

115TH CONGRESS  
1ST SESSION

# S. 1872

To authorize the programs of the Transportation Security Administration relating to transportation security, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

SEPTEMBER 27, 2017

Mr. THUNE (for himself, Mr. NELSON, Mr. BLUNT, and Ms. CANTWELL) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

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## A BILL

To authorize the programs of the Transportation Security Administration relating to transportation security, 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; REFER-**  
4 **ENCES.**

5 (a) **SHORT TITLE.**—This Act may be cited as the  
6 “TSA Modernization Act”.

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

Sec. 1. Short title; table of contents; references.

Sec. 2. Definitions.

## TITLE I—ORGANIZATION AND AUTHORIZATIONS

- Sec. 101. Authorization of appropriations.
- Sec. 102. Administrator of the Transportation Security Administration; five-year term.
- Sec. 103. Transportation Security Administration organization.
- Sec. 104. Transmittals to Congress.

## TITLE II—AVIATION SECURITY

## Subtitle A—Security Technology

- Sec. 211. Third party testing and evaluation of screening technology.
- Sec. 212. Reciprocal recognition of security standards.
- Sec. 213. Transportation Security Laboratory.
- Sec. 214. Innovation Task Force.
- Sec. 215. 5-Year technology investment plan update.
- Sec. 216. Biometrics expansion.
- Sec. 217. Pilot program for automated exit lane technology.
- Sec. 218. Authorization of appropriations; exit lane security.
- Sec. 219. Real-time security checkpoint wait times.
- Sec. 220. GAO report on universal deployment of advanced imaging technologies.

## Subtitle B—Public Area Security

- Sec. 221. Third party canines.
- Sec. 222. Tracking and monitoring of canine training and testing.
- Sec. 223. VIPR team statistics.
- Sec. 224. Public area best practices.
- Sec. 225. Law Enforcement Officer Reimbursement Program.

## Subtitle C—Passenger and Cargo Security

- Sec. 231. PreCheck Program.
- Sec. 232. Trusted traveler programs; collaboration.
- Sec. 233. Passenger security fee.
- Sec. 234. Third party canine teams for air cargo security.
- Sec. 235. Known Shipper Program review.
- Sec. 236. Screening partnership program updates.
- Sec. 237. Screening performance assessments.
- Sec. 238. TSA Academy review.

## Subtitle D—Foreign Airport Security

- Sec. 241. Last point of departure airports; security directives.
- Sec. 242. Tracking security screening equipment from last point of departure airports.
- Sec. 243. International security standards.

## Subtitle E—Cockpit and Cabin Security

- Sec. 251. Federal air marshal service updates.
- Sec. 252. Crew member self-defense training.
- Sec. 253. Flight deck safety and security.
- Sec. 254. Carriage of weapons, explosives, and incendiaries by individuals.

## TITLE III—CONFORMING AND MISCELLANEOUS AMENDMENTS

Sec. 301. Title 49 amendments.

Sec. 302. Table of contents of chapter 449.

Sec. 303. Other laws; Intelligence Reform and Terrorism Prevention Act of 2004.

Sec. 304. Savings provisions.

1           (c) REFERENCES TO TITLE 49, UNITED STATES  
2 CODE.—Except as otherwise expressly provided, wherever  
3 in this Act an amendment or repeal is expressed in terms  
4 of an amendment to, or repeal of, a section or other provi-  
5 sion, the reference shall be considered to be made to a  
6 section or other provision of title 49, United States Code.

7 **SEC. 2. DEFINITIONS.**

8           In this Act:

9                   (1) ADMINISTRATOR.—The term “Adminis-  
10 trator” means the Administrator of the TSA.

11                   (2) APPROPRIATE COMMITTEES OF CON-  
12 GRESS.—The term “appropriate committees of Con-  
13 gress” means—

14                           (A) the Committee on Commerce, Science,  
15 and Transportation of the Senate;

16                           (B) the Committee on Homeland Security  
17 and Governmental Affairs of the Senate; and

18                           (C) the Committee on Homeland Security  
19 of the House of Representatives.

20                   (3) ASAC.—The term “ASAC” means the  
21 Aviation Security Advisory Committee established  
22 under section 44946 of title 49, United States Code.

1           (4) SECRETARY.—The term “Secretary” means  
2           the Secretary of Homeland Security.

3           (5) TSA.—The term “TSA” means the Trans-  
4           portation Security Administration.

5           **TITLE I—ORGANIZATION AND**  
6           **AUTHORIZATIONS**

7           **SEC. 101. AUTHORIZATION OF APPROPRIATIONS.**

8           Section 114(w) is amended to read as follows:

9           “(w) AUTHORIZATION OF APPROPRIATIONS.—There  
10          are authorized to be appropriated to the Transportation  
11          Security Administration for salaries, operations, and  
12          maintenance of the Administration—

13                 “(1) \$7,810,196,000 for fiscal year 2018;

14                 “(2) \$7,849,247,000 for fiscal year 2019; and

15                 “(3) \$7,888,494,000 for fiscal year 2020.”.

16          **SEC. 102. ADMINISTRATOR OF THE TRANSPORTATION SE-**  
17          **CURITY ADMINISTRATION; FIVE-YEAR TERM.**

18          (a) IN GENERAL.—Section 114, as amended by sec-  
19          tion 101, is further amended—

20                 (1) in subsection (a), by striking “Department  
21                 of Transportation” and inserting “Department of  
22                 Homeland Security”;

23                 (2) by amending subsection (b) to read as fol-  
24                 lows:

25                 “(b) LEADERSHIP.—

1           “(1) HEAD OF TRANSPORTATION SECURITY AD-  
2           MINISTRATION.—

3           “(A) APPOINTMENT.—The head of the Ad-  
4           ministration shall be the Administrator of the  
5           Transportation Security Administration (re-  
6           ferred to in this section as the ‘Administrator’).  
7           The Administrator shall be appointed by the  
8           President, by and with the advice and consent  
9           of the Senate.

10          “(B) QUALIFICATIONS.—The Adminis-  
11          trator must—

12                 “(i) be a citizen of the United States;

13                 and

14                 “(ii) have experience in a field directly  
15                 related to transportation or security.

16          “(C) TERM.—Effective with respect to any  
17          individual appointment by the President, by and  
18          with the advice and consent of the Senate, after  
19          August 1, 2017, the term of office of an indi-  
20          vidual appointed as the Administrator shall be  
21          5 years.

22          “(2) DEPUTY ADMINISTRATOR.—

23                 “(A) APPOINTMENT.—There is established  
24                 in the Transportation Security Administration a  
25                 Deputy Administrator, who shall assist the Ad-

1            administrator in the management of the Trans-  
2            portation Security Administration. The Deputy  
3            Administrator shall be appointed by the Presi-  
4            dent. The Deputy Administrator shall be Acting  
5            Administrator during the absence or incapacity  
6            of the Administrator or during a vacancy in the  
7            office of Administrator.

8            “(B) QUALIFICATIONS.—The Deputy Ad-  
9            ministrator must—

10            “(i) be a citizen of the United States;

11            and

12            “(ii) have experience in a field directly  
13            related to transportation or security.”;

14            (3) in subsections (e) through (n), (p), (q), and  
15            (r), by striking “Under Secretary” each place it ap-  
16            pears and inserting “Administrator”; and

17            (4) by amending subsection (d) to read as fol-  
18            lows:

19            “(d) FUNCTIONS.—The Administrator shall be re-  
20            sponsible for—

21            “(1) carrying out chapter 449, relating to civil  
22            aviation security, and related research and develop-  
23            ment activities;

1           “(2) security in land-based transportation, in-  
2           cluding railroad, highway, pipeline, public transpor-  
3           tation, and over-the-road bus; and

4           “(3) supporting the Coast Guard with maritime  
5           security.”.

6           (b) TECHNICAL AND CONFORMING AMENDMENTS.—  
7           Section 114, as amended by subsection (a), is further  
8           amended—

9           (1) in subsection (g)—

10           (A) in paragraph (1)—

11           (i) in the matter preceding subpara-  
12           graph (A), by striking “Subject to the di-  
13           rection and control of the Secretary” and  
14           inserting “Subject to the direction and  
15           control of the Secretary of Homeland Se-  
16           curity”; and

17           (ii) in subparagraph (D), by inserting  
18           “of Homeland Security” after “Secretary”;  
19           and

20           (B) in paragraph (3), by inserting “of  
21           Homeland Security” after “Secretary”;

22           (2) in subsection (j)(1)(D), by inserting “of  
23           Homeland Security” after “Secretary”;

24           (3) in subsection (k), by striking “functions  
25           transferred, on or after the date of enactment of the

1 Aviation and Transportation Security Act,” and in-  
2 serting “functions assigned”;

3 (4) in subsection (l)(4)(B), by striking “Admin-  
4 istrator under subparagraph (A)” and inserting  
5 “Administrator of the Federal Aviation Administra-  
6 tion under subparagraph (A)”;

7 (5) in subsection (n), by striking “Department  
8 of Transportation” and inserting “Department of  
9 Homeland Security”;

10 (6) in subsection (o), by striking “Department  
11 of Transportation” and inserting “Department of  
12 Homeland Security”;

13 (7) in subsection (p)(4), by striking “Secretary  
14 of Transportation” and inserting “Secretary of  
15 Homeland Security”;

16 (8) in subsection (s)—

17 (A) in paragraph (3)(B), by inserting “)”  
18 after “Act of 2007”; and

19 (B) in paragraph (4)—

20 (i) in the heading, by striking “SUB-  
21 MISSIONS OF PLANS TO CONGRESS” and  
22 inserting “SUBMISSION OF PLANS”;

23 (ii) by striking subparagraph (A);

1 (iii) by redesignating subparagraphs  
2 (B) through (E) as subparagraphs (A)  
3 through (D), respectively;

4 (iv) in subparagraph (A), as redesign-  
5 nated—

6 (I) in the heading, by striking  
7 “SUBSEQUENT VERSIONS” and insert-  
8 ing “IN GENERAL”; and

9 (II) by striking “After December  
10 31, 2015, the” and inserting “The”;  
11 and

12 (v) in subparagraph (B)(ii)(III)(cc),  
13 as redesignated, by striking “for the De-  
14 partment” and inserting “for the Depart-  
15 ment of Homeland Security”;

16 (9) by redesignating subsections (u), (v), and  
17 (w) as subsections (t), (u), and (v), respectively;

18 (10) in subsection (t), as redesignated—

19 (A) in paragraph (1)—

20 (i) by striking subparagraph (D); and

21 (ii) by redesignating subparagraph  
22 (E) as subparagraph (D);

23 (B) in paragraph (2), by inserting “of  
24 Homeland Security” after “Secretary”;

25 (C) in paragraph (4)(B)—

1 (i) by inserting “of Homeland Secu-  
2 rity” after “Department”; and

3 (ii) by inserting “of Homeland Secu-  
4 rity” after “Secretary”;

5 (D) by amending paragraph (6) to read as  
6 follows:

7 “(6) ANNUAL REPORT ON PLAN.—The Sec-  
8 retary of Homeland Security shall annually submit  
9 to the appropriate congressional committees a report  
10 containing the Plan.”; and

11 (E) in paragraphs (7) and (8), by inserting  
12 “of Homeland Security” after “Secretary”; and  
13 (11) in subsection (u), as redesignated—

14 (A) in paragraph (1)—

15 (i) in subparagraph (B), by inserting  
16 “or the Administrator” after “Secretary of  
17 Homeland Security”; and

18 (ii) in subparagraph (C)(ii), by strik-  
19 ing “Secretary’s designee” and inserting  
20 “Secretary of Defense’s designee”;

21 (B) in subparagraphs (B), (C), (D), and  
22 (E) of paragraph (3), by inserting “of Home-  
23 land Security” after “Secretary” each place it  
24 appears;

1 (C) in paragraph (4)(A), by inserting “of  
2 Homeland Security” after “Secretary”;

3 (D) in paragraph (5), by inserting “of  
4 Homeland Security” after “Secretary”; and

5 (E) in paragraph (7)—

6 (i) in subparagraph (A), by striking  
7 “Not later than December 31, 2008, and  
8 annually thereafter, the Secretary” and in-  
9 serting “The Secretary of Homeland Secu-  
10 rity shall”; and

11 (ii) by striking subparagraph (D).

12 (c) EXECUTIVE SCHEDULE.—

13 (1) ADMINISTRATOR OF THE TSA.—

14 (A) POSITIONS AT LEVEL II.—Section  
15 5313 of title 5, United States Code, is amended  
16 by inserting after the item relating to the  
17 Under Secretary of Homeland Security for  
18 Management the following:

19 “Administrator of the Transportation Security Ad-  
20 ministration.”.

21 (B) BONUS ELIGIBILITY.—Section  
22 101(c)(2) of the Aviation and Transportation  
23 Security Act (5 U.S.C. 5313 note) is amend-  
24 ed—

1 (i) by striking “Under Secretary” and  
 2 inserting “Administrator of the Transpor-  
 3 tation Security Administration”; and

4 (ii) by inserting “of Homeland Secu-  
 5 rity” after “Secretary”.

6 (2) DEPUTY ADMINISTRATOR OF THE TSA.—  
 7 Section 5315 of title 5, United States Code, is  
 8 amended by inserting after the item relating to the  
 9 Deputy Administrator, Federal Aviation Administra-  
 10 tion the following:

11 “Deputy Administrator, Transportation Security Ad-  
 12 ministration.”.

13 **SEC. 103. TRANSPORTATION SECURITY ADMINISTRATION**  
 14 **ORGANIZATION.**

15 Section 114, as amended by sections 101 and 102,  
 16 is further amended by adding at the end the following:

17 “(w) LEADERSHIP AND ORGANIZATION.—

18 “(1) IN GENERAL.—For each of the areas de-  
 19 scribed in paragraph (2), the Administrator of the  
 20 Transportation Security Administration shall ap-  
 21 point at least 1 individual who shall—

22 “(A) report directly to the Administrator  
 23 or the Administrator’s designated direct report;  
 24 and

1           “(B) be responsible and accountable for  
2           that area.

3           “(2) AREAS DESCRIBED.—The areas described  
4           in this paragraph are as follows:

5           “(A) Aviation security operations and  
6           training, including risk-based, adaptive security  
7           focused on airport checkpoint and baggage  
8           screening operations, cargo inspections, work-  
9           force training and development programs, and  
10          other specialized programs designed to secure  
11          air transportation.

12          “(B) Surface transportation security oper-  
13          ations and training, including risk-based, adapt-  
14          ive security focused on accomplishing security  
15          systems assessments, reviewing and prioritizing  
16          projects for appropriated surface transportation  
17          security grants, operator compliance with vol-  
18          untary industry standards, workforce training  
19          and development programs, and other special-  
20          ized programs designed to secure surface trans-  
21          portation.

22          “(C) Security policy and industry engage-  
23          ment and planning, including the development,  
24          interpretation, promotion, and oversight of a  
25          unified effort regarding risk-based, risk-reduc-

1 ing security policies and plans (including strategic  
2 planning for future contingencies and security  
3 challenges) between government and  
4 transportation stakeholders, including airports,  
5 domestic and international airlines, general  
6 aviation, air cargo, mass transit and passenger  
7 rail, freight rail, pipeline, highway and motor  
8 carriers, and maritime.

9 “(D) International strategy and operations,  
10 including agency efforts to work with  
11 international partners to secure the global  
12 transportation network.

13 “(E) Trusted and registered traveler programs,  
14 including the management and marketing of the  
15 agency’s trusted traveler initiatives, including  
16 the PreCheck Program, and coordination with  
17 trusted traveler programs of other Department  
18 of Homeland Security agencies and the private  
19 sector.

20 “(F) Technology acquisition and deployment,  
21 including the oversight, development, testing,  
22 evaluation, acquisition, deployment, and  
23 maintenance of security technology and other  
24 acquisition programs.

1           “(G) Inspection and compliance, including  
2           the integrity, efficiency and effectiveness of the  
3           agency’s workforce, operations, and programs  
4           through objective audits, covert testing, inspec-  
5           tions, criminal investigations, and regulatory  
6           compliance.

7           “(H) Civil rights, liberties, and traveler en-  
8           gagement, including ensuring that agency em-  
9           ployees and the traveling public are treated in  
10          a fair and lawful manner consistent with federal  
11          laws and regulations protecting privacy and  
12          prohibiting discrimination and reprisal.

