

This bill was very carefully crafted after several oversight hearings and numerous consultations with the Department, the airline industry, and Members from both parties. It is a bipartisan bill.

This bill sets the contours for future preclearance operations and incorporates a series of notifications and certifications, including a justification that outlines the Homeland Security benefit and impact to domestic staffing and wait times of any new preclearance operations.

As well, this bill requires that Congress be notified in the event that Department of Homeland Security modifies or changes an existing agreement at any one of the 17 existing preclearance locations.

Most importantly, we think, this bill makes very clear the Department of Homeland Security cannot establish new locations without conducting the due diligence that we in Congress expect.

Mr. Speaker, we need to balance security operations and economic impact here at home.

Finally, I would certainly like to thank Chairman PAUL RYAN of the Ways and Means Committee and his staff for working to bring this important bill to the floor.

Mr. Speaker, I reserve the balance of my time.

COMMITTEE ON WAYS AND MEANS,
HOUSE OF REPRESENTATIVES,
Washington, DC, July 16, 2015.

Hon. MICHAEL MCCAUL,
Chairman, Committee on Homeland Security,
Ford House Office Building, Washington,
DC.

DEAR CHAIRMAN MCCAUL, I am writing with respect to H.R. 998, the "Preclearance Authorization Act of 2015." As a result of your having consulted with us on provisions in H.R. 998 that fall within the Rule X jurisdiction of the Committee on Ways and Means, I agree to waive consideration of this bill so that it may proceed expeditiously to the House floor.

The Committee on Ways and Means takes this action with the mutual understanding that by forgoing consideration of H.R. 998 at this time, we do not waive any jurisdiction over the subject matter contained in this or similar legislation, and the Committee will be appropriately consulted and involved as the bill or similar legislation moves forward so that we may address any remaining issues that fall within our Rule X jurisdiction. The Committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation, and requests your support for such request.

Finally, I would appreciate your response to this letter confirming this understanding, and would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during floor consideration thereof.

Sincerely,

PAUL D. RYAN,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOMELAND SECURITY,
Washington, DC, July 20, 2015.

Hon. PAUL RYAN,
Chairman, Committee on Ways and Means,
Longworth House Office Building, Wash-
ington, DC.

DEAR CHAIRMAN RYAN, Thank you for your letter regarding H.R. 998, the "Preclearance Authorization Act of 2015." I appreciate your support in bringing this legislation before the House of Representatives, and accordingly, understand that the Committee on Ways and Means will forego consideration of the bill.

The Committee on Homeland Security concurs with the mutual understanding that by foregoing consideration on this bill at this time, the Committee on Ways and Means does not waive any jurisdiction over the subject matter contained in this bill or similar legislation in the future. In addition, should a conference on this bill be necessary, I would support a request by the Committee on Ways and Means for conferees on those provisions within your jurisdiction.

I will insert copies of this exchange in the Congressional Record during consideration of this bill on the House floor. I thank you for your cooperation in this matter.

Sincerely,

MICHAEL T. MCCAUL,
Chairman.

Mr. VELA. Mr. Speaker, I yield myself such time as I may consume.

I rise in strong support of H.R. 998, the Preclearance Authorization Act of 2015.

This bipartisan bill would authorize the Secretary of Homeland Security to establish U.S. Customs and Border Protection preclearance operations with 180 days' prior notification and certification to Congress that certain specified conditions exist.

These conditions include that there are Homeland Security benefits for establishment of the preclearance location, a U.S. air carrier service serves the location, and establishment of the location will not significantly increase customs processing wait times in the United States.

The bill would require all countries with preclearance locations to routinely submit information about lost and stolen passports of their citizens to INTERPOL's stolen and lost travel document database or make such information available to the U.S. through other means.

H.R. 998 is intended to address many of the shortcomings in DHS' deployment of preclearance to Abu Dhabi last year and ensure that Congress receives appropriate notice prior to future expansion of the program to new locations.

Similar legislation was passed by the House under suspension of the rules in July 2014, but no action was taken by the Senate. I urge my colleagues to support H.R. 998, sending it to the Senate for consideration in the 114th Congress.

H.R. 998 will help ensure that expansion of the Department of Homeland Security's preclearance program enhances our Nation's security, facilitates legitimate travel to the United States, and does not disadvantage do-

mestic air carriers or United States ports of entry.

I thank Congresswoman MILLER, the chairman of the Border and Maritime Security Subcommittee, for all of her efforts in bringing all these bills forward and for her strong bipartisan leadership.

I urge my colleagues to support this bill, and I yield back the balance of my time.

Mrs. MILLER from Michigan. Mr. Speaker, I, too, want to again indicate that these are bipartisan bills, the Homeland Security Committee bills that are coming forward on the floor.

