

Transportation Security Screening Modernization Act of 2024

[Public Law 118–202]

[This law has not been amended]

[Currency: This publication is a compilation of the text of Public Law 118–202. It was last amended by the public law listed in the As Amended Through note above and below at the bottom of each page of the pdf version and reflects current law through the date of the enactment of the public law listed at <https://www.govinfo.gov/app/collection/comps/>]

[Note: While this publication does not represent an official version of any Federal statute, substantial efforts have been made to ensure the accuracy of its contents. The official version of Federal law is found in the United States Statutes at Large and in the United States Code. The legal effect to be given to the Statutes at Large and the United States Code is established by statute (1 U.S.C. 112, 204).]

AN ACT To require the Transportation Security Administration to streamline the enrollment processes for individuals applying for a Transportation Security Administration security threat assessment for certain programs, including the Transportation Worker Identification Credential and Hazardous Materials Endorsement Threat Assessment programs of the Administration, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. [49 U.S.C. 114 note] SHORT TITLE.

This Act may be cited as the “Transportation Security Screening Modernization Act of 2024”.

SEC. 2. DEFINITIONS.

In this Act:

(1) ADMINISTRATOR.—The term “Administrator” means the Administrator of the Transportation Security Administration.

(2) HAZMAT ENDORSEMENT.—The term “HAZMAT Endorsement” means the Hazardous Materials Endorsement Threat Assessment program authorized under section 5103a of title 49, United States Code.

(3) STATE.—The term “State” means each of the several States, the District of Columbia, and the territories and possessions of the United States.

(4) TSA.—The term “TSA” means the Transportation Security Administration.

(5) TWIC.—The term “TWIC” means the Transportation Worker Identification Credential authorized under section 70105 of title 46, United States Code.

SEC. 3. STREAMLINING OF APPLICATIONS FOR CERTAIN SECURITY THREAT ASSESSMENT PROGRAMS OF THE TRANSPORTATION SECURITY ADMINISTRATION.

(a) STREAMLINING.—

(1) IN GENERAL.—Not later than 2 years after the date of the enactment of this Act, the Administrator shall take such actions as are necessary, including issuance of an interim final rule if needed, to streamline the procedures for individuals applying for or renewing enrollment in more than one TSA security threat assessment program, in particular, the TWIC and HAZMAT Endorsement programs, and any other credentialing programs as determined by the Administrator, by—

(A) permitting an individual to enroll at any TSA authorized enrollment center once for a threat assessment program endorsement and use the application, including associated biometric and biographic data, as well as information generated by TSA's vetting, for one of such programs to enroll in any other of such programs;

(B) permitting an individual to visit any TSA authorized enrollment center and enroll in more than one TSA security threat assessment program at the same time for a fee that is less than the cumulative fee that would otherwise be incurred for each such program separately;

(C) permitting an individual to undergo a streamlined and expeditious renewal process;

(D) aligning the expiration of an individual's successful, valid eligibility determination with the expiration of that individual's eligibility to participate in subsequent TSA security threat assessment programs to which the individual applies;

(E) providing to States the expiration dates for each individual's TSA security threat assessment to ensure a commercial driver's license of an individual who holds a HAZMAT Endorsement does not indicate the individual is authorized to transport hazardous materials after the expiration date of the enrollment of the individual in the HAZMAT Endorsement security threat assessment program if such commercial driver's license has an expiration date that is different from the expiration date of such enrollment; and

(F) enrolling an individual in a subsequent TSA security threat assessment program at the minimum cost necessary for the TSA to cover printing, issuance, and case management costs, costs associated with the collection of any additional biometric and biographic data in accordance with paragraph (3), and other costs that are not duplicative.

(2) STATE REQUIREMENTS FOR STREAMLINING.—Not later than 6 months after the date of the enactment of this Act, the States shall carry out the responsibilities of the States pursuant to section 5103a of title 49, United States Code.

(3) SPECIAL RULE.—If an individual under this subsection is at different times applying for or renewing enrollment in more than one TSA security threat assessment program, such individual may be required to revisit a TSA authorized enrollment center for the collection of additional data, such as biometrics, necessary for any such program that were not so collected in connection with any other such program.

(b) PUBLICATION.—The Administrator shall post on a publicly available website of the TSA information relating to the streamlining of the enrollment processes for individuals applying for more than one TSA security threat assessment program described in subsection (a).

(c) EXPEDITED RULEMAKING.—Notwithstanding sections 551 through 559 of title 5, United States Code, nothing in this section shall require notice and comment rulemaking, and to the extent it is necessary to add additional requirements for which limited rulemaking may be advisable, the Administrator shall implement such requirements through publication of an interim final rule.

