

Calendar No. 163

114TH CONGRESS
1ST SESSION**H. R. 720****[Report No. 114–92]**

IN THE SENATE OF THE UNITED STATES

FEBRUARY 11, 2015

Received

FEBRUARY 12, 2015

Read twice and referred to the Committee on Commerce, Science, and
Transportation

JULY 23, 2015

Reported by Mr. THUNE, with an amendment

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

AN ACT

To improve intergovernmental planning for and communication during security incidents at domestic 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Gerardo Hernandez
5 Airport Security Act of 2015”.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

3 (1) **ASSISTANT SECRETARY.**—The term “Assist-
4 ant Secretary” means the Assistant Secretary of
5 Homeland Security (Transportation Security) of the
6 Department of Homeland Security.

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

10 **SEC. 3. SECURITY INCIDENT RESPONSE AT AIRPORTS.**

11 (a) **IN GENERAL.**—The Assistant Secretary shall, in
12 consultation with the Administrator of the Federal Emer-
13 gency Management Agency, conduct outreach to all air-
14 ports in the United States at which the Administration
15 performs, or oversees the implementation and performance
16 of, security measures, and provide technical assistance as
17 necessary, to verify such airports have in place individual-
18 ized working plans for responding to security incidents in-
19 side the perimeter of the airport, including active shooters,
20 acts of terrorism, and incidents that target passenger-
21 screening checkpoints.

22 (b) **TYPES OF PLANS.**—Such plans may include, but
23 may not be limited to, the following:

24 (1) A strategy for evacuating and providing
25 care to persons inside the perimeter of the airport,

1 with consideration given to the needs of persons with
2 disabilities.

3 ~~(2) A plan for establishing a unified command,~~
4 ~~including identification of staging areas for non-air-~~
5 ~~port-specific law enforcement and fire response.~~

6 ~~(3) A schedule for regular testing of commu-~~
7 ~~nications equipment used to receive emergency calls.~~

8 ~~(4) An evaluation of how emergency calls placed~~
9 ~~by persons inside the perimeter of the airport will~~
10 ~~reach airport police in an expeditious manner.~~

11 ~~(5) A practiced method and plan to commu-~~
12 ~~nicate with travelers and all other persons inside the~~
13 ~~perimeter of the airport.~~

14 ~~(6) To the extent practicable, a projected max-~~
15 ~~imum timeframe for law enforcement response.~~

16 ~~(7) A schedule of joint exercises and training to~~
17 ~~be conducted by the airport, the Administration,~~
18 ~~other stakeholders such as airport and airline ten-~~
19 ~~ants, and any relevant law enforcement, airport po-~~
20 ~~lice, fire, and medical personnel.~~

21 ~~(8) A schedule for producing after-action joint~~
22 ~~exercise reports to identify and determine how to im-~~
23 ~~prove security incident response capabilities.~~

24 ~~(c) REPORT TO CONGRESS.—Not later than 90 days~~
25 ~~after the date of the enactment of this Act, the Assistant~~

1 Secretary shall report to the Committee on Homeland Se-
2 curity of the House of Representatives and the Committee
3 on Commerce, Science, and Transportation of the Senate
4 on the findings from its outreach to airports under sub-
5 section (a), including an analysis of the level of prepared-
6 ness such airports have to respond to security incidents,
7 including active shooters, acts of terrorism, and incidents
8 that target passenger-screening checkpoints.

9 **SEC. 4. DISSEMINATING INFORMATION ON BEST PRAC-**
10 **TICES.**

11 The Assistant Secretary shall—

12 (1) identify best practices that exist across air-
13 ports for security incident planning, management,
14 and training; and

15 (2) establish a mechanism through which to
16 share such best practices with other airport opera-
17 tors nationwide.

18 **SEC. 5. CERTIFICATION.**

19 Not later than 90 days after the date of enactment
20 of this Act, and annually thereafter, the Assistant Sec-
21 retary shall certify in writing to the Committee on Home-
22 land Security of the House of Representatives and the
23 Committee on Commerce, Science, and Transportation of
24 the Senate that all screening personnel have participated
25 in practical training exercises for active shooter scenarios.

1 **SEC. 6. REIMBURSABLE AGREEMENTS.**

2 Not later than 90 days after the enactment of this
3 Act, the Assistant Secretary shall provide to the Com-
4 mittee on Homeland Security of the House of Representa-
5 tives and the Committee on Commerce, Science, and
6 Transportation of the Senate an analysis of how the Ad-
7 ministration can use cost savings achieved through effi-
8 ciencies to increase over the next 5 fiscal years the funding
9 available for checkpoint screening law enforcement sup-
10 port reimbursable agreements.

