retirement benefits;*  
21                           (iii) *law enforcement availability and*  
22                           *other premium pay; and*  
23                           (iv) *weapons, vehicles, and commu-*  
24                           *nications devices.*

1       (c) *STUDY.*—Not later than 180 days after the date  
2 that the Administrator submits the certification under sub-  
3 section (b)(1), the Inspector General of the Department shall  
4 submit to the Committee on Homeland Security of the  
5 House of Representatives and the Committee on Homeland  
6 Security and Governmental Affairs and the Committee on  
7 Commerce, Science, and Transportation of the Senate a  
8 study—

9           (1) reviewing the employee requirements, respon-  
10 sibilities, and benefits of criminal investigators in the  
11 Office of Inspection of the Administration with criminal  
12 investigators employed at agencies adhering to the  
13 Office of Personnel Management employee classifica-  
14 tion system; and

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

18 **SEC. 203. REPEAL OF BIENNIAL REPORTING REQUIREMENT**  
19 **FOR THE GOVERNMENT ACCOUNTABILITY OF-**  
20 **FICE RELATING TO THE TRANSPORTATION**  
21 **SECURITY INFORMATION SHARING PLAN.**

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

24           (1) striking paragraph (7); and

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

3   **SEC. 204. SECURITY TRAINING FOR FRONTLINE TRANSPOR-**  
4                                   **TATION WORKERS.**

5           *Not later than 90 days after the date of the enactment*  
6   *of the Act, the Administrator shall submit to the Committee*  
7   *on Homeland Security of the House of Representatives and*  
8   *the Committee on Homeland Security and Governmental*  
9   *Affairs and the Committee on Commerce, Science, and*  
10 *Transportation of the Senate a report regarding the status*  
11 *of the implementation of sections 1408 (6 U.S.C. 1137) and*  
12 *1534 (6 U.S.C. 1184) of the Implementing Recommenda-*  
13 *tions of the 9/11 Commission Act of 2007 (Public Law 110-*  
14 *53). The Administrator shall include in such report specific*  
15 *information on the challenges that the Administrator has*  
16 *encountered since the date of the enactment of the Imple-*  
17 *menting Recommendations of the 9/11 Commission Act of*  
18 *2007 with respect to establishing regulations requiring the*  
19 *provision of basic security training to public transportation*  
20 *frontline employees and over-the-road bus frontline employ-*  
21 *ees for preparedness for potential security threats and con-*  
22 *ditions.*

23   **SEC. 205. FEASIBILITY ASSESSMENT.**

24           *Not later than 120 days after the date of the enactment*  
25 *of this Act, the Administrator shall submit to the Committee*

1 *on Homeland Security of the House of Representatives and*  
2 *the Committee on Homeland Security and Governmental*  
3 *Affairs and the Committee on Commerce, Science, and*  
4 *Transportation of the Senate a feasibility assessment of*  
5 *partnering with an independent, not-for-profit organization*  
6 *to help provide venture capital to businesses, particularly*  
7 *small businesses, for commercialization of innovative home-*  
8 *land security technologies that are expected to be ready for*  
9 *commercialization in the near term and within 36 months.*  
10 *In conducting such feasibility assessment, the Adminis-*  
11 *trator shall consider the following:*

12           (1) *Establishing an independent, not-for-profit*  
13 *organization, modeled after the In-Q-tel program, a*  
14 *venture capital partnership between the private sector*  
15 *and the intelligence community (as such term is de-*  
16 *finied in section 3(4) of the National Security Act of*  
17 *1947 (50 U.S.C. 3003(4)), to help businesses, particu-*  
18 *larly small businesses, commercialize innovative secu-*  
19 *rity-related technologies.*

20           (2) *Enhanced engagement, either through the*  
21 *Science and Technology Directorate of the Depart-*  
22 *ment of Homeland Security or directly, with the In-*  
23 *Q-tel program described in paragraph (1).*

Union Calendar No. 298

114<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**H. R. 3584**

[Report No. 114-396]

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## **A BILL**

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

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JANUARY 12, 2016

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