13          “(I) Legislative and public affairs, includ-  
14          ing communication and engagement with inter-  
15          nal and external audiences in a timely, accu-  
16          rate, and transparent manner, and development  
17          and implementation of strategies within the  
18          agency to achieve congressional approval or au-  
19          thorization of agency programs and policies.

20          “(3) NOTIFICATION.—The Administrator shall  
21          transmit to the appropriate committees of Con-  
22          gress—

23                  “(A) not later than 180 days after the date  
24                  of enactment of the TSA Modernization Act, a

1 list of the names of the individuals appointed  
2 under paragraph (1); and

3 “(B) an update of the list not later than  
4 5 days after any new individual is appointed  
5 under paragraph (1).”.

6 **SEC. 104. TRANSMITTALS TO CONGRESS.**

7 With regard to each report, legislative proposal, or  
8 other communication of the Executive Branch related to  
9 the TSA and required to be submitted to Congress or the  
10 appropriate committees of Congress, the Administrator  
11 shall transmit such communication directly to the appro-  
12 priate committees of Congress.

13 **TITLE II—AVIATION SECURITY**  
14 **Subtitle A—Security Technology**

15 **SEC. 211. THIRD PARTY TESTING AND EVALUATION OF**  
16 **SCREENING TECHNOLOGY.**

17 (a) IN GENERAL.—In carrying out the responsibil-  
18 ities under section 114(e)(1), the Administrator shall de-  
19 velop and implement, not later than 1 year after the date  
20 of enactment of this Act, a program to enable a vendor  
21 of related screening technology to obtain testing and  
22 verification, including as an alternative to the TSA’s test  
23 and evaluation process, by an appropriate third party, of  
24 such technology before acquisition or deployment.

25 (b) DETECTION TESTING.—

1           (1) IN GENERAL.—The third party testing and  
2 verification program authorized under subsection (a)  
3 shall include detection testing to evaluate the per-  
4 formance of the security technology system regard-  
5 ing the probability of detection, the probability of  
6 false alarm, and such other indicators that the sys-  
7 tem is able to meet the TSA’s mission needs.

8           (2) COORDINATION WITH FINAL QUALIFICATION  
9 PROCESSES.—To the extent practicable, but without  
10 compromising the integrity of the TSA test and eval-  
11 uation process, the Administrator shall coordinate  
12 the third party detection testing under paragraph  
13 (1) with subsequent final Federal Government quali-  
14 fication processes.

15           (3) RESULTS.—The results of the third party  
16 detection testing under paragraph (1) shall be con-  
17 sidered final if the results are approved by the Ad-  
18 ministration in accordance with approval standards  
19 developed by the Administrator.

20           (4) INTERNATIONAL STANDARDS.—To the ex-  
21 tent practicable and permissible under law, the Ad-  
22 ministrator shall—

23                   (A) share detection testing information  
24                   and standards with appropriate international  
25                   partners; and

1 (B) coordinate with the appropriate inter-  
2 national partners to harmonize TSA testing and  
3 evaluation with relevant international standards  
4 to maximize the capability to detect explosives  
5 and other threats.

6 (c) OPERATIONAL TESTING.—

7 (1) IN GENERAL.—Subject to paragraph (2),  
8 the third party testing and verification program au-  
9 thorized under subsection (a) shall include oper-  
10 ational testing.

11 (2) LIMITATION.—Third party operational test-  
12 ing under paragraph (1) may not exceed 1 year.

13 (d) ALTERNATIVE.—Third party testing under sub-  
14 section (a) shall replace as an alternative, at the discretion  
15 of the Administrator, the testing at the Transportation  
16 Systems Integration Facility, including operational testing  
17 for—

18 (1) health and safety factors;

19 (2) operator interface;

20 (3) human factors;

21 (4) environmental factors;

22 (5) throughput; and

23 (6) baggage handling systems.

24 (e) TESTING AND VERIFICATION FRAMEWORK.—

25 (1) IN GENERAL.—The Administrator shall—

1 (A) establish a framework for the third  
2 party testing and for verifying a security tech-  
3 nology is operationally effective and able to  
4 meet the TSA's mission needs before it may  
5 enter or re-enter, as applicable, the operational  
6 context at an airport or other transportation fa-  
7 cility; and

8 (B) use phased implementation to allow  
9 the TSA and the third party to establish best  
10 practices.

11 (2) RECOMMENDATIONS.—The Administrator  
12 shall request ASAC's Security Technology Sub-  
13 committee, in consultation with representatives of  
14 the security manufacturers industry, to develop and  
15 submit to the Administrator recommendations for  
16 the third party testing and verification framework.

17 (f) FIELD TESTING.—The Administrator shall  
18 prioritize the field testing and evaluation of security tech-  
19 nology and equipment at airports and on site at security  
20 technology manufacturers whenever possible as an alter-  
21 native to the Transportation Systems Integration Facility.

22 **SEC. 212. RECIPROCAL RECOGNITION OF SECURITY STAND-**  
23 **ARDS.**

24 (a) IN GENERAL.—The Administrator, in coordina-  
25 tion with the European Civil Aviation Conference and Ca-

1 nadian Air Transport Security Authority, shall develop a  
2 validation process for the reciprocal recognition of security  
3 equipment technology approvals among international secu-  
4 rity partners or recognized certification authorities for de-  
5 ployment.

6 (b) REQUIREMENT.—The validation process shall en-  
7 sure that the certification process of each participating  
8 international security partner or recognized certification  
9 authority complies with TSA security standards.

10 **SEC. 213. TRANSPORTATION SECURITY LABORATORY.**

11 (a) IN GENERAL.—The Secretary, acting through the  
12 Administrator, shall administer the Transportation Secu-  
13 rity Laboratory.

14 (b) PERIODIC REVIEWS.—The Administrator shall  
15 review the screening technology test and evaluation proc-  
16 ess conducted at the Transportation Security Laboratory  
17 to improve the coordination, collaboration, and commu-  
18 nication between the Transportation Security Laboratory  
19 and the Office of Acquisition Program Management at the  
20 TSA to identify factors contributing to acquisition ineffi-  
21 ciencies, develop strategies to reduce acquisition inefficien-  
22 cies, facilitate more expeditious initiation and completion  
23 of testing, and identify how laboratory practices can better  
24 support acquisition decisions.

1 **SEC. 214. INNOVATION TASK FORCE.**

2 (a) IN GENERAL.—The Administrator shall establish  
3 an innovation task force—

4 (1) to cultivate innovations in aviation security;

5 (2) to develop and recommend how to prioritize  
6 and streamline requirements for new approaches to  
7 aviation security;

8 (3) to accelerate the development and introduc-  
9 tion of new innovative aviation security technologies  
10 and improvements to aviation security operations;  
11 and

12 (4) to provide industry with access to the air-  
13 port environment during the technology development  
14 and assessment process to demonstrate the tech-  
15 nology and to collect data to understand and refine  
16 technical operations and human factor issues.

17 (b) ACTIVITIES.—The task force shall—

18 (1) conduct activities to identify and develop an  
19 innovative technology, emerging security capability,  
20 or process designed to enhance aviation security, in-  
21 cluding—

22 (A) by conducting a field demonstration of  
23 such a technology, capability, or process in the  
24 airport environment;

1 (B) by gathering performance data from  
2 such a demonstration to inform the acquisition  
3 process; and

4 (C) by enabling a small business with an  
5 innovative technology or emerging security ca-  
6 pability, but less than adequate resources, to  
7 participate in such a demonstration;

8 (2) conduct at least quarterly collaboration  
9 meetings with industry, including air carriers, air-  
10 port operators, and other aviation security stake-  
11 holders to highlight and discuss best practices on in-  
12 novative security operations and technology evalua-  
13 tion and deployment; and

14 (3) submit to the appropriate committees of  
15 Congress an annual report on the effectiveness of  
16 key performance data from task force-sponsored  
17 projects and checkpoint enhancements.

18 (c) COMPOSITION.—

19 (1) APPOINTMENT.—The Administrator, in con-  
20 sultation with the Chairperson of ASAC shall ap-  
21 point the members of the task force.

22 (2) CHAIRPERSON.—The task force shall be  
23 chaired by the Administrator's designee.

24 (3) REPRESENTATION.—The task force shall be  
25 comprised of representatives of—

1 (A) the relevant offices of the TSA;

2 (B) if considered appropriate by the Ad-  
3 ministrator, the Science and Technology Direc-  
4 torate of the Department of Homeland Secu-  
5 rity;

6 (C) any other component of the Depart-  
7 ment of Homeland Security that the Adminis-  
8 trator considers appropriate; and

9 (D) such industry representatives as the  
10 Administrator considers appropriate.

11 (d) **RULE OF CONSTRUCTION.**—Nothing in this sec-  
12 tion shall be construed to require the acquisition or deploy-  
13 ment of an innovative technology, emerging security capa-  
14 bility, or process identified, developed, or recommended  
15 under this section.

16 (e) **NONAPPLICABILITY OF FACA.**—The Federal Ad-  
17 visory Committee Act (5 U.S.C. App.) shall not apply to  
18 the task force established under this section.

19 **SEC. 215. 5-YEAR TECHNOLOGY INVESTMENT PLAN UP-**  
20 **DATE.**

21 Section 1611(g) of the Homeland Security Act of  
22 2002 (6 U.S.C. 563(g)) is amended—

23 (1) by striking the matter preceding paragraph

24 (1) and inserting “The Administrator shall, in col-  
25 laboration with relevant industry and government

1 stakeholders, annually submit to Congress in an ap-  
2 pendix to the budget request and publish in an un-  
3 classified format in the public domain—”;

4 (2) in paragraph (1), by striking “; and” and  
5 inserting a semicolon;

6 (3) in paragraph (2), by striking the period and  
7 inserting “; and”; and

8 (4) by adding at the end the following:

9 “(3) information about acquisitions completed  
10 during the fiscal year preceding the fiscal year dur-  
11 ing which the report is submitted.”.

12 **SEC. 216. BIOMETRICS EXPANSION.**

13 Not later than 270 days after the date of enactment  
14 of this Act, the Administrator, in coordination with the  
15 Commissioner of Customs and Border Protection, shall—

16 (1) assess the operational and security impact  
17 of using biometric technology to identify passengers;

18 (2) facilitate, if appropriate, the deployment of  
19 such biometric technology at checkpoints, screening  
20 lanes, bag drop and boarding areas, and other areas  
21 where such deployment would enhance security and  
22 facilitate passenger movement; and

23 (3) submit to the appropriate committees of  
24 Congress a report on the assessment under para-  
25 graph (1) and deployment under paragraph (2).

1 **SEC. 217. PILOT PROGRAM FOR AUTOMATED EXIT LANE**  
2 **TECHNOLOGY.**

3 (a) **IN GENERAL.**—Not later than 90 days after the  
4 date of enactment of this Act, the Administrator shall es-  
5 tablish a pilot program to implement and evaluate the use  
6 of automated exit lane technology at small hub airports  
7 and nonhub airports (as those terms are defined in section  
8 40102 of title 49, United States Code).

9 (b) **PARTNERSHIP.**—The Administrator shall carry  
10 out the pilot program in partnership with the applicable  
11 airport directors.

12 (c) **COST SHARE.**—The Federal share of the cost of  
13 the pilot program under this section shall not exceed 85  
14 percent of the total cost of the program.

15 (d) **AUTHORIZATION OF APPROPRIATIONS.**—There is  
16 authorized to be appropriated to carry out the pilot pro-  
17 gram under this section \$15,000,000 for each of fiscal  
18 years 2018 through 2020.

19 (e) **GAO REPORT.**—Not later than 2 years after the  
20 date of enactment of this Act, the Comptroller General  
21 of the United States shall submit to the appropriate com-  
22 mittees of Congress a report on the pilot program, includ-  
23 ing—

24 (1) the level of airport interest and participa-  
25 tion in the pilot program;

1           (2) what return on investment, if any, was  
2           achieved by each program participant; and

3           (3) recommendations regarding whether to ex-  
4           pand or discontinue the pilot program.

5 **SEC. 218. AUTHORIZATION OF APPROPRIATIONS; EXIT**  
6           **LANE SECURITY.**

7           There is authorized to be appropriated to carry out  
8           section 44903(n)(1) of title 49, United States Code,  
9           \$77,000,000 for each of fiscal years 2018 through 2020.

10 **SEC. 219. REAL-TIME SECURITY CHECKPOINT WAIT TIMES.**

11           (a) **IN GENERAL.**—Not later than 18 months after  
12           the date of enactment of this Act, the Administrator shall  
13           make available to the public information on wait times at  
14           each airport security checkpoint.

15           (b) **REQUIREMENTS.**—The information described in  
16           subsection (a) shall be provided in real time via technology  
17           and published—

18                   (1) online; and

19                   (2) in physical locations at the applicable air-  
20           port terminal.

21           (c) **CONSIDERATIONS.**—The Administrator shall  
22           make the information described in subsection (a) available  
23           to the public in a manner that does not increase public  
24           area security risks.

1 (d) DEFINITION OF WAIT TIME.—In this section, the  
2 term “wait time” means the period beginning when a pas-  
3 senger enters a queue for a screening checkpoint and end-  
4 ing when the passenger has begun divestment of items re-  
5 quiring screening at that checkpoint.

6 **SEC. 220. GAO REPORT ON UNIVERSAL DEPLOYMENT OF**  
7 **ADVANCED IMAGING TECHNOLOGIES.**

8 (a) STUDY.—The Comptroller General of the United  
9 States shall conduct a study of the cost to the TSA or  
10 an airport to redesign, if necessary, airport security areas  
11 to fully deploy advanced imaging technologies at each air-  
12 port at which security screening operations are conducted  
13 or overseen by the TSA.

14 (b) COST ANALYSIS.—As a part of the study con-  
15 ducted under subsection (a), the Comptroller General shall  
16 identify the costs that would be incurred by the TSA or  
17 the airport—

18 (1) to purchase the equipment and other assets  
19 necessary to deploy advanced imaging technologies  
20 at the airport;

21 (2) to install such equipment, including any re-  
22 lated variant, and assets in the airport; and

23 (3) to maintain such equipment and assets.

24 (c) REPORT.—Not later than 1 year after the date  
25 of enactment of this Act, the Comptroller General shall

1 submit to the appropriate committees of Congress a report  
2 on the findings of the study under subsection (a).

### 3 **Subtitle B—Public Area Security**

#### 4 **SEC. 221. THIRD PARTY CANINES.**

5 (a) IN GENERAL.—Not later than 120 days after the  
6 date of enactment of this Act, to increase the supply of  
7 canine teams for use by the TSA and aviation stake-  
8 holders, the Administrator shall develop and issue stand-  
9 ards that a third party explosives detection canine team  
10 must satisfy to be certified for the screening of individuals  
11 and property, including detection of explosive vapors  
12 among individuals and articles of property, in public areas  
13 of an airport under section 44901 of title 49, United  
14 States Code.

15 (b) AGREEMENT.—Subject to subsections (c), (d),  
16 and (e), not later than 180 days after the date of enact-  
17 ment of this Act, the Administrator shall enter into an  
18 agreement with at least 1 third party entity to test and  
19 certify the capabilities of canine teams in accordance with  
20 the standards under subsection (a).

21 (c) EXPEDITED DEPLOYMENT.—In entering into an  
22 agreement under subsection (b), the Secretary shall use—

23 (1) the other transaction authority under sec-  
24 tion 114(m) of title 49, United States Code; or

1           (2) such other authority of the Secretary as the  
2           Secretary considers appropriate to expedite the de-  
3           ployment of additional canine teams.

4           (d) PROCESS.—Before entering into an agreement  
5           under subsection (b), the Administrator shall—

6           (1) evaluate and verify a third party entity’s  
7           ability to effectively evaluate the capabilities of ca-  
8           nine teams;

9           (2) designate at least 3 evaluation centers to  
10          which vendors may send canine teams for testing  
11          and certification by the third party entity; and

12          (3) periodically assess the program at evalua-  
13          tion centers to ensure the proficiency of the canine  
14          team beyond the initial testing and certification by  
15          the third party entity.