11 **SEC. 7. NO ADDITIONAL AUTHORIZATION OF APPROPRIA-**
12 **TIONS.**

13 No additional funds are authorized to be appro-
14 priated to carry out this Act, and this Act shall be carried
15 out using amounts otherwise available for such purpose.

16 **SEC. 8. INTEROPERABILITY REVIEW.**

17 (a) IN GENERAL.—Not later than 90 days after the
18 date of enactment of this Act, the Assistant Secretary
19 shall, in consultation with the Assistant Secretary of the
20 Office of Cybersecurity and Communications, conduct a
21 review of the interoperable communications capabilities of
22 the law enforcement, fire, and medical personnel respon-
23 sible for responding to a security incident, including active
24 shooter events, acts of terrorism, and incidents that target
25 passenger-screening checkpoints, at all airports in the
26 United States at which the Administration performs, or

1 oversees the implementation and performance of, security
 2 measures.

3 ~~(b) REPORT.—Not later than 30 days after the com-~~
 4 ~~pletion of the review, the Assistant Secretary shall report~~
 5 ~~the findings of the review to the Committee on Homeland~~
 6 ~~Security of the House of Representatives and the Com-~~
 7 ~~mittee on Commerce, Science, and Transportation of the~~
 8 ~~Senate.~~

9 **SECTION 1. SHORT TITLE.**

10 *This Act may be cited as the “Gerardo Hernandez Air-*
 11 *port Security Act of 2015”.*

12 **SEC. 2. DEFINITIONS.**

13 *In this Act:*

14 (1) *ASSISTANT SECRETARY.—The term “Assist-*
 15 *ant Secretary” means the Assistant Secretary of*
 16 *Homeland Security (Transportation Security) of the*
 17 *Department of Homeland Security.*

18 (2) *ADMINISTRATION.—The term “Administra-*
 19 *tion” means the Transportation Security Administra-*
 20 *tion.*

21 **SEC. 3. SECURITY INCIDENT RESPONSE AT AIRPORTS.**

22 (a) *IN GENERAL.—The Assistant Secretary shall, in*
 23 *consultation with other Federal agencies as appropriate,*
 24 *conduct outreach to all airports in the United States at*
 25 *which the Administration performs, or oversees the imple-*

1 *mentation and performance of, security measures, and pro-*
2 *vide technical assistance as necessary, to verify such air-*
3 *ports have in place individualized working plans for re-*
4 *sponding to security incidents inside the perimeter of the*
5 *airport, including active shooters, acts of terrorism, and in-*
6 *cidents that target passenger-screening checkpoints.*

7 **(b) TYPES OF PLANS.**—*Such plans may include, but*
8 *may not be limited to, the following:*

9 (1) *A strategy for evacuating and providing care*
10 *to persons inside the perimeter of the airport, with*
11 *consideration given to the needs of persons with dis-*
12 *abilities.*

13 (2) *A plan for establishing a unified command,*
14 *including identification of staging areas for non-air-*
15 *port-specific law enforcement and fire response.*

16 (3) *A schedule for regular testing of communica-*
17 *tions equipment used to receive emergency calls.*

18 (4) *An evaluation of how emergency calls placed*
19 *by persons inside the perimeter of the airport will*
20 *reach airport police in an expeditious manner.*

21 (5) *A practiced method and plan to commu-*
22 *nicate with travelers and all other persons inside the*
23 *perimeter of the airport.*

24 (6) *To the extent practicable, a projected max-*
25 *imum timeframe for law enforcement response to ac-*

1 *tive shooters, acts of terrorism, and incidents that tar-*
2 *get passenger security-screening checkpoints.*

3 (7) *A schedule of joint exercises and training to*
4 *be conducted by the airport, the Administration, other*
5 *stakeholders such as airport and airline tenants, and*
6 *any relevant law enforcement, airport police, fire,*
7 *and medical personnel.*

8 (8) *A schedule for producing after-action joint*
9 *exercise reports to identify and determine how to im-*
10 *prove security incident response capabilities.*

11 (9) *A strategy, where feasible, for providing air-*
12 *port law enforcement with access to airport security*
13 *video surveillance systems at category X airports*
14 *where those systems were purchased and installed*
15 *using Administration funds.*

16 (c) *REPORT TO CONGRESS.*—*Not later than 180 days*
17 *after the date of the enactment of this Act, the Assistant*
18 *Secretary shall report to the Committee on Homeland Secu-*
19 *rity of the House of Representatives and the Committee on*
20 *Commerce, Science, and Transportation of the Senate on*
21 *the findings from its outreach to airports under subsection*
22 *(a), including an analysis of the level of preparedness such*
23 *airports have to respond to security incidents, including ac-*
24 *tive shooters, acts of terrorism, and incidents that target*
25 *passenger-screening checkpoints.*

