

114TH CONGRESS
2D SESSION

H. R. 5338

IN THE SENATE OF THE UNITED STATES

JUNE 8, 2016

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

AN ACT

To reduce passenger wait times at airports, and for other
purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Checkpoint Optimiza-
3 tion and Efficiency Act of 2016”.

4 **SEC. 2. SENSE OF CONGRESS.**

5 It is the sense of Congress that airport checkpoint
6 wait times should not take priority over the security of
7 the Nation’s aviation system.

8 **SEC. 3. ENHANCED STAFFING ALLOCATION MODEL.**

9 (a) IN GENERAL.—Not later than 30 days after the
10 date of the enactment of this Act, the Administrator of
11 the Transportation Security Administration shall complete
12 an assessment of the Administration’s staffing allocation
13 model to determine the necessary staffing positions at all
14 airports in the United States at which the Administration
15 operates passenger checkpoints.

16 (b) APPROPRIATE STAFFING.—The staffing alloca-
17 tion model described in subsection (a) shall be based on
18 necessary staffing levels to maintain minimal passenger
19 wait times and maximum security effectiveness.

20 (c) ADDITIONAL RESOURCES.—In assessing nec-
21 essary staffing for minimal passenger wait times and max-
22 imum security effectiveness referred to in subsection (b),
23 the Administrator of the Transportation Security Admin-
24 istration shall include the use of canine explosives detec-
25 tion teams and technology to assist screeners conducting
26 security checks.

1 (d) TRANSPARENCY.—The Administrator of the
2 Transportation Security Administration shall share with
3 aviation security stakeholders the staffing allocation model
4 described in subsection (a), as appropriate.

5 (e) EXCHANGE OF INFORMATION.—The Adminis-
6 trator of the Transportation Security Administration shall
7 require each Federal Security Director to engage on a reg-
8 ular basis with the appropriate aviation security stake-
9 holders to exchange information regarding airport oper-
10 ations, including security operations.

11 (f) GAO REVIEW.—Not later than 180 days after the
12 date of the enactment of this Act, the Comptroller General
13 of the United States shall review the staffing allocation
14 model described in subsection (a) and report to the Com-
15 mittee on Homeland Security of the House of Representa-
16 tives and the Committee on Commerce, Science, and
17 Transportation of the Senate on the results of such review.

18 **SEC. 4. EFFECTIVE UTILIZATION OF STAFFING RE-**
19 **SOURCES.**

20 (a) IN GENERAL.—To the greatest extent practicable,
21 the Administrator of the Transportation Security Admin-
22 istration shall direct that Transportation Security Officers
23 with appropriate certifications and training are assigned
24 to passenger and baggage security screening functions and
25 that other Administration personnel who may not have

1 certification and training to screen passengers or baggage
2 are utilized for tasks not directly related to security
3 screening, including restocking bins and providing instruc-
4 tions and support to passengers in security lines.

5 (b) ASSESSMENT AND REASSIGNMENT.—The Admin-
6 istrator of the Transportation Security Administration
7 shall conduct an assessment of headquarters personnel
8 and reassign appropriate personnel to assist with airport
9 security screening activities on a permanent or temporary
10 basis, as appropriate.

11 **SEC. 5. TSA STAFFING AND RESOURCE ALLOCATION.**

12 (a) IN GENERAL.—Not later than 30 days after the
13 date of the enactment of this Act, the Administrator of
14 the Transportation Security Administration shall take the
15 following actions:

16 (1) Utilize the Administration’s Behavior De-
17 tection Officers for passenger and baggage security
18 screening, including the verification of traveler docu-
19 ments, particularly at designated PreCheck lanes to
20 ensure that such lanes are operational for use and
21 maximum efficiency.

22 (2) Make every practicable effort to grant addi-
23 tional flexibility and authority to Federal Security
24 Directors in matters related to checkpoint and
25 checked baggage staffing allocation and employee

1 overtime in furtherance of maintaining minimal pas-
2 senger wait times and maximum security effective-
3 ness.

4 (3) Disseminate to aviation security stake-
5 holders and appropriate Administration personnel a
6 list of checkpoint optimization best practices.

7 (4) Expand efforts to increase the public's par-
8 ticipation in the Administration's PreCheck pro-
9 gram, including deploying Administration-approved
10 ready-to-market private sector solutions and offering
11 secure online and mobile enrollment opportunities.

12 (5) Request the Aviation Security Advisory
13 Committee (established pursuant to section 44946 of
14 title 49, United States Code) provide recommenda-
15 tions on best practices for checkpoint security oper-
16 ations optimization.

17 (b) STAFFING ADVISORY COORDINATION.—Not later
18 than 30 days after the date of the enactment of this Act,
19 the Administrator of the Transportation Security Admin-
20 istration shall—

21 (1) direct each Federal Security Director to co-
22 ordinate local representatives of aviation security
23 stakeholders to establish a staffing advisory working
24 group at each airport at which the Administration
25 oversees or performs passenger security screening to

1 provide recommendations to the Administrator on
2 Transportation Security Officer staffing numbers,
3 for such airport; and

4 (2) certify to the Committee on Homeland Se-
5 curity of the House of Representatives and the Com-
6 mittee on Commerce, Science, and Transportation of
7 the Senate that such staffing advisory working
8 groups have been established.

9 (c) REPORTING.—Not later than 60 days after the
10 date of the enactment of this Act, the Administrator of
11 the Transportation Security Administration shall—

12 (1) report to the Committee on Homeland Se-
13 curity of the House of Representatives and the Com-
14 mittee on Commerce, Science, and Transportation of
15 the Senate regarding how the Administration’s Pas-
16 senger Screening Canine assets may be deployed and
17 utilized for maximum efficiency to mitigate risk and
18 optimize checkpoint operations; and

19 (2) report to the Committee on Homeland Se-
20 curity of the House of Representatives and the Com-
21 mittee on Commerce, Science, and Transportation of
22 the Senate on the status of the Administration’s
23 Credential Authentication Technology Assessment
24 program and how deployment of such program
25 might optimize checkpoint operations.

1 **SEC. 6. AVIATION SECURITY STAKEHOLDERS DEFINED.**

2 For purposes of this Act, the term “aviation security
3 stakeholders” shall mean, at a minimum, air carriers, air-
4 port operators, and labor organizations representing
5 Transportation Security Officers or, where applicable, con-
6 tract screeners.

7 **SEC. 7. RULE OF CONSTRUCTION.**

8 Nothing in this Act may be construed as authorizing
9 or directing the Administrator of the Transportation Secu-
10 rity Administration to prioritize reducing wait times over
11 security effectiveness.

Passed the House of Representatives June 7, 2016.

Attest:

KAREN L. HAAS,

Clerk.