16          (e) CONSULTATION.—To determine best practices for  
17          the use of third party entities to test and certify the capa-  
18          bilities of canine teams, the Administrator shall consult  
19          with the following entities before entering into an agree-  
20          ment under subsection (b):

21                 (1) The Secretary of State.

22                 (2) Non-profit organizations that train, certify,  
23                 and provide the services of canines for various pur-  
24                 poses.

1 (f) OVERSIGHT.—The Administrator shall establish a  
2 process to ensure appropriate oversight of the certification  
3 program and compliance with the standards under sub-  
4 section (a), including periodic audits of participating third  
5 party entities.

6 (g) AUTHORIZATION.—

7 (1) TSA.—The Administrator shall develop and  
8 implement a process for the TSA to procure third  
9 party explosives detection canine teams certified  
10 under this section.

11 (2) AVIATION STAKEHOLDERS.—

12 (A) IN GENERAL.—The Administrator  
13 shall authorize an aviation stakeholder, under  
14 the oversight of and in coordination with the  
15 Federal Security Director at an applicable air-  
16 port, to contract with, procure or purchase, and  
17 deploy one or more third party explosives detec-  
18 tion canine teams certified under this section to  
19 augment public area security at that airport.

20 (B) APPLICABLE LARGE HUB AIRPORTS.—

21 Notwithstanding any law to the contrary and  
22 subject to the other provisions of this para-  
23 graph, an applicable large hub airport may pro-  
24 vide a certified canine contracted with, or pro-  
25 cured or purchased under subparagraph (A) on

1 an in-kind basis to the TSA to be deployed as  
2 a passenger screening canine at that airport un-  
3 less the applicable large hub airport consents to  
4 the use of that certified canine elsewhere.

5 (C) HANDLERS.—Not later than 30 days  
6 before an applicable large hub airport begins  
7 training a canine under subparagraph (B), the  
8 airport shall notify the TSA of such training  
9 and the Administrator shall assign a TSA ca-  
10 nine handler to participate in the training with  
11 that canine, as appropriate.

12 (D) LIMITATION.—The Administrator may  
13 not reduce the staffing allocation model for an  
14 applicable large hub airport based on that air-  
15 port’s participation in canine testing and certifi-  
16 cation under this paragraph.

17 (h) DEFINITIONS.—In this section:

18 (1) APPLICABLE LARGE HUB AIRPORT.—The  
19 term “applicable large hub airport” means a large  
20 hub airport (as defined in section 40102 of title 49,  
21 United States Code) that has less than 100 percent  
22 of the allocated passenger screening canine teams  
23 staffed by the TSA.

1           (2) AVIATION STAKEHOLDER.—The term “avia-  
2           tion stakeholder” includes an airport, airport oper-  
3           ator, and air carrier.

4 **SEC. 222. TRACKING AND MONITORING OF CANINE TRAIN-**  
5 **ING AND TESTING.**

6           Not later than 180 days after the date of enactment  
7 of this Act, the Administrator shall use, to the extent prac-  
8 ticable, a digital monitoring system for all training, test-  
9 ing, and validation or certification of public and private  
10 canine assets utilized by the TSA to facilitate improved  
11 review, data analysis, and record keeping of canine testing  
12 performance and program administration.

13 **SEC. 223. VIPR TEAM STATISTICS.**

14           (a) IN GENERAL.—Not later than 90 days after the  
15 date of enactment of this Act, and annually thereafter,  
16 the Administrator shall notify the appropriate committees  
17 of Congress of the number of VIPR teams available for  
18 deployment at transportation facilities, including—

19           (1) the number of VIPR team operations that  
20           include explosive detection canine teams; and

21           (2) the distribution of VIPR team operations  
22           deployed across different modes of transportation.

23           (b) ANNEX.—The notification under subsection (a)  
24 may contain a classified annex.

1 (c) DEFINITION OF VIPR TEAM.—In this section,  
2 the term “VIPR” means a Visible Intermodal Prevention  
3 and Response team authorized under section 1303 of the  
4 National Transit Systems Security Act of 2007 (6 U.S.C.  
5 1112).

6 **SEC. 224. PUBLIC AREA BEST PRACTICES.**

7 (a) IN GENERAL.—The Administrator shall, in ac-  
8 cordance with law and as received or developed, periodi-  
9 cally submit to Federal Security Directors and appropriate  
10 aviation security stakeholders information on any best  
11 practices developed by the TSA or appropriate aviation  
12 stakeholders related to protecting aviation infrastructure  
13 from emerging threats to public spaces of transportation  
14 venues.

15 (b) INFORMATION SHARING.—The Administrator  
16 shall, in accordance with law—

17 (1) in coordination with the Office of the Direc-  
18 tor of National Intelligence and industry partners,  
19 implement improvements to the Air Domain Intel-  
20 ligence and Analysis Center to encourage increased  
21 participation from aviation stakeholders and enhance  
22 government and industry aviation security informa-  
23 tion sharing on aviation security threats, including  
24 on cybersecurity threat awareness; and

1           (2) expand and improve the City and Airport  
2 Threat Assessment or similar program to public and  
3 private aviation stakeholders to capture, quantify,  
4 communicate, and apply applicable intelligence to in-  
5 form airport mitigation measures, such as—

6           (A) quantifying levels of risk by airport  
7 that can be used to determine risk-based secu-  
8 rity mitigation measures at each location;

9           (B) determining random and surge em-  
10 ployee inspection operations based on changing  
11 levels of risk; and

12           (C) targeting any high-risk employee  
13 groups and specific points of risk within the  
14 airport perimeter for such mitigation measures  
15 as random inspections;

16           (3) continue to disseminate Transportation In-  
17 telligence Notes, tear-lines, and related intelligence  
18 products to appropriate transportation security  
19 stakeholders on a regular basis; and

20           (4) continue to conduct both regular routine  
21 and threat-specific classified briefings between the  
22 TSA and appropriate aviation and other transpor-  
23 tation sector stakeholders on an individual or group  
24 basis to provide greater information sharing between  
25 public and private sectors.

1           (c) MASS NOTIFICATION.—The Administrator shall  
2 encourage aviation security stakeholders to utilize mass  
3 notification systems, including the Integrated Public Alert  
4 Warning System of the Federal Emergency Management  
5 Agency and social media platforms, to disseminate infor-  
6 mation to transportation community employees, travelers,  
7 and the general public, as appropriate.

8           (d) PUBLIC AWARENESS PROGRAMS.—The Secretary  
9 of Homeland Security, in coordination with the Adminis-  
10 trator, shall expand public programs of the Department  
11 and the TSA that increase security threat awareness, edu-  
12 cation, and training to include transportation network  
13 public area employees, including airport and transpor-  
14 tation vendors, local hotels, cab and limousine companies,  
15 ridesharing companies, cleaning companies, gas station at-  
16 tendants, cargo operators, and general aviation members.

17           (e) AVIATION EMPLOYEE VETTING.—The Adminis-  
18 trator shall allow an air carrier, airport, or airport oper-  
19 ator, in addition to any background check required for ini-  
20 tial employment, to utilize the Federal Bureau of Inves-  
21 tigation’s Rap Back Service and other vetting tools as ap-  
22 propriate, including the No-Fly and Selectee lists, to get  
23 immediate notification of any criminal activity relating to  
24 an employee with access to an airport or its perimeter,

1 regardless of whether the employee is seeking access to  
2 a public or secured area of the airport.

3 **SEC. 225. LAW ENFORCEMENT OFFICER REIMBURSEMENT**  
4 **PROGRAM.**

5 (a) IN GENERAL.—In accordance with section  
6 44903(c)(1) of title 49, United States Code, the Adminis-  
7 trator shall increase the number of awards, and the total  
8 funding amount of each award, under the Law Enforce-  
9 ment Officer Reimbursement Program—

10 (1) to increase the presence of law enforcement  
11 officers in the public areas of airports, including  
12 baggage claim, ticket counters, and nearby roads;

13 (2) to increase the presence of law enforcement  
14 officers at screening checkpoints;

15 (3) to reduce the response times of law enforce-  
16 ment officers during security incidents; and

17 (4) to provide visible deterrents to potential ter-  
18 rorists.

19 (b) COOPERATION BY ADMINISTRATOR.—In carrying  
20 out subsection (a), the Administrator shall use the author-  
21 ity provided to the Administrator under section 114(m)  
22 of title 49, United States Code, that is the same authority  
23 as is provided to the Administrator of the Federal Aviation  
24 Administration under section 106(m) of that title.

1 (c) ADMINISTRATIVE BURDENS.—The Administrator  
2 shall review the regulations and compliance policies related  
3 to the Law Enforcement Officer Reimbursement Program  
4 and, if necessary, revise such regulations and policies to  
5 reduce any administrative burdens on applicants or recipi-  
6 ents of such awards.

7 (d) AUTHORIZATION OF APPROPRIATIONS.—There is  
8 authorized to be appropriated to carry out section  
9 44901(h) of title 49, United States Code, \$55,000,000 for  
10 each of fiscal years 2018 through 2020.

## 11 **Subtitle C—Passenger and Cargo** 12 **Security**

### 13 **SEC. 231. PRECHECK PROGRAM.**

14 (a) IN GENERAL.—Section 44919 is amended to read  
15 as follows:

#### 16 **“§ 44919. PreCheck Program**

17 “(a) IN GENERAL.—The Administrator of the Trans-  
18 portation Security Administration shall continue to ad-  
19 minister the PreCheck Program in accordance with section  
20 109(a)(3) of the Aviation and Transportation Security Act  
21 (49 U.S.C. 114 note).

22 “(b) EXPANSION.—Not later than 180 days after the  
23 date of enactment of the TSA Modernization Act, the Ad-  
24 ministrator shall enter into an agreement, using other  
25 transaction authority under section 114(m) of this title,

1 with at least 2 private sector entities to increase the meth-  
2 ods and capabilities available for the public to enroll in  
3 the PreCheck Program.

4 “(c) MINIMUM CAPABILITY REQUIREMENTS.—At  
5 least 1 agreement under subsection (b) shall include the  
6 following capabilities:

7 “(1) Start-to-finish secure online or mobile en-  
8 rollment capability.

9 “(2) Vetting of an applicant by means other  
10 than biometrics, such as a risk assessment, if—

11 “(A) such means—

12 “(i) are evaluated and certified by the  
13 Secretary of Homeland Security;

14 “(ii) meet the definition of a qualified  
15 anti-terrorism technology under section  
16 865 of the Homeland Security Act of 2002  
17 (6 U.S.C. 444); or

18 “(iii) are determined by the Adminis-  
19 trator to provide a risk assessment that is  
20 as effective as a fingerprint-based criminal  
21 history records check conducted through  
22 the Federal Bureau of Investigation with  
23 respect to identifying individuals who are  
24 not qualified to participate in the

1           PreCheck Program due to disqualifying  
2           criminal history; and

3           “(B) with regard to private sector risk as-  
4           sessments, the Secretary has certified that rea-  
5           sonable procedures are in place with regard to  
6           the accuracy, relevancy, and proper utilization  
7           of information employed in such risk assess-  
8           ments.

9           “(d) ADDITIONAL CAPABILITY REQUIREMENTS.—At  
10          least 1 agreement under subsection (b) shall include the  
11          following capabilities:

12                 “(1) Start-to-finish secure online or mobile en-  
13                 rollment capability.

14                 “(2) Vetting of an applicant by means of bio-  
15                 metrics if the collection—

16                         “(A) is comparable with the appropriate  
17                         and applicable standards developed by the Na-  
18                         tional Institute of Standards and Technology;  
19                         and

20                         “(B) protects privacy and data security,  
21                         including that any personally identifiable infor-  
22                         mation is collected, retained, used, and shared  
23                         in a manner consistent with section 552a of  
24                         title 5, United States Code (commonly known

1 as ‘Privacy Act of 1974’), and with agency reg-  
2 ulations.

3 “(e) TARGET ENROLLMENT.—Subject to subsections  
4 (b), (c), and (d), the Administrator shall take actions to  
5 expand the total number of individuals enrolled in the  
6 PreCheck Program as follows:

7 “(1) 7,000,000 passengers before October 1,  
8 2018.

9 “(2) 10,000,000 passengers before October 1,  
10 2019.

11 “(3) 15,000,000 passengers before October 1,  
12 2020.

13 “(f) MARKETING OF PRECHECK PROGRAM.—Not  
14 later than 90 days after the date of enactment of the TSA  
15 Modernization Act, the Administrator shall—

16 “(1) enter into at least 2 agreements, using  
17 other transaction authority under section 114(m) of  
18 this title, to market the PreCheck Program; and

19 “(2) implement a long-term strategy for  
20 partnering with the private sector to encourage en-  
21 rollment in such program.

22 “(g) IDENTITY VERIFICATION ENHANCEMENT.—The  
23 Administrator shall—

24 “(1) coordinate with the heads of appropriate  
25 components of the Department to leverage Depart-

1       ment-held data and technologies to verify the iden-  
2       tity and citizenship of individuals enrolling in the  
3       PreCheck Program;

4               “(2) partner with the private sector to use bio-  
5       metrics and authentication standards, such as rel-  
6       evant standards developed by the National Institute  
7       of Standards and Technology, to facilitate enroll-  
8       ment in the program; and

9               “(3) consider leveraging the existing resources  
10      and abilities of airports to collect fingerprints for  
11      use in background checks to expedite identity  
12      verification.

13      “(h) PRECHECK PROGRAM LANES OPERATION.—  
14      The Administrator shall—

15              “(1) ensure that PreCheck Program screening  
16      lanes are open and available during peak and high-  
17      volume travel times at appropriate airports to indi-  
18      viduals enrolled in the PreCheck Program; and

19              “(2) make every practicable effort to provide  
20      expedited screening at standard screening lanes dur-  
21      ing times when PreCheck Program screening lanes  
22      are closed to individuals enrolled in the program in  
23      order to maintain operational efficiency.

24      “(i) VETTING FOR PRECHECK PROGRAM PARTICI-  
25      PANTS.—The Administrator shall initiate an assessment

1 to identify any security vulnerabilities in the vetting pro-  
2 cess for the PreCheck Program, including determining  
3 whether subjecting PreCheck Program participants to re-  
4 current fingerprint-based criminal history records checks,  
5 in addition to recurrent checks against the terrorist  
6 watchlist, could be done in a cost-effective manner to  
7 strengthen the security of the PreCheck Program.

8       “(j) ASSURANCE OF SEPARATE PROGRAM.—In car-  
9 rying out this section, the Administrator shall ensure that  
10 the PreCheck program enrollment capabilities, including  
11 the additional private sector application capabilities under  
12 subsections (b), (c), and (d), are separate from any other  
13 related TSA program, initiative, or procurement, including  
14 the Universal Enrollment Services program.

15       “(k) EXPENDITURE OF FUNDS.—Any Federal funds  
16 expended by the Administrator to expand PreCheck Pro-  
17 gram enrollment shall be expended in a manner that meets  
18 the requirements of this section.”.

19       (b) TECHNICAL AND CONFORMING AMENDMENTS.—

20           (1) REPEAL.—Subtitle A of title III of the FAA  
21 Extension, Safety, and Security Act of 2016 (49  
22 U.S.C. 44901 note) and the items relating to that  
23 subtitle in the table of contents of that Act are re-  
24 pealed.



1 (C) to allow the public to access and link  
2 to the applications for enrollment in all of such  
3 programs from 1 online portal;

4 (3) identify any law, including regulations, pol-  
5 icy, or procedure that may unnecessarily inhibit col-  
6 laboration among Department of Homeland Security  
7 agencies regarding such programs or implementation  
8 of the improvements identified under paragraph (2);

9 (4) recommend any legislative, administrative,  
10 or other actions that can be taken to eliminate any  
11 unnecessary barriers to collaboration or implementa-  
12 tion identified in paragraph (3); and

13 (5) submit to the appropriate committees of  
14 Congress a report on the review, including any un-  
15 necessary barriers to collaboration or implementa-  
16 tion identified under paragraph (3), and any rec-  
17 ommendations under paragraph (4).

