

115TH CONGRESS
1ST SESSION

H. R. 876

IN THE SENATE OF THE UNITED STATES

APRIL 26, 2017

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

AN ACT

To reform programs of the Transportation Security
Administration, and for other purposes.

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

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Aviation Employee
3 Screening and Security Enhancement Act of 2017”.

4 **SEC. 2. DEFINITIONS.**

5 In this Act:

6 (1) **ADMINISTRATION.**—The term “Administra-
7 tion” means the Transportation Security Adminis-
8 tration.

9 (2) **ADMINISTRATOR.**—The term “Adminis-
10 trator” means the Administrator of the Transpor-
11 tation Security Administration.

12 (3) **AIR CARRIER.**—The term “air carrier” has
13 the meaning given such term in section 40102 of
14 title 49, United States Code.

15 (4) **APPROPRIATE CONGRESSIONAL COMMIT-**
16 **TEES.**—The term “appropriate congressional com-
17 mittees” means the Committee on Homeland Secu-
18 rity of the House of Representatives and the Com-
19 mittee on Homeland Security and Governmental Af-
20 fairs and the Committee on Commerce, Science, and
21 Transportation of the Senate.

22 (5) **FOREIGN AIR CARRIER.**—The term “foreign
23 air carrier” has the meaning given such term in sec-
24 tion 40102 of title 49, United States Code.

25 (6) **INTELLIGENCE COMMUNITY.**—The term
26 “intelligence community” has the meaning given

1 such term in section 3(4) of the National Security
2 Act of 1947 (50 U.S.C. 3003(4)).

3 (7) SECURED AREA.—The term “secured area”
4 has the meaning given such term in section 1540.5
5 of title 49, Code of Federal Regulations.

6 (8) SECURITY IDENTIFICATION DISPLAY
7 AREA.—The term “Security Identification Display
8 Area” has the meaning given such term in section
9 1540.5 of title 49, Code of Federal Regulations.

10 (9) STERILE AREA.—The term “sterile area”
11 has the meaning given such term in section 1540.5
12 of title 49, Code of Federal Regulations.

13 **SEC. 3. COST AND FEASIBILITY STUDY.**

14 (a) IN GENERAL.—Not later than 180 days after the
15 date of the enactment of this Act, the Administrator, in
16 consultation with the Aviation Security Advisory Com-
17 mittee (established under section 44946 of title 49, United
18 States Code), shall submit to the appropriate congres-
19 sional committees and the Comptroller General of the
20 United States a cost and feasibility study of a statistically
21 significant number of Category I, II, III, IV, and X air-
22 ports assessing the impact if all employee access points
23 from non-secured areas to secured areas of such airports
24 are comprised of the following:

1 (1) A secure door utilizing card and pin entry
2 or biometric technology.

3 (2) Surveillance video recording, capable of
4 storing video data for at least 30 days.

5 (3) Advanced screening technologies, including
6 at least one of the following:

7 (A) Magnetometer (walk-through or hand-
8 held).

9 (B) Explosives detection canines.

10 (C) Explosives trace detection swabbing.

11 (D) Advanced imaging technology.

12 (E) X-ray bag screening technology.

13 (b) CONTENTS.—The study required under sub-
14 section (a) shall include information related to the em-
15 ployee screening costs of those category I, II, III, IV, and
16 X airports which have already implemented practices of
17 screening 100 percent of employees accessing secured
18 areas of airports, including the following:

19 (1) Costs associated with establishing an oper-
20 ational minimum number of employee entry and exit
21 points.

22 (2) A comparison of estimated costs and effec-
23 tiveness associated with implementing the security
24 features specified in subsection (a) to—

25 (A) the Federal Government; and

1 (B) airports and the aviation community.

2 (c) COMPTROLLER GENERAL ASSESSMENT.—

3 (1) IN GENERAL.—Upon completion of the
4 study required under subsection (a), the Comptroller
5 General of the United States shall review such study
6 to assess the quality and reliability of such study.

7 (2) ASSESSMENT.—Not later than 60 days
8 after the receipt of the study required under sub-
9 section (a), the Comptroller General of the United
10 States shall report to the Committee on Homeland
11 Security of the House of Representatives and the
12 Committee on Homeland Security and Governmental
13 Affairs and the Committee on Commerce, Science,
14 and Transportation of the Senate on the results of
15 the review required under paragraph (1).

16 **SEC. 4. AIRPORT WORKER EDUCATION AND SECURITY**
17 **AWARENESS.**

18 (a) COOPERATIVE EFFORTS TO ENHANCE AIRPORT
19 SECURITY AWARENESS.—Not later than 180 days after
20 the date of the enactment of this Act, the Administrator
21 shall work with air carriers, foreign air carriers, airport
22 operators, labor unions representing credentialed employ-
23 ees, and the Aviation Security Advisory Committee to en-
24 hance security awareness of credentialed airport popu-

1 lations regarding insider threats to aviation security and
2 best practices related to airport access controls.

3 (b) CREDENTIALING STANDARDS.—

4 (1) IN GENERAL.—Not later than 180 days
5 after the date of the enactment of this Act, the Ad-
6 ministrator shall, in consultation with air carriers,
7 foreign air carriers, airport operators, labor unions
8 representing credentialed employees, and the Avia-
9 tion Security Advisory Committee, assess
10 credentialing standards, policies, and practices to en-
11 sure that insider threats to aviation security are ade-
12 quately addressed.

