

Union Calendar No. 172

114TH CONGRESS
1ST SESSION

H. R. 2750

[Report No. 114-227]

To reform programs of the Transportation Security Administration, streamline transportation security regulations, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 12, 2015

Mr. KATKO (for himself, Mr. McCAUL, Miss RICE of New York, and Mr. PAYNE) introduced the following bill; which was referred to the Committee on Homeland Security

JULY 27, 2015

Additional sponsors: Ms. McSALLY and Mr. KEATING

JULY 27, 2015

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italie*]

[For text of introduced bill, see copy of bill as introduced on June 12, 2015]

A BILL

To reform programs of the Transportation Security Administration, streamline transportation security regulations, 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.**

4 *This Act may be cited as the “Improved Security Vet-*
5 *ting for Aviation Workers Act of 2015”.*

6 **SEC. 2. AVIATION SECURITY.**

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

10 **“SEC. 1602. VETTING OF AVIATION WORKERS.**

11 *“(a) IN GENERAL.—By not later than December 31,*
12 *2015, the Administrator, in coordination with the Assistant*
13 *Secretary for Policy of the Department, shall request from*
14 *the Director of National Intelligence access to additional*
15 *data from the Terrorist Identities Datamart Environment*
16 *(TIDE) data and any or other terrorism-related informa-*
17 *tion to improve the effectiveness of the Administration’s cre-*
18 *dential vetting program for individuals with unescorted ac-*
19 *cess to sensitive areas of airports.*

20 *“(b) SECURITY INSPECTION.—By not later than De-*
21 *cember 31, 2015, the Administrator shall issue guidance for*
22 *Transportation Security Inspectors to annually review air-*
23 *port badging office procedures for applicants seeking access*
24 *to sensitive areas of airports. Such guidance shall include*
25 *a comprehensive review of applicants’ Criminal History*

1 *Records Check (CHRC) and work authorization documenta-*
2 *tion during the course of an inspection.*

3 “(c) *INFORMATION SHARING.*—*By not later than De-*
4 *cember 31, 2015, the Administrator may conduct a pilot*
5 *program of the Rap Back Service, in coordination with the*
6 *Director of the Federal Bureau of Investigation, to deter-*
7 *mine the feasibility of full implementation of a service*
8 *through which the Administrator would be notified of a*
9 *change in status of an individual holding a valid credential*
10 *granting unescorted access to sensitive areas of airports*
11 *across eligible Administration-regulated populations.*

12 “(d) *PROCEDURES.*—*The pilot program under sub-*
13 *section (c) shall evaluate whether information can be nar-*
14 *rowly tailored to ensure that the Administrator only re-*
15 *ceives notification of a change with respect to a disquali-*
16 *fying offense under the credential vetting program under*
17 *subsection (a), as specified in 49 C.F.R. 1542.209, and in*
18 *a manner that complies with current regulations for finger-*
19 *print-based criminal history records checks. The pilot pro-*
20 *gram shall be carried out in a manner so as to ensure that,*
21 *in the event that notification is made through the Rap Back*
22 *Service of a change but a determination of arrest status*
23 *or conviction is in question, the matter will be handled in*
24 *a manner that is consistent with current regulations. The*
25 *pilot program shall also be carried out in a manner that*

1 *is consistent with current regulations governing an inves-*
2 *tigation of arrest status, correction of Federal Bureau of*
3 *Investigation records and notification of disqualification,*
4 *and corrective action by the individual who is the subject*
5 *of an inquiry.*

6 “(e) *DETERMINATION AND SUBMISSION.—If the Ad-*
7 *ministrator determines that full implementation of the Rap*
8 *Back Service is feasible and can be carried out in a manner*
9 *that is consistent with current regulations for fingerprint-*
10 *based criminal history checks, including the rights of indi-*
11 *viduals seeking credentials, the Administrator shall submit*
12 *such determination, in writing, to the Committee on Home-*
13 *land Security of the House of Representatives and the Com-*
14 *mittee on Homeland Security and Governmental Affairs*
15 *and the Committee on Commerce, Science, and Transpor-*
16 *tation of the Senate, together with information on the costs*
17 *associated with such implementation, including the costs*
18 *incurred by the private sector. In preparing this determina-*
19 *tion, the Administrator shall consult with the Chief Civil*
20 *Rights and Civil Liberties Officer of the Department to en-*
21 *sure that protocols are in place to align the period of reten-*
22 *tion of personally identifiable information and biometric*
23 *information, including fingerprints, in the Rap Back Serv-*
24 *ice with the period in which the individual who is the sub-*
25 *ject of an inquiry has a valid credential.*

1 “(f) *CREDENTIAL SECURITY.*—By not later than Sep-
2 *tember 30, 2015, the Administrator shall issue guidance to*
3 *airports mandating that all federalized airport badging au-*
4 *thorities place an expiration date on airport credentials*
5 *commensurate with the period of time during which an in-*
6 *dividual is lawfully authorized to work in the United*
7 *States.*

8 “(g) *AVIATION WORKER LAWFUL STATUS.*—By not
9 *later than December 31, 2015, the Administrator shall re-*
10 *view the denial of credentials due to issues associated with*
11 *determining an applicant’s lawful status in order to iden-*
12 *tify airports with specific weaknesses and shall coordinate*
13 *with such airports to mutually address such weaknesses, as*
14 *appropriate.*

15 “(h) *REPORTS TO CONGRESS.*—Upon completion of
16 *the determinations and reviews required under this section,*
17 *the Administrator shall brief the Committee on Homeland*
18 *Security and the Committee on Transportation and Infra-*
19 *structure of the House of Representatives and the Committee*
20 *on Homeland Security and Governmental Affairs and the*
21 *Committee on Commerce, Science, and Transportation of*
22 *the Senate on the results of such determinations and re-*
23 *views.”.*

24 “(b) *CLERICAL AMENDMENT.*—The table of contents of
25 *the Homeland Security Act of 2002 is amended by inserting*

1 *after the item relating to section 1601 the following new*
2 *item:*

“Sec. 1602. Vetting of aviation workers.”.

3 **SEC. 3. STATUS UPDATE ON RAP BACK SERVICE PILOT PRO-**
4 **GRAM.**

5 *Not later than 60 days after the date of the enactment*
6 *of this Act, the Administrator of the Transportation Secu-*
7 *rity Administration shall submit to the Committee on*
8 *Homeland Security of the House of Representatives and the*
9 *Committee on Homeland Security and Governmental Af-*
10 *fairs and the Committee on Commerce, Science, and Trans-*
11 *portation of the Senate a report on the status of plans to*
12 *conduct a pilot program in coordination with the Federal*
13 *Bureau of Investigation of the Rap Back Service in accord-*
14 *ance with subsection (c) of section 1602 of the Homeland*
15 *Security Act of 2002, as added by section 2 of this Act.*
16 *The report shall include details on the business, technical,*
17 *and resource requirements for the Transportation Security*
18 *Administration and pilot program participants, and pro-*
19 *vide a timeline and goals for the pilot program.*

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