18 **SEC. 233. PASSENGER SECURITY FEE.**

19 Section 44940(c) is amended by adding at the end  
20 the following:

21 “(3) **OFFSETTING COLLECTIONS.**—Beginning  
22 on October 1, 2025, fees collected under subsection  
23 (a)(1) for any fiscal year shall be credited as offset-  
24 ting collections to appropriations made for aviation  
25 security measures carried out by the Transportation

1 Security Administration, to remain available until  
2 expended.”.

3 **SEC. 234. THIRD PARTY CANINE TEAMS FOR AIR CARGO SE-**  
4 **CURITY.**

5 Section 1307 of the Implementing Recommendations  
6 of the 9/11 Commission Act of 2007 (6 U.S.C. 1116) is  
7 amended by adding at the end the following:

8 “(h) THIRD PARTY CANINE TEAMS FOR AIR CARGO  
9 SECURITY.—

10 “(1) IN GENERAL.—In order to enhance the  
11 screening of air cargo and ensure that third party  
12 explosives detection canine assets are leveraged for  
13 such purpose, the Administrator shall, not later than  
14 180 days after the date of enactment of the TSA  
15 Modernization Act—

16 “(A) develop and issue standards for the  
17 use of such third party explosives detection ca-  
18 nine assets for the primary screening of air  
19 cargo;

20 “(B) develop a process to identify qualified  
21 non-Federal entities that will certify canine as-  
22 sets that meet the standards established by the  
23 Administrator under subparagraph (A);

24 “(C) ensure that entities qualified to cer-  
25 tify canine assets shall be independent from en-

1           tities that will train and provide canines to end  
2           users of such canine assets;

3           “(D) establish a system of Transportation  
4           Security Administration audits of the process  
5           developed under subparagraph (B); and

6           “(E) provide that canines certified for the  
7           primary screening of air cargo can be used by  
8           air carriers, foreign air carriers, freight for-  
9           warders, and shippers.

10          “(2) IMPLEMENTATION.—Beginning on the  
11          date that the development of the process under para-  
12          graph (1)(B) is complete, the Administrator shall—

13           “(A) facilitate the deployment of such as-  
14           sets that meet the certification standards of the  
15           Administration, as determined by the Adminis-  
16           trator;

17           “(B) make such standards available to  
18           vendors seeking to train and deploy third party  
19           explosives detection canine assets; and

20           “(C) ensure that all costs for the training  
21           and certification of canines, and for the use of  
22           supplied canines, are borne by private industry  
23           and not the Federal Government.

24          “(3) DEFINITIONS.—In this subsection:

1           “(A) AIR CARRIER.—The term ‘air carrier’  
2           has the meaning given the term in section  
3           40102 of title 49, United States Code.

4           “(B) FOREIGN AIR CARRIER.—The term  
5           ‘foreign air carrier’ has the meaning given the  
6           term in section 40102 of title 49, United States  
7           Code.

8           “(C) THIRD PARTY EXPLOSIVES DETEC-  
9           TION CANINE ASSET.—The term ‘third party  
10          explosives detection canine asset’ means any ex-  
11          plosives detection canine or handler not owned  
12          or employed, respectively, by the Transportation  
13          Security Administration.”.

14 **SEC. 235. KNOWN SHIPPER PROGRAM REVIEW.**

15          The Administrator shall direct the Air Cargo Sub-  
16          committee of ASAC—

17               (1) to conduct a comprehensive review and se-  
18               curity assessment of the Known Shipper Program;

19               (2) to recommend whether the Known Shipper  
20          Program should be modified or eliminated consid-  
21          ering the full implementation of 100 percent screen-  
22          ing under section 44901(g) of title 49, United States  
23          Code; and

24               (3) to report its findings and recommendations  
25          to the Administrator.

1 **SEC. 236. SCREENING PARTNERSHIP PROGRAM UPDATES.**

2 (a) SECURITY SCREENING OPT-OUT PROGRAM.—

3 Section 44920 is amended—

4 (1) in the heading by striking “**Security**  
5 **screening opt-out program**” and inserting  
6 “**Screening partnership program**”;

7 (2) by amending subsection (a) to read as fol-  
8 lows:

9 “(a) IN GENERAL.—An operator of an airport, air-  
10 port terminal, or airport security checkpoint may submit  
11 to the Administrator of the Transportation Security Ad-  
12 ministration an application to carry out the screening of  
13 passengers and property at the airport under section  
14 44901 by personnel of a qualified private screening com-  
15 pany pursuant to a contract with the Transportation Se-  
16 curity Administration.”;

17 (3) in subsection (b)—

18 (A) by amending paragraph (1) to read as  
19 follows:

20 “(1) IN GENERAL.—Not later than 30 days  
21 after the date of receipt of an application submitted  
22 by an operator of an airport, airport terminal, or  
23 airport security checkpoint under subsection (a), the  
24 Administrator shall approve or deny the applica-  
25 tion.”; and

1 (B) in paragraphs (2) and (3), by striking  
2 “Under Secretary” each place it appears and  
3 inserting “Administrator”;

4 (4) in subsection (d)—

5 (A) in the heading, by striking “STAND-  
6 ARDS” inserting “SELECTION OF CONTRACTS  
7 AND STANDARDS”;

8 (B) by redesignating paragraph (2) as  
9 paragraph (3);

10 (C) in paragraph (1)—

11 (i) by striking “The Under Secretary  
12 may enter” and all that follows through  
13 “certifies to Congress that—” and insert-  
14 ing “The Administrator shall, upon ap-  
15 proval of the application, provide each op-  
16 erator of an airport, airport terminal, or  
17 airport security checkpoint with a list of  
18 qualified private screening companies.”;  
19 and

20 (ii) by inserting before subparagraphs

21 (A) and (B) the following:

22 “(2) CONTRACTS.—Not later than 60 days  
23 after the selection of a qualified private screening  
24 company by the operator, the Administrator shall  
25 enter into a contract with such company for the pro-

1 vision of screening at the airport, airport terminal,  
2 or airport security checkpoint if—”; and

3 (D) in paragraph (2), as redesignated—

4 (i) in subparagraph (A), by striking “;  
5 and” and inserting a semicolon;

6 (ii) in subparagraph (B)—

7 (I) by striking “Under Sec-  
8 retary” and inserting “Adminis-  
9 trator”; and

10 (II) by striking the period at the  
11 end and inserting “; and”; and

12 (iii) by adding at the end the fol-  
13 lowing:

14 “(C) the selected qualified private screen-  
15 ing company offered contract price is equal to  
16 or less than the comprehensive cost to the Fed-  
17 eral Government to provide screening services  
18 at the airport, airport terminal, or airport secu-  
19 rity checkpoint.”; and

20 (E) in paragraph (3), as redesignated—

21 (i) by striking “paragraph (1)(B)”  
22 and inserting “paragraph (2)(B)”; and

23 (ii) by striking “Under Secretary”  
24 each place it appears and inserting “Ad-  
25 ministrator”;

1 (5) in subsection (e)—

2 (A) in the heading, by striking  
3 “SCREENED” and inserting “SCREENING”;

4 (B) by striking the period at the end and  
5 inserting “; and”;

6 (C) by striking “The Under Secretary  
7 shall” and inserting “The Administrator shall—  
8 ”;

9 (D) by inserting “(1)” before “provide  
10 Federal Government” and indenting appro-  
11 priately; and

12 (E) by adding at the end the following:

13 “(2) undertake covert testing and remedial  
14 training support for employees of private screening  
15 companies providing screening at airports.”;

16 (6) in subsection (f)—

17 (A) in the heading, by inserting “OR SUS-  
18 PENSION”;

19 (B) by striking “terminate” and inserting  
20 “suspend or terminate, as appropriate,”; and

21 (C) by striking “Under Secretary” each  
22 place it appears and inserting “Administrator”;  
23 and

24 (7) by striking subsection (h).

1 (b) APPLICATIONS SUBMITTED BEFORE THE DATE  
2 OF ENACTMENT.—Not later than 30 days after the date  
3 of enactment of this Act, the Administrator shall approve  
4 or deny, in accordance with section 44920(b) of title 49,  
5 United States Code, as amended by this Act, each applica-  
6 tion submitted before the date of enactment of this Act,  
7 by an airport operator under subsection (a) of that sec-  
8 tion, that is awaiting such a determination.

9 **SEC. 237. SCREENING PERFORMANCE ASSESSMENTS.**

10 Subject to part 1520 of title 49, Code of Federal Reg-  
11 ulations, the Administrator shall quarterly make available  
12 to the airport director of an airport—

13 (1) an assessment of the screening performance  
14 of that airport compared to the mean average per-  
15 formance of all airports in the equivalent airport  
16 category for screening performance data; and

17 (2) a quarterly briefing on the results of per-  
18 formance data reports, including—

19 (A) a scorecard of objective metrics devel-  
20 oped by the Office of Security Operations to  
21 measure screening performance, such as results  
22 of annual proficiency reviews and covert testing,  
23 at the appropriate level of classification; and

24 (B) other performance data, including—

25 (i) passenger throughput;

- 1 (ii) wait times; and  
2 (iii) employee attrition, absenteeism,  
3 injury rates, and any other human capital  
4 measures collected by TSA.

5 **SEC. 238. TSA ACADEMY REVIEW.**

6 (a) REVIEW.—Not later than 270 days after the date  
7 of enactment of this Act, the Comptroller General of the  
8 United States shall—

9 (1) conduct an assessment of the efficiency and  
10 effectiveness of the new-hire TSA Academy at train-  
11 ing airport security personnel compared to when  
12 such training of transportation security officers was  
13 conducted at local airports; and

14 (2) submit to the appropriate committees of  
15 Congress a report on the findings of the assessment  
16 and any recommendations to maximize the efficiency  
17 and effectiveness of training for airport security per-  
18 sonnel.

19 (b) CONTENTS.—The assessment shall—

20 (1) include a cost-benefit analysis of training  
21 new Transportation Security Officer and Screening  
22 Partnership Program contractor hires at the TSA  
23 Academy compared to when such training of trans-  
24 portation security officers was conducted at local  
25 airports;

1           (2) examine the impact on performance, profes-  
2           sionalism, and retention rates of Transportation Se-  
3           curity Officer and Screening Partnership Program  
4           contractor employees since the new training proto-  
5           cols at the TSA Academy have been put in place  
6           compared to when training was conducted at local  
7           airports; and

8           (3) examine whether new hire training at the  
9           TSA Academy has had any impact on the airports  
10          and companies that participate in the Screening  
11          Partnership Program.

## 12           **Subtitle D—Foreign Airport** 13           **Security**

### 14   **SEC. 241. LAST POINT OF DEPARTURE AIRPORTS; SECU-** 15           **RITY DIRECTIVES.**

16           (a) NOTICE AND CONSULTATION.—

17           (1) IN GENERAL.—The Administrator shall, to  
18           the maximum extent practicable, consult and notify  
19           the following stakeholders prior to making changes  
20           to security standards via security directives and  
21           emergency amendments for last points of departure:

22                   (A) Trade association representatives, for  
23                   affected air carriers and airports, who hold the  
24                   appropriate security clearances.

1           (B) The head of each relevant Federal de-  
2           partment or agency, including the Adminis-  
3           trator of the Federal Aviation Administration.

4           (2) TRANSMITTAL TO CONGRESS.—Not later  
5           than 3 days after the date that the Administrator  
6           issues a security directive or emergency amendment  
7           for a last point of departure, the Administrator shall  
8           transmit to the appropriate committees of Congress  
9           a description of the extent to which the Adminis-  
10          trator consulted and notified the stakeholders under  
11          paragraph (1).

12          (b) GAO REPORT.—

13           (1) IN GENERAL.—Not later than 1 year after  
14          the date of enactment of this Act, the Comptroller  
15          General of the United States shall review the effec-  
16          tiveness of the TSA process to update, consolidate,  
17          or revoke security directives, emergency amend-  
18          ments, and other policies related to international  
19          aviation security at last point of departure airports  
20          and submit to the appropriate committees of Con-  
21          gress and the Administrator a report on the findings  
22          and recommendations.

23           (2) CONTENTS.—In conducting the review  
24          under paragraph (1), the Comptroller General  
25          shall—

1           (A) review current security directives,  
2           emergency amendments, and any other policies  
3           related to international aviation security at last  
4           point of departure airports;

5           (B) review the extent of intra-agency and  
6           interagency coordination, stakeholder outreach,  
7           coordination, and feedback; and

8           (C) recommend any updates, consolidation,  
9           or revocation of such security directives, emer-  
10          gency amendments, and policies.

11       (c)     RESCREENING.—Subject     to     section  
12     44901(d)(4)(c) of title 49, United States Code, upon dis-  
13     covery of specific threat intelligence, the Administrator  
14     shall immediately direct TSA personnel to rescreen pas-  
15     sengers and baggage arriving from an airport outside the  
16     United States and identify enhanced measures that should  
17     be implemented at that airport.

18       (d)     NOTIFICATION TO CONGRESS.—Not later than 1  
19     day after the date that the Administrator determines that  
20     a foreign air carrier is in violation of part 1546 of title  
21     49, Code of Federal Regulations, or any other applicable  
22     security requirement, the Administrator shall notify the  
23     appropriate committees of Congress.

1 **SEC. 242. TRACKING SECURITY SCREENING EQUIPMENT**  
2 **FROM LAST POINT OF DEPARTURE AIR-**  
3 **PORTS.**

4 (a) DONATION OF SCREENING EQUIPMENT TO PRO-  
5 TECT THE UNITED STATES.—Chapter 449 is amended—

6 (1) in subchapter I, by adding at the end the  
7 following:

8 **“§ 44929. Donation of screening equipment to protect**  
9 **the United States**

10 “(a) IN GENERAL.—Subject to subsection (b), the  
11 Administrator is authorized to donate security screening  
12 equipment to a foreign last point of departure airport op-  
13 erator if such equipment can be reasonably expected to  
14 mitigate a specific vulnerability to the security of the  
15 United States or United States citizens.

16 “(b) CONDITIONS.—Before donating any security  
17 screening equipment to a foreign last point of departure  
18 airport operator the Administrator shall—

19 “(1) ensure that the screening equipment has  
20 been restored to commercially available settings;

21 “(2) ensure that no TSA-specific security  
22 standards or algorithms exist on the screening  
23 equipment; and

24 “(3) verify that the appropriate officials have  
25 an adequate system—

1           “(A) to properly maintain and operate the  
2 screening equipment; and

3           “(B) to document and track any removal  
4 or disposal of the screening equipment to en-  
5 sure the screening equipment does not come  
6 into the possession of terrorists or otherwise  
7 pose a risk to security.

8           “(c) REPORTS.—Not later than 30 days before any  
9 donation of security screening equipment under subsection  
10 (a), the Administrator shall provide to the Committee on  
11 Commerce, Science, and Transportation and the Com-  
12 mittee on Homeland Security and Governmental Affairs  
13 of the Senate and the Committee on Homeland Security  
14 of the House of Representatives a detailed written expla-  
15 nation of the following:

16           “(1) The specific vulnerability to the United  
17 States or United States citizens that will be miti-  
18 gated by such donation.

19           “(2) An explanation as to why the recipient of  
20 such donation is unable or unwilling to purchase se-  
21 curity screening equipment to mitigate such vulner-  
22 ability.

23           “(3) An evacuation plan for sensitive tech-  
24 nologies in case of emergency or instability in the  
25 country to which such donation is being made.

1           “(4) How the Administrator will ensure the se-  
2           curity screening equipment that is being donated is  
3           used and maintained over the course of its life by  
4           the recipient.

5           “(5) The total dollar value of such donation.

6           “(6) How the appropriate officials will docu-  
7           ment and track any removal or disposal of the  
8           screening equipment by the recipient to ensure the  
9           screening equipment does not come into the posses-  
10          sion of terrorists or otherwise pose a risk to secu-  
11          rity.”; and

12           (2) in the table of contents, by inserting after  
13          the item relating to section 44928 the following:

“44929. Donation of screening equipment to protect the United States.”.

14          (b) TECHNICAL AND CONFORMING AMENDMENTS.—  
15          Section 3204 of the Aviation Security Act of 2016 (49  
16          U.S.C. 44901 note) and the item relating to that section  
17          in the table of contents of that Act are repealed.

18          (c) RAISING INTERNATIONAL STANDARDS.—Not  
19          later than 90 days after the date of enactment of this Act,  
20          the Administrator shall collaborate with other aviation au-  
21          thorities and the United States Ambassador or the Charge  
22          d’Affaires to the United States Mission to the Inter-  
23          national Civil Aviation Organization, as applicable, to ad-  
24          vance a global standard for each international airport to  
25          document and track the removal and disposal of any secu-

1 rity screening equipment to ensure the screening equip-  
2 ment does not come into the possession of terrorists or  
3 otherwise pose a risk to security.