13 (2) REPORT.—Not later than 30 days after
14 completion of the assessment required under para-
15 graph (1), the Administrator shall report to the ap-
16 propriate congressional committees on the results of
17 such assessment.

18 (c) SIDA APPLICATIONS.—

19 (1) SOCIAL SECURITY NUMBERS REQUIRED.—
20 Not later than 60 days after the date of the enact-
21 ment of this Act, the Administrator shall require air-
22 port operators to submit the social security number
23 of an individual applying for a credential granting
24 access to the Security Identification Display Area to
25 strengthen security vetting effectiveness. An appli-

1 cant who does not provide such applicant's social se-
2 curity number may be denied such a credential.

3 (2) SCREENING NOTICE.—The Administrator
4 shall issue requirements for airport operators to in-
5 clude in applications for access to a Security Identi-
6 fication Display Area a notice informing applicants
7 that an employee holding a credential granting ac-
8 cess to a Security Identification Display Area may
9 be screened at any time while gaining access to,
10 working in, or leaving a Security Identification Dis-
11 play Area.

12 **SEC. 5. SECURING AIRPORT WORKER ACCESS.**

13 (a) IN GENERAL.—The Administrator shall work
14 with airport operators and the Aviation Security Advisory
15 Committee to identify advanced technologies, including bi-
16 ometric identification technologies, for securing employee
17 access to the secured areas and sterile areas of airports.

18 (b) RAP BACK VETTING.—Not later than 180 days
19 after the date of the enactment of this Act, the Adminis-
20 trator shall ensure that all credentialed aviation worker
21 populations currently requiring a fingerprint-based crimi-
22 nal record history check are continuously vetted through
23 the Federal Bureau of Investigation's Rap Back Service,
24 in order to more rapidly detect and mitigate insider
25 threats to aviation security.

1 (c) INSIDER THREAT EDUCATION AND MITIGA-
2 TION.—Not later than 180 days after the date of the en-
3 actment of this Act, the Administrator shall identify
4 means of enhancing the Administration’s ability to lever-
5 age the resources of the Department of Homeland Secu-
6 rity and the intelligence community to educate Adminis-
7 tration personnel on insider threats to aviation security
8 and how the Administration can better mitigate such in-
9 sider threats.

10 (d) PLAYBOOK OPERATIONS.—The Administrator
11 shall ensure that Administration-led employee physical in-
12 spection efforts of aviation workers, known as Playbook
13 operations, are targeted, strategic, and focused on pro-
14 viding the greatest level of security effectiveness.

15 (e) COVERT TESTING.—

16 (1) IN GENERAL.—The Administrator shall con-
17 duct covert testing of Administration-led employee
18 inspection operations at airports and measure exist-
19 ing levels of security effectiveness. The Adminis-
20 trator shall provide—

21 (A) the results of such testing to the air-
22 port operator for the airport that is the subject
23 of any such testing, and, as appropriate, to air
24 carriers and foreign air carriers that operate at

1 the airport that is the subject of such testing;
2 and

3 (B) recommendations and technical assist-
4 ance for air carriers, foreign air carriers, and
5 airport operators to conduct their own employee
6 inspections, as needed.

7 (2) ANNUAL REPORTING.—The Administrator
8 shall annually, for each of fiscal years 2018 through
9 2022, submit to the appropriate congressional com-
10 mittees a report on the frequency, methodology,
11 strategy, and effectiveness of employee inspection
12 operations at airports.

13 (f) CENTRALIZED DATABASE.—Not later than 180
14 days after the date of the enactment of this Act, the Ad-
15 ministrator, in consultation with the Aviation Security Ad-
16 visory Committee, shall—

17 (1) establish a national database of individuals
18 who have had either their airport or airport oper-
19 ator-issued badge revoked for failure to comply with
20 aviation security requirements;

21 (2) determine the appropriate reporting mecha-
22 nisms for air carriers, foreign air carriers, and air-
23 port operators to—

1 (A) submit to the Administration data re-
2 garding individuals described in paragraph (1);
3 and

4 (B) access the database established pursu-
5 ant to such paragraph; and

6 (3) establish a process to allow individuals
7 whose names were mistakenly entered into such
8 database to correct the record and have their names
9 removed from such database.

10 **SEC. 6. INSIDER THREAT COORDINATION EFFORTS.**

11 The Department of Homeland Security is the lead
12 interagency coordinator pertaining to insider threat inves-
13 tigations and mitigation efforts at airports. The Depart-
14 ment shall make every practicable effort to coordinate with
15 other relevant Government entities, as well as the security
16 representatives of air carriers, foreign air carriers, and
17 airport operators, as appropriate, when undertaking such
18 investigations and efforts.

19 **SEC. 7. INFORMATION TECHNOLOGY SECURITY.**

20 Not later than 90 days after the date of the enact-
21 ment of this Act, the Administrator shall submit to the
22 appropriate congressional committees a plan to conduct
23 recurring reviews of the operational, technical, and man-
24 agement security controls for Administration information
25 technology systems at airports.

1 **SEC. 8. NO ADDITIONAL FUNDS AUTHORIZED.**

2 No additional funds are authorized to carry out the
3 requirements of this Act. Such requirements shall be car-
4 ried out using amounts otherwise authorized.

Passed the House of Representatives April 25, 2017.

Attest:

KAREN L. HAAS,
Clerk.