1 **SEC. 4. DISSEMINATING INFORMATION ON BEST PRAC-**
2 **TICES.**

3 *The Assistant Secretary shall—*

4 *(1) identify best practices that exist across air-*
5 *ports for security incident planning, management,*
6 *and training; and*

7 *(2) establish a mechanism through which to*
8 *share such best practices with other airport operators*
9 *nationwide.*

10 **SEC. 5. CERTIFICATION.**

11 *Not later than 90 days after the date of enactment of*
12 *this Act, and annually thereafter, the Assistant Secretary*
13 *shall certify in writing to the Committee on Homeland Se-*
14 *curity of the House of Representatives and the Committee*
15 *on Commerce, Science, and Transportation of the Senate*
16 *that all screening personnel have participated in practical*
17 *training exercises for active shooter scenarios.*

18 **SEC. 6. REIMBURSABLE AGREEMENTS.**

19 *Not later than 90 days after the enactment of this Act,*
20 *the Assistant Secretary shall provide to the Committee on*
21 *Homeland Security of the House of Representatives and the*
22 *Committee on Commerce, Science, and Transportation of*
23 *the Senate an analysis of how the Administration can use*
24 *cost savings achieved through efficiencies to increase over*
25 *the next 5 fiscal years the funding available for checkpoint*

1 screening law enforcement support reimbursable agree-
2 ments.

3 **SEC. 7. SECURITY INCIDENT RESPONSE FOR SURFACE**
4 **TRANSPORTATION SYSTEMS.**

5 (a) *IN GENERAL.*—The Assistant Secretary shall, in
6 consultation with the Secretary of Transportation, and
7 other relevant agencies, conduct outreach to all passenger
8 transportation agencies and providers with high-risk facili-
9 ties, as identified by the Assistant Secretary, to verify such
10 agencies and providers have in place plans to respond to
11 active shooters, acts of terrorism, or other security-related
12 incidents that target passengers.

13 (b) *TYPES OF PLANS.*—As applicable, such plans may
14 include, but may not be limited to, the following:

15 (1) *A strategy for evacuating and providing care*
16 *to individuals, with consideration given to the needs*
17 *of persons with disabilities.*

18 (2) *A plan for establishing a unified command.*

19 (3) *A plan for frontline employees to receive ac-*
20 *tive shooter training.*

21 (4) *A schedule for regular testing of communica-*
22 *tions equipment used to receive emergency calls.*

23 (5) *An evaluation of how emergency calls placed*
24 *by individuals using the transportation system will*
25 *reach police in an expeditious manner.*

1 (6) *A practiced method and plan to commu-*
 2 *nicate with individuals using the transportation sys-*
 3 *tem.*

4 (c) *REPORT TO CONGRESS.*—*Not later than 180 days*
 5 *after the date of enactment of this Act, the Assistant Sec-*
 6 *retary shall report to the Committee on Homeland Security*
 7 *of the House of Representatives and the Committee on Com-*
 8 *merce, Science, and Transportation of the Senate on the*
 9 *findings from its outreach to the agencies and providers*
 10 *under subsection (a), including an analysis of the level of*
 11 *preparedness such transportation systems have to respond*
 12 *to security incidents.*

13 (d) *DISSEMINATION OF BEST PRACTICES.*—*The Assist-*
 14 *ant Secretary shall identify best practices for security inci-*
 15 *dent planning, management, and training and establish a*
 16 *mechanism through which to share such practices with pas-*
 17 *senger transportation agencies nationwide.*

18 **SEC. 8. NO ADDITIONAL AUTHORIZATION OF APPROPRIA-**
 19 **TIONS.**

20 *No additional funds are authorized to be appropriated*
 21 *to carry out this Act, and this Act shall be carried out using*
 22 *amounts otherwise available for such purpose.*

23 **SEC. 9. INTEROPERABILITY REVIEW.**

24 (a) *IN GENERAL.*—*Not later than 90 days after the*
 25 *date of enactment of this Act, the Assistant Secretary shall,*

1 *in consultation with the Assistant Secretary of the Office*
2 *of Cybersecurity and Communications, conduct a review of*
3 *the interoperable communications capabilities of the law*
4 *enforcement, fire, and medical personnel responsible for re-*
5 *sponding to a security incident, including active shooter*
6 *events, acts of terrorism, and incidents that target pas-*
7 *senger-screening checkpoints, at all airports in the United*
8 *States at which the Administration performs, or oversees*
9 *the implementation and performance of, security measures.*

10 *(b) REPORT.—Not later than 30 days after the comple-*
11 *tion of the review, the Assistant Secretary shall report the*
12 *findings of the review to the Committee on Homeland Secu-*
13 *rity of the House of Representatives and the Committee on*
14 *Commerce, Science, and Transportation of the Senate.*

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