4 **SEC. 243. INTERNATIONAL SECURITY STANDARDS.**

5 (a) NOTIFICATION.—Not later than 90 days after the  
6 date of enactment of this Act, the Administrator, in con-  
7 sultation with the United States Ambassador to the Inter-  
8 national Civil Aviation Organization, shall notify the Com-  
9 mittee on Commerce, Science, and Transportation and the  
10 Committee on Foreign Relations of the Senate, and the  
11 Committee on Homeland Security and the Committee on  
12 Foreign Affairs of the House of Representatives of pro-  
13 posed international improvements to aviation security.

14 (b) SECURITY ENHANCEMENT PROPOSALS.—Subject  
15 to subsection (a), the Administrator and Ambassador shall  
16 take such action at the International Civil Aviation Orga-  
17 nization as the Administrator and Ambassador consider  
18 necessary to advance aviation security improvement pro-  
19 posals, including if practicable, introducing a resolution to  
20 raise minimum standards for aviation security.

21 (c) BRIEFINGS TO CONGRESS.—Beginning not later  
22 than 180 days after the date of enactment of this Act,  
23 and periodically thereafter, the Administrator, in consulta-  
24 tion with the Ambassador, shall brief the Committee on  
25 Commerce, Science, and Transportation and the Com-

1 mittee on Foreign Relations of the Senate, and the Com-  
2 mittee on Homeland Security and the Committee on For-  
3 eign Affairs of the House of Representatives a report on  
4 the implementation of subsection (a).

5       **Subtitle E—Cockpit and Cabin**  
6                               **Security**

7 **SEC. 251. FEDERAL AIR MARSHAL SERVICE UPDATES.**

8       (a) STANDARDIZATION.—Not later than 60 days  
9 after the date of enactment of this Act, the Administrator  
10 shall develop a standard written agreement that shall be  
11 the basis of all negotiations and agreements that begin  
12 after the date of enactment of this Act between the United  
13 States and foreign governments or partners regarding the  
14 presence of Federal air marshals on flights to and from  
15 the United States, including deployment, technical assist-  
16 ance, and information sharing.

17       (b) WRITTEN AGREEMENTS.—Except as provided in  
18 subsection (c), not later than 180 days after the date of  
19 enactment of this Act, all agreements between the United  
20 States and foreign governments or partners regarding the  
21 presence of Federal air marshals on flights to and from  
22 the United States shall be in writing and signed by the  
23 Administrator or other authorized United States Govern-  
24 ment representative.

1 (c) EXCEPTION.—The Administrator may schedule  
2 Federal air marshal service on flights operating to a for-  
3 eign country with which no written agreement is in effect  
4 if the Administrator determines that—

5 (1) such mission is necessary for aviation secu-  
6 rity; and

7 (2) the requirements of subsection (d)(2) are  
8 met.

9 (d) NOTIFICATION TO CONGRESS.—

10 (1) WRITTEN AGREEMENTS.—Not later than  
11 30 days after the date that the Administrator enters  
12 into a written agreement under this section, the Ad-  
13 ministrator shall transmit to the appropriate com-  
14 mittees of Congress a copy of the agreement.

15 (2) NO WRITTEN AGREEMENTS.—The Adminis-  
16 trator shall submit to the appropriate committees of  
17 Congress—

18 (A) not later than 30 days after the date  
19 of enactment of this Act, a list of each foreign  
20 government or partner that does not have a  
21 written agreement under this section, including  
22 an explanation for why no written agreement  
23 exists and a justification for the determination  
24 that such a mission is necessary for aviation se-  
25 curity; and

1           (B) not later than 30 days after the date  
2           that the Administrator makes a determination  
3           to schedule Federal air marshal service on  
4           flights operating to a foreign country with  
5           which no written agreement is in effect under  
6           subsection (c), the name of the applicable for-  
7           eign government or partner, an explanation for  
8           why no written agreement exists, and a jus-  
9           tification for the determination that such mis-  
10          sion is necessary for aviation security.

11          (e) MISSION SCHEDULING AUTOMATION.—The Ad-  
12          ministrators shall endeavor to acquire automated capabili-  
13          ties or technologies for scheduling Federal air marshal  
14          service missions based on current risk modeling.

15          **SEC. 252. CREW MEMBER SELF-DEFENSE TRAINING.**

16          The Administrator, in consultation with the Adminis-  
17          trator of the Federal Aviation Administration, shall con-  
18          tinue to carry out and encourage increased participation  
19          by air carrier employees in the voluntary self-defense  
20          training program under section 44918(b) of title 49,  
21          United States Code.

22          **SEC. 253. FLIGHT DECK SAFETY AND SECURITY.**

23          (a) THREAT ASSESSMENT.—Not later than 90 days  
24          after the date of enactment of this Act, the Administrator,  
25          in consultation with the Administrator of the Federal

1 Aviation Administration, shall complete a detailed threat  
2 assessment to identify any safety or security risks associ-  
3 ated with unauthorized access to the flight decks on com-  
4 mercial aircraft and any appropriate measures that should  
5 be taken based on the risks.

6 (b) RTCA REPORT.—The Administrator, in coordi-  
7 nation with the Administrator of the Federal Aviation Ad-  
8 ministration, shall disseminate RTCA Document (DO-  
9 329) Aircraft Secondary Barriers and Alternative Flight  
10 Deck Security Procedure to aviation stakeholders, includ-  
11 ing air carriers and flight crew, to convey effective meth-  
12 ods and best practices to protect the flight deck.

13 **SEC. 254. CARRIAGE OF WEAPONS, EXPLOSIVES, AND IN-**  
14 **CENDIARIES BY INDIVIDUALS.**

15 (a) INTERPRETIVE RULE.—Subject to subsections  
16 (b) and (c), the Administrator shall periodically review and  
17 amend, as necessary, the interpretive rule (68 Fed. Reg.  
18 7444) that provides guidance to the public on the types  
19 of property considered to be weapons, explosives, and in-  
20 cendiaries prohibited under section 1540.111 of title 49,  
21 Code of Federal Regulations.

22 (b) CONSIDERATIONS.—Before determining whether  
23 to amend the interpretive rule to include or remove an  
24 item from the prohibited list, the Administrator shall—

25 (1) research and evaluate—

1 (A) the impact, if any, the amendment  
2 would have on security risks;

3 (B) the impact, if any, the amendment  
4 would have on screening operations, including  
5 effectiveness and efficiency; and

6 (C) whether the amendment is consistent  
7 with international standards and guidance, in-  
8 cluding of the International Civil Aviation Or-  
9 ganization; and

10 (2) consult with appropriate aviation security  
11 stakeholders, including ASAC.

12 (c) EXCEPTIONS.—Except for plastic or round bladed  
13 butter knives, the Administrator may not amend the inter-  
14 pretive rule described in subsection (a) to authorize any  
15 knife to be permitted in an airport sterile area or in the  
16 cabin of an aircraft.

17 (d) NOTIFICATION.—The Administrator shall—

18 (1) publish in the Federal Register any amend-  
19 ment to the interpretive rule described in subsection  
20 (a); and

21 (2) notify the appropriate committees of Con-  
22 gress of the amendment not later than 3 days before  
23 publication under paragraph (1).

1     **TITLE III—CONFORMING AND**  
2     **MISCELLANEOUS AMENDMENTS**

3     **SEC. 301. TITLE 49 AMENDMENTS.**

4           (a) DELETION OF DUTIES RELATED TO AVIATION  
5 SECURITY.—Section 106(g) is amended to read as follows:

6           “(g) DUTIES AND POWERS OF ADMINISTRATOR.—  
7 The Administrator shall carry out the following:

8                   “(1) Duties and powers of the Secretary of  
9 Transportation under subsection (f) of this section  
10 related to aviation safety (except those related to  
11 transportation, packaging, marking, or description of  
12 hazardous material) and stated in the following:

13                           “(A) Section 308(b).

14                           “(B) Subsections (c) and (d) of section  
15 1132.

16                           “(C) Sections 40101(e), 40103(b),  
17 40106(a), 40108, 40109(b), 40113(a),  
18 40113(c), 40113(d), 40113(e), and 40114(a).

19                           “(D) Chapter 445, except sections  
20 44501(b), 44502(a)(2), 44502(a)(3),  
21 44502(a)(4), 44503, 44506, 44509, 44510,  
22 44514, and 44515.

23                           “(E) Chapter 447, except sections 44717,  
24 44718(a), 44718(b), 44719, 44720, 44721(b),  
25 44722, and 44723.

1 “(F) Chapter 451.

2 “(G) Chapter 453.

3 “(H) Section 46104.

4 “(I) Subsections (d) and (h)(2) of section  
5 46301 and sections 46303(e), 46304 through  
6 46308, 46310, 46311, and 46313 through  
7 46316.

8 “(J) Chapter 465.

9 “(K) Sections 47504(b) (related to flight  
10 procedures), 47508(a), and 48107.

11 “(2) Additional duties and powers prescribed by  
12 the Secretary of Transportation.”.

13 (b) TRANSPORTATION SECURITY OVERSIGHT  
14 BOARD.—Section 115 is amended—

15 (1) in subsection (c)(1), by striking “Under  
16 Secretary of Transportation for security” and insert-  
17 ing “Administrator of the Transportation Security  
18 Administration”; and

19 (2) in subsection (c)(6), by striking “Under  
20 Secretary” and inserting “Administrator”.

21 (c) CHAPTER 401 AMENDMENTS.—Chapter 401 is  
22 amended—

23 (1) in section 40109—

24 (A) in subsection (b), by striking “, 40119,  
25 44901, 44903, 44906, and 44935–44937”; and

1 (B) in subsection (c), by striking “sections  
2 44909 and” and inserting “sections 44909(a),  
3 44909(b), and”;

4 (2) in section 40113—

5 (A) in subsection (a)—

6 (i) by striking “the Under Secretary  
7 of Transportation for Security with respect  
8 to security duties and powers designated to  
9 be carried out by the Under Secretary or”;  
10 and

11 (ii) by striking “, Under Secretary,”;  
12 and

13 (B) in subsection (d)—

14 (i) by striking “Under Secretary of  
15 Transportation for Security or the”;

16 (ii) by striking “Transportation Secu-  
17 rity Administration or Federal Aviation  
18 Administration, as the case may be,” and  
19 inserting “Federal Aviation Administra-  
20 tion”; and

21 (iii) by striking “Under Secretary or  
22 Administrator, as the case may be,” and  
23 inserting “Administrator”;

24 (3) by striking section 40119; and

1           (4) in the table of contents, by striking the item  
2 relating to section 40119 and inserting the fol-  
3 lowing:

“40119. [Reserved].”.

4           (d) CHAPTER 449 AMENDMENTS.—Chapter 449 is  
5 amended—

6           (1) in section 44901—

7           (A) in subsection (a)—

8           (i) by striking “Under Secretary of  
9 Transportation for Security” and inserting  
10 “Administrator of the Transportation Se-  
11 curity Administration”;

12           (ii) by striking “, United States  
13 Code”; and

14           (iii) by striking “section 44919 or  
15 44920” and inserting “section 44920”;

16           (B) in subsection (c), by striking “but not  
17 later than the 60th day following the date of  
18 enactment of the Aviation and Transportation  
19 Security Act”;

20           (C) in subsection (d)—

21           (i) in paragraph (1)—

22           (I) in the matter preceding sub-  
23 paragraph (A), by striking “Under  
24 Secretary of Transportation for Secu-  
25 rity” and inserting “Administrator of

1 the Transportation Security Adminis-  
2 tration”; and

3 (II) in subparagraph (A), by  
4 striking “no later than December 31,  
5 2002”;

6 (ii) by striking paragraphs (2) and  
7 (3);

8 (iii) by redesignating paragraph (4) as  
9 paragraph (2); and

10 (iv) in paragraph (2), as redesign-  
11 nated—

12 (I) in subparagraph (A), by strik-  
13 ing “Assistant Secretary (Transpor-  
14 tation Security Administration)” and  
15 inserting “Administrator of the  
16 Transportation Security Administra-  
17 tion”;

18 (II) in subparagraph (B), by  
19 striking “Assistant Secretary” and in-  
20 sserting “Administrator of the Trans-  
21 portation Security Administration”;  
22 and

23 (III) in subparagraph (D)—

24 (aa) by striking “Assistant  
25 Secretary” the first place it ap-

1                   appears and inserting “Adminis-  
2                   trator of the Transportation Se-  
3                   curity Administration”; and

4                   (bb) by striking “Assistant  
5                   Secretary” the second place it  
6                   appears and inserting “Adminis-  
7                   trator”;

8                   (D) in subsection (e)—

9                   (i) in that matter preceding para-  
10                  graph (1)—

11                  (I) by striking “but not later  
12                  than the 60th day following the date  
13                  of enactment of the Aviation and  
14                  Transportation Security Act”; and

15                  (II) by striking “Under Sec-  
16                  retary” and inserting “Administrator  
17                  of the Transportation Security Ad-  
18                  ministration”; and

19                  (ii) in paragraph (4), by striking  
20                  “Under Secretary” and inserting “Admin-  
21                  istrator”;

22                  (E) in subsection (f), by striking “after the  
23                  date of enactment of the Aviation and Trans-  
24                  portation Security Act”;

25                  (F) in subsection (g)—

1 (i) in paragraph (1), by striking “Not  
2 later than 3 years after the date of enact-  
3 ment of the Implementing Recommenda-  
4 tions of the 9/11 Commission Act of 2007,  
5 the” and inserting “The”;

6 (ii) in paragraph (2), by striking “as  
7 follows:” and all that follows and inserting  
8 a period;

9 (iii) by amending paragraph (3) to  
10 read as follows:

11 “(3) REGULATIONS.—The Secretary of Home-  
12 land Security shall issue a final rule as a permanent  
13 regulation to implement this subsection in accord-  
14 ance with the provisions of chapter 5 of title 5.”;

15 (iv) by striking paragraph (4); and

16 (v) by redesignating paragraph (5) as  
17 paragraph (4);

18 (G) in subsection (h)—

19 (i) in paragraph (1), by striking  
20 “Under Secretary” and inserting “Admin-  
21 istrator of the Transportation Security Ad-  
22 ministration”; and

23 (ii) in paragraph (2)—

24 (I) by striking “Under Sec-  
25 retary” the first place it appears and

1 inserting “Administrator of the  
2 Transportation Security Administra-  
3 tion”; and

4 (II) by striking “Under Sec-  
5 retary” each place it appears and in-  
6 serting “Administrator”;

7 (H) in subsection (i)—

8 (i) in the matter preceding paragraph  
9 (1), by striking “Under Secretary” and in-  
10 serting “Administrator of the Transpor-  
11 tation Security Administration”; and

12 (ii) in paragraph (2), by striking  
13 “Under Secretary” and inserting “Admin-  
14 istrator”;

15 (I) in subsection (j)(1)—

16 (i) in the matter preceding subpara-  
17 graph (A), by striking “Before January 1,  
18 2008, the” and inserting “The”; and

19 (ii) in subparagraph (A), by striking  
20 “the date of enactment of this subsection”  
21 and inserting “August 3, 2007”;

22 (J) in subsection (k)—

23 (i) in paragraph (1), by striking “Not  
24 later than one year after the date of enact-

1           ment of this subsection, the” and inserting  
2           “*The*”;

3           (ii) in paragraph (2), by striking “*Not*  
4           later than 6 months after the date of en-  
5           actment of this subsection, the” and in-  
6           serting “*The*”; and

7           (iii) in paragraph (3), by striking  
8           “*Not later than 180 days after the date of*  
9           enactment of this subsection, the” in para-  
10          graph (3) and inserting “*The*”; and

11         (K) in subsection (1)—

12           (i) in paragraph (2)—

13           (I) in the matter preceding sub-  
14           paragraph (A), by striking “*Begin-*  
15           ning June 1, 2012, the Assistant Sec-  
16           retary of Homeland Security (*Trans-*  
17           portation Security Administration)”  
18           and inserting “*The Administrator of*  
19           the Transportation Security Adminis-  
20           tration”; and