I really have appreciated the opportunity and look forward to continuing to work with my ranking member, Mr. VELA, shoulder to shoulder on so many of these important issues before our country today.

So, Mr. Speaker, I would once again urge my colleagues to support this very strong bipartisan piece of legislation.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Michigan (Mrs. MILLER of Michigan) that the House suspend the rules and pass the bill, H.R. 998, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

IMPROVED SECURITY VETTING FOR AVIATION WORKERS ACT OF 2015

Mr. KATKO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2750) to reform programs of the Transportation Security Administration, streamline transportation security regulations, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2750

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Improved Security Vetting for Aviation Workers Act of 2015".

SEC. 2. AVIATION SECURITY.

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

"SEC. 1602. VETTING OF AVIATION WORKERS.

"(a) IN GENERAL.—By not later than December 31, 2015, the Administrator, in coordination with the Assistant Secretary for Policy of the Department, shall request from the Director of National Intelligence access to additional data from the Terrorist Identities Datamart Environment (TIDE) data and any or other terrorism-related information to improve the effectiveness of the Administration's credential vetting program for individuals with unescorted access to sensitive areas of airports.

"(b) SECURITY INSPECTION.—By not later than December 31, 2015, the Administrator

shall issue guidance for Transportation Security Inspectors to annually review airport badging office procedures for applicants seeking access to sensitive areas of airports. Such guidance shall include a comprehensive review of applicants' Criminal History Records Check (CHRC) and work authorization documentation during the course of an inspection.

“(c) INFORMATION SHARING.—By not later than December 31, 2015, the Administrator may conduct a pilot program of the Rap Back Service, in coordination with the Director of the Federal Bureau of Investigation, to determine the feasibility of full implementation of a service through which the Administrator would be notified of a change in status of an individual holding a valid credential granting unescorted access to sensitive areas of airports across eligible Administration-regulated populations.

“(d) PROCEDURES.—The pilot program under subsection (c) shall evaluate whether information can be narrowly tailored to ensure that the Administrator only receives notification of a change with respect to a disqualifying offense under the credential vetting program under subsection (a), as specified in 49 C.F.R. 1542.209, and in a manner that complies with current regulations for fingerprint-based criminal history records checks. The pilot program shall be carried out in a manner so as to ensure that, in the event that notification is made through the Rap Back Service of a change but a determination of arrest status or conviction is in question, the matter will be handled in a manner that is consistent with current regulations. The pilot program shall also be carried out in a manner that is consistent with current regulations governing an investigation of arrest status, correction of Federal Bureau of Investigation records and notification of disqualification, and corrective action by the individual who is the subject of an inquiry.

“(e) DETERMINATION AND SUBMISSION.—If the Administrator determines that full implementation of the Rap Back Service is feasible and can be carried out in a manner that is consistent with current regulations for fingerprint-based criminal history checks, including the rights of individuals seeking credentials, the Administrator shall submit such determination, in writing, to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs and the Committee on Commerce, Science, and Transportation of the Senate, together with information on the costs associated with such implementation, including the costs incurred by the private sector. In preparing this determination, the Administrator shall consult with the Chief Civil Rights and Civil Liberties Officer of the Department to ensure that protocols are in place to align the period of retention of personally identifiable information and biometric information, including fingerprints, in the Rap Back Service with the period in which the individual who is the subject of an inquiry has a valid credential.

“(f) CREDENTIAL SECURITY.—By not later than September 30, 2015, the Administrator shall issue guidance to airports mandating that all federalized airport badging authorities place an expiration date on airport credentials commensurate with the period of time during which an individual is lawfully authorized to work in the United States.

“(g) AVIATION WORKER LAWFUL STATUS.—By not later than December 31, 2015, the Administrator shall review the denial of credentials due to issues associated with determining an applicant's lawful status in order to identify airports with specific weaknesses and shall coordinate with such airports to

mutually address such weaknesses, as appropriate.

“(h) REPORTS TO CONGRESS.—Upon completion of the determinations and reviews required under this section, the Administrator shall brief the Committee on Homeland Security and the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Homeland Security and Governmental Affairs and the Committee on Commerce, Science, and Transportation of the Senate on the results of such determinations and reviews.”

(b) CLERICAL AMENDMENT.—The table of contents of the Homeland Security Act of 2002 is amended by inserting after the item relating to section 1601 the following new item:

“Sec. 1602. Vetting of aviation workers.”

SEC. 3. STATUS UPDATE ON RAP BACK SERVICE PILOT PROGRAM.