(d) BRIEFING.—Not later than 180 days after the date of the enactment of this Act, the Administrator shall brief Congress on progress made toward the implementation of this section.

SEC. 4. ELIMINATING DUPLICATIVE COSTS.

(a) AUDIT.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall audit the administration of the security threat assessment programs by the TSA and the States, including the TWIC and HAZMAT Endorsement programs.

(b) ELEMENTS.—

(1) TSA AUDIT.—In conducting the audit of the TSA required by subsection (a), the Comptroller General shall—

(A) identify any redundancies and duplications in costs and administration of security threat assessment programs that if eliminated would not impact national security and any benefits of eliminating such redundancies and duplications and improving the experiences for individuals applying for or renewing enrollment in more than one TSA security threat assessment program;

(B) review the impacts of the implementation by the TSA of recommendations from previous studies conducted by the Comptroller General, including GAO-07-756 and GAO-17-182, on increasing the efficiency and effectiveness, and reducing costs, of processing applications for enrollment and renewal in TSA security threat assessment programs;

(C) review the findings of the assessment required by section 1(b) of the Act entitled “An Act to require the Secretary of Homeland Security to prepare a comprehensive security assessment of the transportation security card program, and for other purposes”, approved December 16, 2016 (46 U.S.C. 70105 note; Public Law 114-278) and determine whether the TSA has implemented any remedies to redundancies and duplication identified by that assessment and whether such implementation impacted national security;

(D) determine whether there are unique challenges rural applicants have with accessing TSA security threat assessment programs;

(E) assess the numbers and locations of enrollment centers for meeting the needs of such programs, including determining the access provided to rural applicants;

(F) identify potential opportunities that exist to improve the enrollment center operations of and customer experience with such programs;

(G) identify potential opportunities to harmonize the enrollment, vetting, and renewal processes of such programs in which similar information is collected for similar security threat assessment processes for different vetted credentials while not impacting national security;

(H) identify other ways the TSA can reduce the costs of the TSA security threat assessment programs while not impacting national security; and

(I) review the vetting, application, and enrollment processes of each TSA security threat assessment program.

(2) STATE AUDIT.—In conducting the audit of the States required by subsection (a), the Comptroller General shall review—

(A) the administration of the HAZMAT Endorsement program by the States;

(B) methods by which the States could streamline the HAZMAT Endorsement program; and

(C) any potential barriers States face administering TSA security threat assessment programs for individuals applying to TWIC and the HAZMAT Endorsement program or individuals that already have a TWIC credential.

(c) REPORT AND RECOMMENDATIONS.—Not later than 180 days after the date of the completion of the audit required by subsection (a), the Comptroller General of the United States shall submit to the Administrator, the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Homeland Security of the House of Representatives a report that includes—

(1) a summary and analysis of the costs associated with the operation and administration of each individual TSA security threat assessment program;

(2) a summary and analysis of the application and enrollment costs associated with providing an individual multiple credentials under TSA security threat assessment programs;

(3) an identification of any potential duplicative processes associated with an applicant applying for, or the vetting or enrollment by the TSA of an individual in, a subsequent or multiple TSA security threat assessment programs;

(4) a breakdown of costs borne by applicants for current enrollment and renewal processes of such programs;

(5) ways to improve access to such programs, including for rural applicants;

(6) any potential recommendations to the TSA for reducing costs and streamlining the administration and operation of each TSA security threat assessment program while not impacting national security;

(7) any potential recommendations for the TSA to administer such programs in a way that would improve national security; and

(8) any potential recommendations for ways States can improve their role in administering the HAZMAT Endorsement program and streamline the application process or reduce costs

for individuals seeking multiple transportation security credentials.

(d) IMPLEMENTATION.—

(1) IN GENERAL.—Not later than 1 year after the date of the receipt of the report required by subsection (c), the Administrator shall—

(A) implement the recommendations from such report;

(B) provide to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Homeland Security of the House of Representatives a written notification detailing—

(i) the timeline for implementation of each recommendation from the report;

(ii) justifications for any implementation timeline lasting longer than 2 years; and

(iii) justifications for recommendations that the Administrator has declined to pursue or implement.

(2) BRIEFINGS.—Not later than 60 days after the date of the receipt of the report required by subsection (c), and annually thereafter until the date that the TSA has implemented each recommendation made in such report, the Administrator shall brief the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Homeland Security of the House of Representatives on the implementation of recommendations from the report.