21           (II) in subparagraph (B), by  
22           striking “*Assistant Secretary*” and in-  
23           serting “*Administrator*”;

24           (ii) in paragraph (3)—

25           (I) in subparagraph (A)—

1 (aa) by striking “Assistant  
2 Secretary” the first place it ap-  
3 pears and inserting “Adminis-  
4 trator of the Transportation Se-  
5 curity Administration”; and

6 (bb) by striking “Assistant  
7 Secretary” the second place it  
8 appears and inserting “Adminis-  
9 trator”; and

10 (II) in subparagraph (B), by  
11 striking “Assistant Secretary” and in-  
12 serting “Administrator of the Trans-  
13 portation Security Administration”;  
14 and

15 (iii) in paragraph (4)—

16 (I) in subparagraph (A)—

17 (aa) by striking “60 days  
18 after the deadline specified in  
19 paragraph (2), and not later  
20 than”;

21 (bb) by striking “Assistant  
22 Secretary” the first place it ap-  
23 pears and inserting “Adminis-  
24 trator of the Transportation Se-  
25 curity Administration”; and

1 (cc) by striking “Assistant  
2 Secretary” the second place it  
3 appears and inserting “Adminis-  
4 trator”; and

5 (II) in subparagraph (B), by  
6 striking “Assistant Secretary” each  
7 place it appears and inserting “Ad-  
8 ministrator of the Transportation Se-  
9 curity Administration”;

10 (2) section 44902 is amended—

11 (A) in subsection (a), by striking “Under  
12 Secretary of Transportation for Security” and  
13 inserting “Administrator of the Transportation  
14 Security Administration”; and

15 (B) in subsection (b), by striking “Under  
16 Secretary” and inserting “Administrator of the  
17 Transportation Security Administration”;

18 (3) section 44903 is amended—

19 (A) in subsection (a)—

20 (i) in the heading, by striking “DEFI-  
21 NITION” and inserting “DEFINITIONS”;

22 (ii) by redesignating paragraphs (1)  
23 through (3) as subparagraphs (A) through  
24 (C), respectively;

1 (iii) in subparagraph (B), as redesignated,  
2 nated, by striking “Under Secretary of  
3 Transportation for Security” and inserting  
4 “Administrator”;

5 (iv) in the matter preceding subparagraph  
6 graph (A), as redesignated, by striking “In  
7 this section, ‘law enforcement personnel’  
8 means individuals—” and inserting “In  
9 this section:”;

10 (v) by inserting before subparagraph  
11 (A), the following:

12 “(2) LAW ENFORCEMENT PERSONNEL.—The  
13 term ‘law enforcement personnel’ means individ-  
14 uals—”; and

15 (vi) by inserting before paragraph (2),  
16 as redesignated, the following:

17 “(1) ADMINISTRATOR.—The term ‘Adminis-  
18 trator’ means the Administrator of the Transpor-  
19 tation Security Administration.”;

20 (B) by striking “Under Secretary” each  
21 place it appears and inserting “Administrator”;

22 (C) in subsection (d), by striking “Sec-  
23 retary of Transportation” and inserting “Ad-  
24 ministrator”;

25 (D) in subsection (h)—

1 (i) in paragraph (3), by striking “Sec-  
2 retary” and inserting “Secretary of Home-  
3 land Security”;

4 (ii) in paragraph (4)—

5 (I) in subparagraph (A), by strik-  
6 ing “, as soon as practicable after the  
7 date of enactment of this subsection,”;

8 (II) in subparagraph (C), by  
9 striking “section 44903(c)” and in-  
10 sserting “subsection (c)”; and

11 (III) in subparagraph (E), by  
12 striking “, not later than March 31,  
13 2005,”;

14 (iii) in paragraph (5), by striking  
15 “Assistant Secretary of Homeland Security  
16 (Transportation Security Administration)”  
17 and inserting “Administrator”;

18 (iv) in paragraph (6)(A)—

19 (I) in the matter preceding clause  
20 (i), by striking “Not later than 18  
21 months after the date of enactment of  
22 the Implementing Recommendations  
23 of the 9/11 Commission Act of 2007,  
24 the” and inserting “The”; and

1 (II) in clause (i), by striking  
2 “section” and inserting “paragraph”;  
3 and

4 (v) in paragraph (6)(C), by striking  
5 “Secretary” and inserting “Secretary of  
6 Homeland Security”;

7 (E) in subsection (i)(3), by striking “,  
8 after the date of enactment of this paragraph,”;

9 (F) in subsection (j)—

10 (i) by amending paragraph (1) to read  
11 as follows:

12 “(1) IN GENERAL.—The Administrator shall  
13 periodically recommend to airport operators commer-  
14 cially available measures or procedures to prevent  
15 access to secure airport areas by unauthorized per-  
16 sons.”;

17 (ii) in paragraph (2)—

18 (I) in the heading, by striking  
19 “COMPUTER-ASSISTED PASSENGER  
20 PRESCREENING SYSTEM” and insert-  
21 ing “SECURE FLIGHT PROGRAM”;

22 (II) in subparagraph (A)—

23 (aa) by striking “Computer-  
24 Assisted Passenger Prescreening

1 System” and inserting “Secure  
2 Flight program”; and

3 (bb) by striking “system”  
4 each place it appears and insert-  
5 ing “program”;

6 (III) in subparagraph (B), by  
7 striking “Computer-Assisted Pas-  
8 senger Prescreening System” and in-  
9 serting “Secure Flight program”;

10 (IV) in subparagraph (C)—

11 (aa) in clause (i), by striking  
12 “Not later than January 1, 2005,  
13 the Assistant Secretary of Home-  
14 land Security (Transportation  
15 Security Administration), or the  
16 designee of the Assistant Sec-  
17 retary,” and inserting “The Ad-  
18 ministrator”;

19 (bb) in clause (ii), by strik-  
20 ing “Not later than 180 days  
21 after completion of testing under  
22 clause (i), the” and inserting  
23 “The”; and

1 (cc) in clause (iv), by strik-  
2 ing “Not later than 180 days  
3 after” and inserting “After”;

4 (V) in subparagraph (D), by  
5 striking “Assistant Secretary of  
6 Homeland Security (Transportation  
7 Security Administration)” and insert-  
8 ing “Administrator”;

9 (VI) in subparagraph (E)(i), by  
10 striking “Not later than 90 days after  
11 the date on which the Assistant Sec-  
12 retary assumes the performance of the  
13 advanced passenger prescreening  
14 function under subparagraph (C)(ii),  
15 the” and inserting “The Adminis-  
16 trator”;

17 (VII) by striking “Assistant Sec-  
18 retary” each place it appears and in-  
19 serting “Administrator”; and

20 (VIII) by striking “Secretary of  
21 Transportation” each place it appears  
22 and inserting “Administrator”; and

23 (G) in subsection (m)—

24 (i) in paragraph (1), by striking “As-  
25 sistant Secretary of Homeland Security

1 (Transportation Security Administration)”

2 and inserting “Administrator”; and

3 (ii) by striking “Assistant Secretary”

4 each place it appears and inserting “Ad-

5 ministrator”;

6 (4) section 44904 is amended—

7 (A) in subsection (a), by striking “Under

8 Secretary of Transportation for Security” and

9 inserting “Administrator of the Transportation

10 Security Administration”;

11 (B) in subsection (c)—

12 (i) by striking “section 114(t)(3)” and

13 inserting “section 114(s)(3)”; and

14 (ii) by striking “section 114(t)” and

15 inserting “section 114(s)”;

16 (C) in subsection (d)—

17 (i) by striking “Not later than 90

18 days after the date of the submission of

19 the National Strategy for Transportation

20 Security under section 114(t)(4)(A), the

21 Assistant Secretary of Homeland Security

22 (Transportation Security Administration)”

23 and inserting “The Administrator of the

24 Transportation Security Administration”;

25 and

1 (ii) by striking “section 114(t)(1)”  
2 and inserting “section 114(s)(1)”; and

3 (D) by striking “Under Secretary” each  
4 place it appears and inserting “Administrator  
5 of the Transportation Security Administration”;  
6 (5) section 44905 is amended—

7 (A) in subsection (a)—

8 (i) by striking “Secretary of Trans-  
9 portation” and inserting “Administrator of  
10 the Transportation Security Administra-  
11 tion”; and

12 (ii) by striking “Secretary.” and in-  
13 serting “Administrator.”;

14 (B) in subsection (b), by striking “Under  
15 Secretary of Transportation for Security” and  
16 inserting “Administrator of the Transportation  
17 Security Administration”; and

18 (C) in subsections (c), (d), and (f), by  
19 striking “Under Secretary” each place it ap-  
20 pears and inserting “Administrator of the  
21 Transportation Security Administration”;

22 (6) section 44906 is amended—

23 (A) by striking “Under Secretary of  
24 Transportation for Security” and inserting

1 “Administrator of the Transportation Security  
2 Administration”; and

3 (B) by striking “Under Secretary” each  
4 place it appears and inserting “Administrator”;  
5 (7) section 44908 is amended—

6 (A) by striking “Secretary of Transpor-  
7 tation” each place it appears and inserting  
8 “Administrator of the Transportation Security  
9 Administration”;

10 (B) in subsection (a), by striking “safety  
11 or”; and

12 (C) in subsection (c), by striking “The  
13 Secretary” and inserting “The Administrator”;  
14 (8) section 44909 is amended—

15 (A) in subsection (a)(1), by striking “Not  
16 later than March 16, 1991, the” and inserting  
17 “The”; and

18 (B) in subsection (c)—

19 (i) in paragraph (1), by striking “Not  
20 later than 60 days after the date of enact-  
21 ment of the Aviation and Transportation  
22 Security Act, each” and inserting “Each”;

23 (ii) in paragraphs (2)(F) and (5), by  
24 striking “Under Secretary” and inserting

1 “Administrator of the Transportation Se-  
2 curity Administration”; and

3 (iii) in paragraph (6)—

4 (I) in subparagraph (A), by strik-  
5 ing “Not later than 60 days after date  
6 of enactment of this paragraph, the”  
7 and inserting “The”; and

8 (II) in subparagraph (B)(ii)—

9 (aa) by striking “the Sec-  
10 retary will” and inserting “the  
11 Secretary of Homeland Security  
12 will”; and

13 (bb) by striking “the Sec-  
14 retary to” and inserting “the  
15 Secretary of Homeland Security  
16 to”;

17 (9) section 44911 is amended—

18 (A) in subsection (b), by striking “Under  
19 Secretary of Transportation for Security” and  
20 inserting “Administrator of the Transportation  
21 Security Administration”;

22 (B) in subsection (d), by striking “request  
23 of the Secretary” and inserting “request of the  
24 Secretary of Homeland Security”; and

25 (C) in subsection (e)—

1 (i) by striking “Secretary, and the  
2 Under Secretary” and inserting “Secretary  
3 of Homeland Security, and the Adminis-  
4 trator of the Transportation Security Ad-  
5 ministration”; and

6 (ii) by striking “intelligence commu-  
7 nity and the Under Secretary” and insert-  
8 ing “intelligence community and the Ad-  
9 ministrator of the Transportation Security  
10 Administration”;

11 (10) section 44912 is amended—

12 (A) in subsection (a)—

13 (i) in paragraph (1)—

14 (I) by striking “Under Secretary  
15 of Transportation for Security” and  
16 inserting “Administrator”; and

17 (II) by striking “, not later than  
18 November 16, 1993,”; and

19 (ii) in paragraph (4)(C), by striking  
20 “Research, Engineering and Development  
21 Advisory Committee” and inserting “Ad-  
22 ministrator”;

23 (B) in subsection (c)—

24 (i) in paragraph (1), by striking “, as  
25 a subcommittee of the Research, Engineer-

1           ing, and Development Advisory Com-  
2           mittee,”; and

3                   (ii) in paragraph (4), by striking “Not  
4           later than 90 days after the date of the en-  
5           actment of the Aviation and Transpor-  
6           tation Security Act, and every two years  
7           thereafter,” and inserting “Biennially,”;

8                   (C) by striking “Under Secretary” each  
9           place it appears and inserting “Administrator”;  
10          and

11                   (D) by adding at the end the following:

12          “(d) SECURITY AND RESEARCH AND DEVELOPMENT  
13   ACTIVITIES.—

14                   “(1) IN GENERAL.—The Administrator of the  
15          Transportation Security Administration shall con-  
16          duct research (including behavioral research) and  
17          development activities appropriate to develop, mod-  
18          ify, test, and evaluate a system, procedure, facility,  
19          or device to protect passengers and property against  
20          acts of criminal violence, aircraft piracy, and ter-  
21          rorism and to ensure security.

22                   “(2) DISCLOSURE.—

23                   “(A) IN GENERAL.—Notwithstanding sec-  
24          tion 552 of title 5, the Administrator of the  
25          Transportation Security Administration shall

1           prescribe regulations prohibiting disclosure of  
2           information obtained or developed in ensuring  
3           security under this title if the Secretary of  
4           Homeland Security decides disclosing the infor-  
5           mation would—

6                   “(i) be an unwarranted invasion of  
7                   personal privacy;

8                   “(ii) reveal a trade secret or privileged  
9                   or confidential commercial or financial in-  
10                  formation; or

11                  “(iii) be detrimental to transportation  
12                  safety.

13                  “(B) INFORMATION TO CONGRESS.—Sub-  
14                  paragraph (A) does not authorize information  
15                  to be withheld from a committee of Congress  
16                  authorized to have the information.

17                  “(C) RULE OF CONSTRUCTION.—Nothing  
18                  in subparagraph (A) shall be construed to au-  
19                  thorize the designation of information as sen-  
20                  sitive security information (as defined in section  
21                  15.5 of title 49, Code of Federal Regulations)—

22                   “(i) to conceal a violation of law, inef-  
23                   ficiency, or administrative error;

24                   “(ii) to prevent embarrassment to a  
25                   person, organization, or agency;

1 “(iii) to restrain competition; or

2 “(iv) to prevent or delay the release of  
3 information that does not require protec-  
4 tion in the interest of transportation secu-  
5 rity, including basic scientific research in-  
6 formation not clearly related to transpor-  
7 tation security.

8 “(D) PRIVACY ACT.—Section 552a of title  
9 5 shall not apply to disclosures that the Admin-  
10 istrator of the Transportation Security Admin-  
11 istration may make from the systems of records  
12 of the Transportation Security Administration  
13 to any Federal law enforcement, intelligence,  
14 protective service, immigration, or national se-  
15 curity official in order to assist the official re-  
16 ceiving the information in the performance of  
17 official duties.

18 “(3) TRANSFERS OF DUTIES AND POWERS PRO-  
19 HIBITED.—Except as otherwise provided by law, the  
20 Administrator may not transfer a duty or power  
21 under this section to another department, agency, or  
22 instrumentality of the United States Government.