Not later than 60 days after the date of the enactment of this Act, the Administrator of the Transportation Security Administration shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs and the Committee on Commerce, Science, and Transportation of the Senate a report on the status of plans to conduct a pilot program in coordination with the Federal Bureau of Investigation of the Rap Back Service in accordance with subsection (c) of section 1602 of the Homeland Security Act of 2002, as added by section 2 of this Act. The report shall include details on the business, technical, and resource requirements for the Transportation Security Administration and pilot program participants, and provide a timeline and goals for the pilot program.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. KATKO) and the gentlewoman from New York (Miss RICE) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. KATKO. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and include any extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KATKO. Mr. Speaker, I yield myself such time as I may consume.

Today we will consider four bipartisan bills that address security vulnerabilities and improvements to the Transportation Security Administration.

I am proud of the bipartisan work this subcommittee has done and will continue to do to address the issue. I would like to thank Chairman MCCAUL, Ranking Member THOMPSON of the Homeland Security Committee, as well as my colleague, Ranking Member RICE, from the Subcommittee on Transportation Security for their leadership.

These four bills being on the floor today demonstrate that, when we work together, we can get things done. I look forward to continuing to work together on these issues.

Mr. Speaker, today I rise in strong support of H.R. 2750, the Improved Se-

curity Vetting for Aviation Workers Act of 2015.

In June of this year, the Department of Homeland Security inspector general released a report that found a stunning 73 aviation workers that had possible ties to terrorism.

The findings of this report were indeed alarming, and 14 years after 9/11 findings like this are simply unacceptable.

This vital piece of bipartisan legislation will strengthen the vetting of these workers, close these security gaps, and ensure the safety and security of our Nation's aviation system.

The inspector general's June report found that TSA does not have access to all the data it may need to thoroughly check an aviation worker's potential ties to terrorism.

However, what is even more alarming is that a memo was sent to the TSA Administrator noting the need for additional information and TSA has still yet to resolve this gap.

The report also found that airports do not match the expiration date of an employee's credential to the expiration of their legal work authorization in the United States.

□ 1630

Again, while TSA stated they are working to resolve this issue by the end of the year, it raises serious concern that this gap exists in the first place. That is why this legislation is so critical, in order to guarantee that TSA addresses these known vulnerabilities.

Since the start of this Congress, as chairman of the Subcommittee on Transportation Security of the Committee on Homeland Security, I have actively examined a number of alarming aspects related to TSA's operations, policies, and procedures. Through hearings, oversight inquiries, and legislation, I have been working to get to the bottom of these issues and raise awareness of the urgent need to fix them.

Unfortunately, these findings by the inspector general are not an anomaly. In May, the inspector general released a report that found that TSA did not have the appropriate controls in place to ensure that screening equipment has necessary maintenance work performed, an issue that Miss RICE's bill, H.R. 2770, addresses.

Last month, news outlets reported test results showing that screeners failed to detect prohibited threat items 96 percent of the time—96 percent.

These more recent findings come on the heels of revelations earlier this year of security breaches by employees at major airports across this country involving a nationwide gun smuggling ring and an employee of the FAA bypassing security and flying with a loaded firearm using his SIDA badge, and this month, four airport workers from Dallas were arrested for exploiting their access to aircraft to smuggle what they believed to be cocaine and other drugs.

All of these findings individually are concerning and, in the aggregate, shake public's confidence and only further display the need for this legislation.

Aviation workers are supposed to be thoroughly vetted due to their continuing access to sensitive areas of airports and the fact that they hold a position of trust within the transportation system. However, the findings by the inspector general and the dozens of arrests of aviation workers this year demonstrate that the status quo is not working.

The insider threat is the hardest threat to combat, and while this bill will not eliminate this threat, H.R. 2750 will indeed give TSA and the airports the ability to more thoroughly vet these employees and have a better understanding of whom we are granting secured access to.

The reality is that, in this post-9/11 world, the terrorist threat is metastasizing; and we, as a Nation, must remain responsive to any holes in the security of our transportation systems and ensure that protocols keep place with the ever-evolving threat landscape.

Improving the vetting of the aviation workers who have access to sensitive areas of airports can help close another backdoor vulnerability at our Nation's airports.

I would like to thank Chairman MCCAUL, Ranking Member RICE, Congresswoman MCSALLY, Congressman KEATING, and Congressman PAYNE for joining me as cosponsors of this bill. I urge my other colleagues to join me in supporting this critical piece of legislation.

I reserve the balance of my time.

Miss RICE of New York. Mr. Speaker, I yield myself such time as I may consume.

I rise in strong support of H.R. 2750, the Improved Security Vetting for Aviation Workers Act of 2015.

Mr. Speaker, a recent review by the Department of Homeland Security's inspector general found that, although TSA's multilayered process for vetting airport workers is generally effective, there were instances where the process did not detect airport workers with potential links to terrorism.

In total, the inspector general identified 73 aviation workers with possible links to terrorism after running data against the so-called TIDE database, which is maintained by the National Counterterrorism Center.

TSA does not have access to this database under current interagency watch listing policies. Chairman KATKO introduced H.R. 2750 to rectify this situation, and I am proud to be an original cosponsor of this bipartisan bill.

H.R. 2750 will put TSA on a path to accessing terrorism-related data in order to more effectively vet employees who work in our Nation's airports. In addition, this bill will require TSA to conduct an annual review of the procedures for issuing security credentials

to employees seeking to work in highly sensitive, secure areas of our airports.

Lastly, under H.R. 2750, TSA is authorized to pilot the FBI's Rap Back Service, which provides near real-time information about changes in an airport worker's criminal history. The possibility of someone with ties to terrorism getting a job in an American airport is a very real threat, one of many that we live with every day and one that we must do everything in our power to prevent. H.R. 2750 will help neutralize that threat. I urge my colleagues to give it their full support.

Mr. Speaker, in closing, together with Chairman KATKO, I am proud of the work that we have done on the Subcommittee on Transportation Security to address this and other pressing transportation security issues within TSA in a constructive, bipartisan way.

The four bipartisan TSA bills that we are considering today are a testament to that effort and to what we can accomplish when we work together to solve real problems. I hope that we will continue to make progress together, and I urge my colleagues to support H.R. 2750.

Mr. Speaker, I yield back the balance of my time.

Mr. KATKO. Mr. Speaker, I yield myself such time as I may consume to close.

Mr. Speaker, I once again urge my colleagues to support this strong, bipartisan piece of legislation.

I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I rise in strong support of H.R. 2750, the Improved Security Vetting for Aviation Workers Act, which directs the Transportation Security Administrator to annually review airport badging office procedures for applicants seeking access to sensitive areas of airports.

I commend the bipartisan work of Chairman MCSALLY and Ranking Member PAYNE for their work on this bill.

The bill would direct the Transportation Security Administrator to coordinate with the Secretary of Homeland Security and consult with the Federal Bureau of Investigation to conduct a pilot program of the Rap Back Service in preparation for possible full implementation.

The Administrator is further directed to determine the lawful status of aviation workers in order to identify airports with specific weaknesses.

The Administrator will brief the House Committees on Homeland Security and Transportation and Infrastructure as well as the Senate Committees on Homeland Security and Government Affairs and Commerce, Science, and Transportation on the results of the determinations and reviews.

This is a good step forward in support of security at our nation's airports.

As the Committee charged with the responsibility of improving security at our nation's airports this forward looking bill will allow a pilot program to determine if there are better resources for assuring the security of the traveling public.

I ask my colleagues to join me in voting in favor of H.R. 2750.

The SPEAKER pro tempore. The question is on the motion offered by

the gentleman from New York (Mr. KATKO) that the House suspend the rules and pass the bill, H.R. 2750, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

KEEPING OUR TRAVELERS SAFE AND SECURE ACT

Mr. KATKO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2770) to amend the Homeland Security Act of 2002 to require certain maintenance of security-related technology at airports, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2770

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Keeping our Travelers Safe and Secure Act".

SEC. 2. FINDINGS.

Congress finds the following:

(1) The Administrator of the Transportation Security Administration has stated that the maintenance of security-related technology such as x-rays, explosive trace detection systems, explosive detection systems, liquid scanners, and enhanced walk-through metal detectors, is central to the execution of Transportation Security Administration's mission to protect United States transportation systems.

(2) Preventive and corrective maintenance is essential to ensuring and extending the service lives of security-related technology.

(3) In May 2015, the Inspector General of the Department of Homeland Security, reporting on the results of a performance audit conducted between December 2013 and November 2014, concluded that because the Transportation Security Administration did not properly manage the maintenance of its security-related technology deployed to airports, it cannot be assured that routine preventive maintenance is performed or that equipment is repaired and ready for operational use.

(4) Specifically, the Inspector General found that the Transportation Security Administration did not issue adequate policies and procedures to document, track, and maintain preventive maintenance actions at the airport level and oversight of contractor-performed maintenance needed to be strengthened.

(5) According to the Inspector General, if the equipment is not fully operational, the Transportation Security Administration may have to use other screening measures that may be less effective at detecting dangerous items, thereby potentially jeopardizing passenger safety and security.

SEC. 3. MAINTENANCE OF SECURITY-RELATED TECHNOLOGY.

(a) IN GENERAL.—Title XVI of the Homeland Security Act of 2002 (6 U.S.C. 561 et seq.) is amended by adding at the end the following:

"Subtitle C—Maintenance of Security-Related Technology

"SEC. 1621. MAINTENANCE VALIDATION AND OVERSIGHT.

"(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this subtitle, the Administrator shall develop and