23 “(e) DEFINITION OF ADMINISTRATOR.—In this sec-  
24 tion, the term ‘Administrator’ means the Administrator of  
25 the Transportation Security Administration.”;

1 (11) section 44913 is amended—

2 (A) in subsection (a)—

3 (i) in paragraph (1), by striking  
4 “Under Secretary of Transportation for  
5 Security” and inserting “Administrator of  
6 the Transportation Security Administra-  
7 tion (referred to in this section as ‘the Ad-  
8 ministrator’)”;

9 (ii) by striking paragraph (2);

10 (iii) by redesignating paragraphs (3)  
11 and (4) as paragraphs (2) and (3), respec-  
12 tively; and

13 (iv) by striking “Under Secretary”  
14 each place it appears and inserting “Ad-  
15 ministrator”; and

16 (B) in subsection (b), by striking “Sec-  
17 retary of Transportation” and inserting “Ad-  
18 ministrator”;

19 (12) section 44914 is amended—

20 (A) by striking “Under Secretary of  
21 Transportation for Security” and inserting  
22 “Administrator of the Transportation Security  
23 Administration”;

1 (B) by striking “Under Secretary” each  
2 place it appears and inserting “Administrator”;  
3 and

4 (C) by inserting “the Department of  
5 Transportation,” before “air carriers, airport  
6 authorities, and others”;

7 (13) section 44915 is amended by striking  
8 “Under Secretary of Transportation for Security”  
9 and inserting “Administrator of the Transportation  
10 Security Administration”;

11 (14) section 44916 is amended—

12 (A) in subsection (a), by striking “Under  
13 Secretary of Transportation for Security” and  
14 inserting “Administrator of the Transportation  
15 Security Administration”; and

16 (B) in subsection (b)—

17 (i) by striking “Under Secretary” the  
18 first place it appears and inserting “Ad-  
19 ministrator of the Transportation Security  
20 Administration”; and

21 (ii) by striking “Under Secretary” the  
22 second place it appears and inserting “Ad-  
23 ministrator”;

24 (15) section 44917 is amended—

25 (A) in subsection (a)—

1 (i) in the matter preceding paragraph  
2 (1), by striking “Under Secretary of  
3 Transportation for Security” and inserting  
4 “Administrator of the Transportation Se-  
5 curity Administration”; and

6 (ii) in paragraph (2), by striking “by  
7 the Secretary”;

8 (B) in subsection (d)—

9 (i) in paragraph (1), by striking “As-  
10 sistant Secretary for Immigration and Cus-  
11 toms Enforcement of the Department of  
12 Homeland Security” and inserting “Ad-  
13 ministrator of the Transportation Security  
14 Administration”; and

15 (ii) in paragraph (3), by striking “As-  
16 sistant Secretary” each place it appears  
17 and inserting “Administrator of the Trans-  
18 portation Security Administration”;

19 (16) section 44918 is amended—

20 (A) in subsection (a)—

21 (i) in paragraph (2)(E), by striking  
22 “Under Secretary for Border and Trans-  
23 portation Security of the Department of  
24 Homeland Security” and inserting “Ad-

1 administrator of the Transportation Security  
2 Administration”;

3 (ii) in paragraph (4), by striking “Not  
4 later than one year after the date of enact-  
5 ment of the Vision 100—Century of Avia-  
6 tion Reauthorization Act, the” and insert-  
7 ing “The”; and

8 (iii) in paragraph (5), by striking “the  
9 date of enactment of the Vision 100—Cen-  
10 tury of Aviation Reauthorization Act” and  
11 inserting “December 12, 2003”;

12 (B) in subsection (b)—

13 (i) in paragraph (1), by striking “Not  
14 later than one year after the date of enact-  
15 ment of the Vision 100—Century of Avia-  
16 tion Reauthorization Act, the” and insert-  
17 ing “The”; and

18 (ii) in paragraph (6), by striking  
19 “Federal Air Marshals Service” and insert-  
20 ing “Federal Air Marshal Service”; and

21 (C) by striking “Under Secretary” each  
22 place it appears and inserting “Administrator  
23 of the Transportation Security Administration”;  
24 (17) section 44920 is amended—

1 (A) in subsection (a), by striking “On or  
 2 after the last day of the 2-year period beginning  
 3 on the date on which the Under Secretary  
 4 transmits to Congress the certification required  
 5 by section 110(c) of the Aviation and Transpor-  
 6 tation Security Act, an” and inserting “An”;

7 (B) in subsection (g)(1), by striking “sub-  
 8 section (a) or section 44919” and inserting  
 9 “subsection (a)”;

10 (C) by striking “Under Secretary” each  
 11 place it appears and inserting “Administrator”;  
 12 and

13 (D) by adding at the end the following:

14 “(i) DEFINITION OF ADMINISTRATOR.—In this sec-  
 15 tion, the term ‘Administrator’ means the Administrator of  
 16 the Transportation Security Administration.”;

17 (18) section 44922 is amended—

18 (A) in the heading, by striking “**Deputa-**  
 19 **tion**” and inserting “**Deputization**”;

20 (B) in subsection (a)—

21 (i) in the heading, by striking “DEPU-  
 22 TATION” and inserting “DEPUTIZATION”;

23 and

24 (ii) by striking “Under Secretary of  
 25 Transportation for Security” and inserting

1 “Administrator of the Transportation Se-  
2 curity Administration”;

3 (C) in subsection (e), by striking “deputa-  
4 tion” and inserting “deputization”; and

5 (D) by striking “Under Secretary” each  
6 place it appears and inserting “Administrator  
7 of the Transportation Security Administration”;  
8 (19) section 44923 is amended—

9 (A) in subsection (a), by striking “Under  
10 Secretary for Border and Transportation Secu-  
11 rity of the Department of Homeland Security”  
12 and inserting “Administrator of the Transpor-  
13 tation Security Administration”;

14 (B) by striking “Under Secretary” each  
15 place it appears and inserting “Administrator  
16 of the Transportation Security Administration”;

17 (C) in subsection (e)—

18 (i) by striking paragraph (2); and

19 (ii) by striking “(1) IN GENERAL.—”;

20 and

21 (D) by striking subsection (j);

22 (20) section 44924 is amended—

23 (A) in subsection (a)—

24 (i) by striking “Under Secretary for  
25 Border and Transportation Security of the

1 Department of Homeland Security” and  
2 inserting “Administrator of the Transpor-  
3 tation Security Administration”; and

4 (ii) by striking “Administrator under”  
5 and inserting “Administrator of the Fed-  
6 eral Aviation Administration under”;

7 (B) in subsections (b), (c), (d), (e), and  
8 (f), by striking “Administrator” and inserting  
9 “Administrator of the Federal Aviation Admin-  
10 istration”;

11 (C) in subsection (f), by striking “Not  
12 later than 240 days after the date of enactment  
13 of this section, the” and inserting “The”; and

14 (D) by striking “Under Secretary” each  
15 place it appears and inserting “Administrator  
16 of the Transportation Security Administration”;  
17 (21) section 44925 is amended—

18 (A) in subsection (b)(1), by striking “Not  
19 later than 90 days after the date of enactment  
20 of this section, the Assistant Secretary of  
21 Homeland Security (Transportation Security  
22 Administration)” and inserting “The Adminis-  
23 trator of the Transportation Security Adminis-  
24 tration”;

1 (B) in subsection (b), by striking para-  
2 graph (3); and

3 (C) in subsection (d), by striking “Assist-  
4 ant Secretary” each place it appears and insert-  
5 ing “Administrator of the Transportation Secu-  
6 rity Administration”;

7 (22) section 44926(b)(3) is amended by strik-  
8 ing “an misidentified passenger” and inserting “a  
9 misidentified passenger”;

10 (23) section 44927 is amended—

11 (A) by striking “Assistant Secretary” each  
12 place it appears and inserting “Administrator  
13 of the Transportation Security Administration”;

14 (B) in subsection (a), by striking “Veteran  
15 Affairs” and inserting “Veterans Affairs”; and

16 (C) in subsection (f)—

17 (i) in the heading, by striking “RE-  
18 PORT” and inserting “REPORTS”; and

19 (ii) by striking “Not later than 1 year  
20 after the date of enactment of this section,  
21 and annually thereafter,” and inserting  
22 “Each year,”;

23 (24) section 44933 is amended—

24 (A) in subsection (a)—

1 (i) by striking “Under Secretary of  
2 Transportation for Security” and inserting  
3 “Administrator of the Transportation Se-  
4 curity Administration”;

5 (ii) by striking “Federal Security  
6 Manager” and inserting “Federal Security  
7 Director”; and

8 (iii) by striking “Managers” each  
9 place it appears and inserting “Federal Se-  
10 curity Directors”;

11 (B) in subsection (b), by striking “Man-  
12 ager” and inserting “Federal Security Direc-  
13 tor”; and

14 (C) by striking “Under Secretary” each  
15 place it appears and inserting “Administrator  
16 of the Transportation Security Administration”;

17 (25) section 44934 is amended—

18 (A) in subsection (a)—

19 (i) by striking “Under Secretary of  
20 Transportation for Security” and inserting  
21 “Administrator of the Transportation Se-  
22 curity Administration”;

23 (ii) by striking “airports. In coordina-  
24 tion with the Secretary” and inserting

1 “airports. In coordination with the Sec-  
2 retary of State”;

3 (iii) by striking “The Secretary shall  
4 give high priority” and inserting “The Sec-  
5 retary of State shall give high priority”;  
6 and

7 (iv) by striking “Under Secretary”  
8 each place it appears and inserting “Ad-  
9 ministrator”; and

10 (B) in subsection (b)—

11 (i) in the matter preceding paragraph  
12 (1), by striking “Under Secretary” and in-  
13 serting “Administrator of the Transpor-  
14 tation Security Administration”; and

15 (ii) in paragraph (1), by striking  
16 “Under Secretary” and inserting “Admin-  
17 istrator”; and

18 (C) in subsection (c), by striking “the Sec-  
19 retary and the chief” and inserting “the Sec-  
20 retary of State and the chief”;

21 (26) section 44935 is amended—

22 (A) in subsection (a), by striking “Under  
23 Secretary of Transportation for Security” and  
24 inserting “Administrator”;

25 (B) in subsection (e)—

- 1 (i) in paragraph (1), by striking  
2 “Under Secretary of Transportation for  
3 Security” and inserting “Administrator”;  
4 and
- 5 (ii) in paragraph (2)(A)—
- 6 (I) in the matter preceding clause  
7 (i)—
- 8 (aa) by striking “Within 30  
9 days after the date of enactment  
10 of the Aviation and Transpor-  
11 tation Security Act, the” and in-  
12 serting “The”; and
- 13 (bb) by inserting “other” be-  
14 fore “provision of law”; and
- 15 (II) in clause (ii), by striking  
16 “1102(a)(22)” and inserting  
17 “101(a)(22)”;
- 18 (C) in subsection (f)(1), by inserting  
19 “other” before “provision of law”;
- 20 (D) in subsection (g)(2), by striking  
21 “Within 60 days after the date of enactment of  
22 the Aviation and Transportation Security Act,  
23 the” and inserting “The”;
- 24 (E) by striking “(i) ACCESSIBILITY OF  
25 COMPUTER-BASED TRAINING FACILITIES.—”

1 and inserting “(k) ACCESSIBILITY OF COM-  
2 PUTER-BASED TRAINING FACILITIES.—”;

3 (F) by striking “Under Secretary” each  
4 place it appears and inserting “Administrator”;  
5 and

6 (G) by adding at the end the following:

7 “(l) DEFINITION OF ADMINISTRATOR.—In this sec-  
8 tion, the term ‘Administrator’ means the Administrator of  
9 the Transportation Security Administration.”;

10 (27) section 44936 is amended—

11 (A) in subsections (a)—

12 (i) by striking “Under Secretary of  
13 Transportation for Security” each place it  
14 appears and inserting “Administrator”;

15 (ii) in paragraph (1)—

16 (I) in subparagraph (A), by strik-  
17 ing “,” and inserting a comma; and

18 (II) by striking subparagraph  
19 (C); and

20 (iii) by redesignating subparagraph  
21 (D) as subparagraph (C);

22 (B) by striking “Under Secretary” each  
23 place it appears and inserting “Administrator”;

24 and

25 (C) by adding at the end the following:

1       “(f) DEFINITION OF ADMINISTRATOR.—In this sec-  
2 tion, the term ‘Administrator’ means the Administrator of  
3 the Transportation Security Administration.”;

4           (28) section 44937 is amended by striking  
5       “Under Secretary of Transportation for Security”  
6       and inserting “Administrator of the Transportation  
7       Security Administration”;

8           (29) section 44938 is amended—

9           (A) in subsection (a)—

10           (i) by striking “Under Secretary of  
11           Transportation for Security” and inserting  
12           “Administrator of the Transportation Se-  
13           curity Administration”; and

14           (ii) by striking “Secretary of Trans-  
15           portation” and inserting “Secretary of  
16           Homeland Security”; and

17           (B) by striking “Under Secretary” each  
18           place it appears and inserting “Administrator  
19           of the Transportation Security Administration”;

20           (30) section 44939(d) is amended by striking  
21       “Not later than 60 days after the date of enactment  
22       of this section, the Secretary” and inserting “The  
23       Secretary of Homeland Security”;

24           (31) section 44940 is amended—

25           (A) in subsection (a)—

1 (i) in paragraph (1)—

2 (I) by striking “Under Secretary  
3 of Transportation for Security” and  
4 inserting “Administrator of the  
5 Transportation Security Administra-  
6 tion”; and

7 (II) by striking the last two sen-  
8 tences; and

9 (ii) by adding at the end the fol-  
10 lowing:

11 “(2) DETERMINATION OF COSTS.—

12 “(A) IN GENERAL.—The amount of the  
13 costs under paragraph (1) shall be determined  
14 by the Administrator of the Transportation Se-  
15 curity Administration and shall not be subject  
16 to judicial review.

17 “(B) DEFINITION OF FEDERAL LAW EN-  
18 FORCEMENT PERSONNEL.—For purposes of  
19 paragraph (1)(A), the term ‘Federal law en-  
20 forcement personnel’ includes State and local  
21 law enforcement officers who are deputized  
22 under section 44922.”;

23 (B) in subsections (b), (d), (e), (g), and  
24 (h), by striking “Under Secretary” each place it

1 appears and inserting “Administrator of the  
2 Transportation Security Administration”;

3 (C) in subsection (d)—

4 (i) in paragraph (1)—

5 (I) by striking “within 60 days of  
6 the date of enactment of this Act, or”;

7 and

8 (II) by striking “thereafter”; and

9 (ii) in paragraph (2), by striking  
10 “subsection (d)” each place it appears and  
11 inserting “paragraph (1) of this sub-  
12 section”;

13 (D) in subsection (e)(1), by striking “FEES  
14 PAYABLE TO UNDER SECRETARY” in the head-  
15 ing and inserting “FEES PAYABLE TO ADMINIS-  
16 TRATOR”; and

17 (E) in subsection (i)(4)—

18 (i) by striking subparagraphs (A)  
19 through (D); and

20 (ii) by redesignating subparagraphs  
21 (E) through (L) as subparagraphs (A)  
22 through (H), respectively;

23 (32) section 44941(a) is amended by inserting  
24 “the Department of Homeland Security,” after “De-  
25 partment of Transportation,”;

1 (33) section 44942 is amended—

2 (A) in subsection (a)—

3 (i) in paragraph (1)—

4 (I) in the matter preceding sub-  
5 paragraph (A), by striking “Within  
6 180 days after the date of enactment  
7 of the Aviation and Transportation  
8 Security Act, the Under Secretary for  
9 Transportation Security may, in con-  
10 sultation with” and inserting “The  
11 Administrator of the Transportation  
12 Security Administration may, in con-  
13 sultation with other relevant Federal  
14 agencies and”; and

15 (II) in subparagraph (A), by  
16 striking “, and” and inserting “;  
17 and”; and

18 (ii) in paragraph (2), by inserting a  
19 comma after “Federal Aviation Adminis-  
20 tration”;

21 (B) in subsection (b)—

22 (i) by striking “(1) PERFORMANCE  
23 PLAN AND REPORT.—”;

1 (ii) by redesignating subparagraphs  
2 (A) and (B) as paragraphs (1) and (2), re-  
3 spectively;

4 (iii) in paragraph (1), as redesign-  
5 nated—

6 (I) by redesignating clauses (i)  
7 and (ii) as subparagraphs (A) and  
8 (B), respectively;

9 (II) in subparagraph (A), as re-  
10 designating, by striking “the Secretary  
11 and the Under Secretary for Trans-  
12 portation Security shall agree” and  
13 inserting “the Secretary of Homeland  
14 Security and the Administrator of the  
15 Transportation Security Administra-  
16 tion shall agree”; and

17 (III) in subparagraph (B), as re-  
18 designating, by striking “the Sec-  
19 retary, the Under Secretary for  
20 Transportation Security” and insert-  
21 ing “the Secretary of Homeland Secu-  
22 rity, the Administrator of the Trans-  
23 portation Security Administration,”;  
24 and

1 (iv) in paragraph (2), as redesignated,  
2 by striking “Under Secretary for Trans-  
3 portation Security” and inserting “Admin-  
4 istrator of the Transportation Security Ad-  
5 ministration”;

6 (34) section 44943 is amended—

7 (A) in subsection (a), by striking “Under  
8 Secretary for Transportation Security” and in-  
9 serting “Administrator of the Transportation  
10 Security Administration”;

11 (B) in subsection (b)—

12 (i) in paragraph (1)—

13 (I) by striking “Secretary and  
14 Under Secretary of Transportation for  
15 Security” and inserting “Secretary of  
16 Homeland Security and Administrator  
17 of the Transportation Security Ad-  
18 ministration”; and

19 (II) by striking “Under Sec-  
20 retary” and inserting “Administrator  
21 of the Transportation Security Ad-  
22 ministration”; and

23 (ii) in paragraph (2)—

24 (I) by striking “Under Sec-  
25 retary” the first place it appears and

1 inserting “Administrator of the  
2 Transportation Security Administra-  
3 tion”; and

4 (II) by striking “Under Secretary  
5 shall” each place it appears and in-  
6 serting “Administrator shall”; and

7 (C) in subsection (c), by striking “Aviation  
8 Security Act, the Under Secretary for Trans-  
9 portation Security” and inserting “Aviation and  
10 Transportation Security Act (Public Law 107–  
11 71; 115 Stat. 597), the Administrator of the  
12 Transportation Security Administration”;

13 (35) section 44944 is amended—

14 (A) in subsection (a)—

15 (i) in paragraph (1), by striking  
16 “Under Secretary of Transportation for  
17 Transportation Security” and inserting  
18 “Administrator of the Transportation Se-  
19 curity Administration”; and

20 (ii) in paragraph (4), by inserting  
21 “the Administrator of the Federal Aviation  
22 Administration,” after “consult with”; and

23 (B) by striking “Under Secretary” each  
24 place it appears and inserting “Administrator  
25 of the Transportation Security Administration”;

1           (36) section 44945(b) is amended by striking  
2           “Assistant Secretary” each place it appears and in-  
3           serting “Administrator of the Transportation Secu-  
4           rity Administration”; and

5           (37) section 44946 is amended—

6           (A) in subsection (g)—

7                   (i) by striking paragraph (2);

8                   (ii) by redesignating paragraph (1) as  
9           paragraph (2); and

10                   (iii) by inserting before paragraph (2),  
11           as redesignated, the following:

12           “(1) ADMINISTRATOR.—The term ‘Adminis-  
13           trator’ means the Administrator of the Transpor-  
14           tation Security Administration.”;

15           (B) by striking “Assistant Secretary” each  
16           place it appears and inserting “Administrator”;

17           (C) in subsection (b)(4)—

18                   (i) by striking “the Secretary re-  
19           ceives” and inserting “the Administrator  
20           receives”; and

21                   (ii) by striking “the Secretary shall”  
22           and inserting “the Administrator shall”;  
23           and

24           (D) in subsection (c)(1)(A), by striking  
25           “Not later than 180 days after the date of en-

1 actment of the Aviation Security Stakeholder  
2 Participation Act of 2014, the” and inserting  
3 “The”.

4 (e) CHAPTER 451 AMENDMENTS.—Section 45107 is  
5 amended—

6 (1) in subsection (a), by striking “Under Sec-  
7 retary of Transportation for Security” and inserting  
8 “Administrator of the Transportation Security Ad-  
9 ministration”; and

10 (2) in subsection (b), by striking “Under Sec-  
11 retary of Transportation for Security, the Transpor-  
12 tation Security Administration,” and inserting “Ad-  
13 ministrator of the Transportation Security Adminis-  
14 tration”.

15 (f) CHAPTER 461 AMENDMENTS.—Chapter 461 is  
16 amended—

17 (1) in each of sections 46101(a)(1), 46102(a),  
18 46103(a), 46104(a), 46105(a), 46106, 46107(b),  
19 and 46110(a) by striking “Under Secretary of  
20 Transportation for Security with respect to security  
21 duties and powers designated to be carried out by  
22 the Under Secretary” and inserting “Administrator  
23 of the Transportation Security Administration with  
24 respect to security duties and powers designated to

1 be carried out by the Administrator of the Transpor-  
2 tation Security Administration”;

3 (2) in each of sections 46101, 46102(c), 46103,  
4 46104, 46105, 46107, and 46110 by striking “or  
5 Administrator” each place it appears and inserting  
6 “or Administrator of the Federal Aviation Adminis-  
7 tration”;

8 (3) in each of sections 46101(a)(1), 46102(a)  
9 46103(a), 46104(a), 46105(a), 46106, 46107(b),  
10 and 46110(a) by striking “by the Administrator”  
11 and inserting “by the Administrator of the Federal  
12 Aviation Administration”;

13 (4) in each of sections 46101, 46102, 46103,  
14 46104, 46105, 46107, and 46110 by striking  
15 “Under Secretary,” each place it appears and insert-  
16 ing “Administrator of the Transportation Security  
17 Administration,”;

18 (5) in section 46102—

19 (A) in subsection (b), by striking “the Ad-  
20 ministrator” each place it appears and inserting  
21 “the Administrator of the Federal Aviation Ad-  
22 ministration”;

23 (B) in subsection (c), by striking “and Ad-  
24 ministrator” each place it appears and inserting

1 “and Administrator of the Federal Aviation Ad-  
2 ministration”; and

3 (C) in subsection (d), by striking “the Ad-  
4 ministrator, or an officer or employee of the  
5 Administration” in subsection (d) and inserting  
6 “the Administrator of the Federal Aviation Ad-  
7 ministration, or an officer or employee of the  
8 Federal Aviation Administration”;

9 (6) in section 46104—

10 (A) by striking “subpena” each place it ap-  
11 pears and inserting “subpoena”; and

12 (B) in subsection (b)—

13 (i) in the heading, by striking “SUB-  
14 PENAS” and inserting “SUBPOENAS”; and

15 (ii) by striking “the Administrator”  
16 and inserting “the Administrator of the  
17 Federal Aviation Administration”;

18 (7) in section 46105(c), by striking “When the  
19 Administrator” and inserting “When the Adminis-  
20 trator of the Federal Aviation Administration”;

21 (8) in section 46109, by inserting “(or the Ad-  
22 ministrator of the Transportation Security Adminis-  
23 tration with respect to security duties and powers  
24 designated to be carried out by the Administrator of  
25 the Transportation Security Administration or the

1 Administrator of the Federal Aviation Administra-  
2 tion with respect to aviation safety duties and pow-  
3 ers designated to be carried out by the Adminis-  
4 trator)” after “Secretary of Transportation”; and

5 (9) in section 46111—

6 (A) in subsection (a)—

7 (i) by inserting “the” before “Federal  
8 Aviation Administration”;

9 (ii) by striking “Administrator is”  
10 and inserting “Administrator of the Fed-  
11 eral Aviation Administration is”; and

12 (iii) by striking “Under Secretary for  
13 Border and Transportation Security of the  
14 Department of Homeland Security” and  
15 inserting “Administrator of the Transpor-  
16 tation Security Administration”;

17 (B) in subsections (b), (c), (e), and (g), by  
18 striking “Administrator” and inserting “Admin-  
19 istrator of the Federal Aviation Administra-  
20 tion”;

21 (C) in subsection (g)(2)(A), by striking  
22 “(18 U.S.C. App.)” and inserting “(18 U.S.C.  
23 App.)”;

1 (D) by striking “Under Secretary” each  
2 place it appears and inserting “Administrator  
3 of the Transportation Security Administration”.

4 (g) CHAPTER 463 AMENDMENTS.—Chapter 463 is  
5 amended—

6 (1) in section 46301—

7 (A) in subsection (a)(5)—

8 (i) in subparagraph (A)(i), by striking  
9 “or chapter 451” and inserting “chapter  
10 451”; and

11 (ii) in subparagraph (D), by inserting  
12 “of Transportation” after “Secretary”;

13 (B) in subsection (d)—

14 (i) in paragraph (2)—

15 (I) by striking “defined by the  
16 Secretary” and inserting “defined by  
17 the Secretary of Transportation”; and

18 (II) by striking “Administrator  
19 shall” and inserting “Administrator of  
20 the Federal Aviation Administration  
21 shall”;

22 (ii) in paragraphs (3), (4), (5), (6),  
23 (7), and (8), by striking “Administrator”  
24 and inserting “Administrator of the Fed-  
25 eral Aviation Administration”; and

1 (iii) in paragraph (8), by striking  
2 “Under Secretary” and inserting “Admin-  
3 istrator of the Transportation Security Ad-  
4 ministration”;

5 (C) in subsection (e), by inserting “of  
6 Transportation” after “Secretary”;

7 (D) in subsection (g), by striking “Admin-  
8 istrator” and inserting “Administrator of the  
9 Federal Aviation Administration”; and

10 (E) in subsection (h)(2)—

11 (i) by striking “Under Secretary of  
12 Transportation for Security with respect to  
13 security duties and powers designated to  
14 be carried out by the Under Secretary”  
15 and inserting “Administrator of the Trans-  
16 portation Security Administration with re-  
17 spect to security duties and powers des-  
18 igned to be carried out by the Adminis-  
19 trator of the Transportation Security Ad-  
20 ministration”; and

21 (ii) by striking “or the Administrator  
22 with respect to aviation safety duties and  
23 powers designated to be carried out by the  
24 Administrator” and inserting “or the Ad-  
25 ministrator of the Federal Aviation Admin-

1           istration with respect to aviation safety du-  
2           ties and powers designated to be carried  
3           out by the Administrator of the Federal  
4           Aviation Administration”;

5           (2) in section 46304(b), by striking “the Ad-  
6           ministrator of the Federal Aviation Administration  
7           with respect to aviation safety duties and powers  
8           designated to be carried out by the Administrator”  
9           and inserting “or the Administrator of the Federal  
10          Aviation Administration with respect to aviation  
11          safety duties and powers designated to be carried  
12          out by the Administrator of the Federal Aviation  
13          Administration”;

14          (3) in section 46311—

15                (A) in subsection (a)—

16                   (i) in the matter preceding paragraph  
17                   (1)—

18                        (I) by striking “Under Secretary  
19                        of Transportation for Security with  
20                        respect to security duties and powers  
21                        designated to be carried out by the  
22                        Under Secretary” and inserting “Ad-  
23                        ministrator of the Transportation Se-  
24                        curity Administration with respect to  
25                        security duties and powers designated

1 to be carried out by the Administrator  
2 of the Transportation Security Ad-  
3 ministration”;

4 (II) by striking “the Adminis-  
5 trator of the Federal Aviation Admin-  
6 istration with respect to aviation safe-  
7 ty duties and powers designated to be  
8 carried out by the Administrator” and  
9 inserting “or the Administrator of the  
10 Federal Aviation Administration with  
11 respect to aviation safety duties and  
12 powers designated to be carried out by  
13 the Administrator of the Federal  
14 Aviation Administration”;

15 (III) by striking “Administrator  
16 shall” and inserting “Administrator of  
17 the Federal Aviation Administration  
18 shall”; and

19 (IV) by striking “Administrator,”  
20 and inserting “Administrator of the  
21 Federal Aviation Administration,”;  
22 and

23 (ii) in paragraph (1), by striking “Ad-  
24 ministrator” and inserting “Administrator  
25 of the Federal Aviation Administration”;

1 (B) in subsections (b) and (c), by striking  
2 “Administrator” and inserting “Administrator  
3 of the Federal Aviation Administration”; and

4 (C) by striking “Under Secretary” each  
5 place it appears and inserting “Administrator  
6 of the Transportation Security Administration”;

7 (4) in section 46313—

8 (A) by striking “Under Secretary of  
9 Transportation for Security with respect to se-  
10 curity duties and powers designated to be car-  
11 ried out by the Under Secretary” and inserting  
12 “Administrator of the Transportation Security  
13 Administration with respect to security duties  
14 and powers designated to be carried out by the  
15 Administrator of the Transportation Security  
16 Administration”;

17 (B) by striking “the Administrator of the  
18 Federal Aviation Administration with respect to  
19 aviation safety duties and powers designated to  
20 be carried out by the Administrator” and in-  
21 serting “or the Administrator of the Federal  
22 Aviation Administration with respect to aviation  
23 safety duties and powers designated to be car-  
24 ried out by the Administrator of the Federal  
25 Aviation Administration”; and

1 (C) by striking “subpena” and inserting  
2 “subpoena”; and  
3 (5) in section 46316(a)—

4 (A) by striking “Under Secretary of  
5 Transportation for Security with respect to se-  
6 curity duties and powers designated to be car-  
7 ried out by the Under Secretary” and inserting  
8 “Administrator of the Transportation Security  
9 Administration with respect to security duties  
10 and powers designated to be carried out by the  
11 Administrator of the Transportation Security  
12 Administration”; and

13 (B) by striking “the Administrator of the  
14 Federal Aviation Administration with respect to  
15 aviation safety duties and powers designated to  
16 be carried out by the Administrator” and in-  
17 serting “or the Administrator of the Federal  
18 Aviation Administration with respect to aviation  
19 safety duties and powers designated to be car-  
20 ried out by the Administrator of the Federal  
21 Aviation Administration”.

22 (h) CHAPTER 465 AMENDMENTS.—Chapter 465 is  
23 amended—

24 (1) in section 46505(d)(2), by striking “Under  
25 Secretary of Transportation for Security” and in-

1       serting “Administrator of the Transportation Secu-  
2       rity Administration”; and

3               (2) in the table of contents for chapter 465 of  
4       subtitle VII, by striking the following:

“46503. Repealed.”.

5       (i) CHAPTER 483 REPEAL.—

6               (1) IN GENERAL.—Chapter 483 is repealed.

7               (2) CONFORMING AMENDMENT.—The table of  
8       contents for subtitle VII is amended by striking the  
9       following:

“483. Aviation security funding ..... 48301”.

10       (j) AUTHORITY TO EXEMPT.—

11               (1) IN GENERAL.—Subchapter II of chapter  
12       449 is amended by inserting before section 44933  
13       the following:

14       **“§ 44931. Authority to exempt**

15               “The Secretary of Homeland Security may grant an  
16       exemption from a regulation prescribed in carrying out  
17       sections 44901, 44903, 44906, 44909(c), and 44935–  
18       44937 of this title when the Secretary decides the exemp-  
19       tion is in the public interest.

20       **“§ 44932. Administrative**

21               “(a) GENERAL AUTHORITY.—The Secretary of  
22       Homeland Security may take action the Secretary con-  
23       siders necessary to carry out this chapter and chapters  
24       461, 463, and 465 of this title, including conducting inves-

1 tigungen, prescribing regulations, standards, and proce-  
 2 dures, and issuing orders.

3 “(b) INDEMNIFICATION.—The Secretary of Home-  
 4 land Security may indemnify an officer or employee of the  
 5 Transportation Security Administration against a claim or  
 6 judgment arising out of an act that the Secretary decides  
 7 was committed within the scope of the official duties of  
 8 the officer or employee.”.

9 (2) TABLE OF CONTENTS.—The table of con-  
 10 tents of chapter 449 is amended by inserting before  
 11 the item relating to section 44933 the following:

“44931. Authority to exempt.

“44932. Administrative.”.

12 **SEC. 302. TABLE OF CONTENTS OF CHAPTER 449.**

13 The table of contents of chapter 449 is amended—

14 (1) in the item relating to section 44922, by  
 15 striking “Deputation” and inserting “Deputization”;  
 16 and

17 (2) by inserting after section 44941 the fol-  
 18 lowing:

“44942. Performance goals and objectives.

“44943. Performance management system.”.

19 **SEC. 303. OTHER LAWS; INTELLIGENCE REFORM AND TER-**  
 20 **RORISM PREVENTION ACT OF 2004.**

21 Section 4016(c) of the Intelligence Reform and Ter-  
 22 rorism Prevention Act of 2004 (49 U.S.C. 44917 note)  
 23 is amended—

1           (1) in paragraph (1), by striking “Assistant  
2       Secretary for Immigration and Customs Enforce-  
3       ment” and inserting “Administrator of the Trans-  
4       portation Security Administration”; and

5           (2) by striking “Assistant Secretary for Immi-  
6       gration and Customs Enforcement and the Director  
7       of Federal Air Marshal Service of the Department of  
8       Homeland Security, in coordination with the Assist-  
9       ant Secretary of Homeland Security (Transportation  
10      Security Administration),” and inserting “Adminis-  
11     trator of the Transportation Security Administration  
12     and the Director of Federal Air Marshal Service of  
13     the Department of Homeland Security”.

14 **SEC. 304. SAVINGS PROVISIONS.**

15       References relating to the Under Secretary of Trans-  
16     portation for Security in statutes, Executive orders, rules,  
17     regulations, directives, or delegations of authority that  
18     precede the effective date of this Act shall be deemed to  
19     refer, as appropriate, to the Administrator of the Trans-  
20     portation Security Administration.

○