

115TH CONGRESS
1ST SESSION

H. R. 876

To amend the Homeland Security Act of 2002 to reform programs of the Transportation Security Administration, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 6, 2017

Mr. KATKO (for himself, Mr. McCAUL, Mr. ROGERS of Alabama, Mr. FITZPATRICK, Mr. HIGGINS of Louisiana, Mr. KING of New York, Mr. VELA, Mr. KEATING, and Mrs. WATSON COLEMAN) introduced the following bill; which was referred to the Committee on Homeland Security

A BILL

To amend the Homeland Security Act of 2002 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,*

3 **SECTION 1. SHORT TITLE.**

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

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

1 (1) ADMINISTRATION.—The term “Administra-
2 tion” means the Transportation Security Adminis-
3 tration.

4 (2) ADMINISTRATOR.—The term “Adminis-
5 trator” means the Administrator of the Transpor-
6 tation Security Administration.

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

10 (4) APPROPRIATE CONGRESSIONAL COMMIT-
11 TEES.—The term “appropriate congressional com-
12 mittees” means the Committee on Homeland Secu-
13 rity of the House of Representatives and the Com-
14 mittee on Homeland Security and Governmental Af-
15 fairs and the Committee on Commerce, Science, and
16 Transportation of the Senate.

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

20 (6) INTELLIGENCE COMMUNITY.—The term
21 “intelligence community” has the meaning given
22 such term in section 3(4) of the National Security
23 Act of 1947 (50 U.S.C. 3003(4)).

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

2 (a) IN GENERAL.—Not later than 180 days after the
3 date of the enactment of this Act, the Administrator, in
4 consultation with the Aviation Security Advisory Com-
5 mittee (established under section 44946 of title 49, United
6 States Code), shall submit to the Committee on Homeland
7 Security of the House of Representatives, the Committee
8 on Homeland Security and Governmental Affairs and the
9 Committee on Commerce, Science, and Transportation of
10 the Senate, and the Comptroller General of the United
11 States a cost and feasibility study of a statistically signifi-
12 cant number of Category I, II, and X airports to ensure
13 that all employee entry and exit points that lead to secure
14 areas of such airports are comprised of the following:

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

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

19 (3) Advanced screening technologies, including
20 at least one of the following:

21 (A) Magnetometer (walk-through or hand-
22 held).

23 (B) Explosives detection canines.

24 (C) Explosives trace detection swabbing.

25 (D) Advanced imaging technology.

26 (E) X-ray bag screening technology.

1 (b) CONTENTS.—The study required under sub-
2 section (a) shall include information related to the em-
3 ployee screening costs of those category I, II, and X air-
4 ports which have already implemented practices of screen-
5 ing 100 percent of employees entering secure areas of air-
6 ports, including the following:

7 (1) Costs associated with establishing an oper-
8 ational minimum number of employee entry and exit
9 points.

10 (2) A comparison of costs associated with im-
11 plementing the requirements specified in paragraph
12 (1), based on whether such implementation was car-
13 ried out by the Administration or airports.

14 (c) COMPTROLLER GENERAL ASSESSMENT.—

15 (1) IN GENERAL.—Upon completion of the
16 study required under subsection (a), the Comptroller
17 General of the United States shall review such study
18 to assess the quality and reliability of such study.

19 (2) ASSESSMENT.—Not later than 60 days
20 after the receipt of the study required under sub-
21 section (a), the Comptroller General of the United
22 States shall report to the Committee on Homeland
23 Security of the House of Representatives and the
24 Committee on Homeland Security and Governmental
25 Affairs and the Committee on Commerce, Science,

1 and Transportation of the Senate on the results of
2 the review required under paragraph (1).

3 **SEC. 4. AIRPORT WORKER EDUCATION AND SECURITY**
4 **AWARENESS.**

5 (a) COOPERATIVE EFFORTS TO ENHANCE AIRPORT
6 SECURITY AWARENESS.—Not later than 180 days after
7 the date of the enactment of this Act, the Administrator
8 shall work with air carriers, foreign air carriers, airport
9 operators, airport vendors, and airport concessionaires to
10 enhance security awareness of credentialed airport popu-
11 lations regarding insider threats to aviation security and
12 best practices related to airport access controls.

13 (b) CREDENTIALING STANDARDS.—

14 (1) IN GENERAL.—Not later than 180 days
15 after the date of the enactment of this Act, the Ad-
16 ministrator shall, in consultation with air carriers,
17 foreign air carriers, airport operators, vendors, and
18 airport concessionaires, assess credentialing stand-
19 ards, policies, and practices to ensure that insider
20 threats to aviation security are adequately ad-
21 dressed.

22 (2) REPORT.—Not later than 30 days after
23 completion of the assessment required under para-
24 graph (1), the Administrator shall report to the ap-

1 appropriate congressional committees on the results of
2 such assessment.

3 (c) SIDA APPLICATIONS.—Not later than 60 days
4 after the date of the enactment of this Act, the Adminis-
5 trator shall revise the application submitted by an indi-
6 vidual applying for a credential granting access to the Se-
7 cure Identification Display Area (as such term is defined
8 in section 1540.5 of title 49, Code of Federal Regulations)
9 of an airport to require the social security number of such
10 individual in order to strengthen security vetting effective-
11 ness.

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

13 (a) IN GENERAL.—The Administrator shall work
14 with airport operators to identify advanced technologies,
15 including biometric identification technologies, for secur-
16 ing employee access to the secure and sterile areas of air-
17 ports (as such terms are defined in section 1540.5 of title
18 49, Code of Federal Regulations).

19 (b) RAP BACK VETTING.—Not later than 180 days
20 after the date of the enactment of this Act, the Adminis-
21 trator shall ensure that all credentialed aviation worker
22 populations are continuously vetted through the Federal
23 Bureau of Investigation’s Rap Back Service, in order to
24 more rapidly detect and mitigate insider threats to avia-
25 tion 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 screening
12 efforts, known as Playbook operations, are targeted, stra-
13 tegic, and focused on providing the greatest level of secu-
14 rity effectiveness.

15 (e) COVERT TESTING.—

16 (1) IN GENERAL.—The Administrator shall in-
17 crease covert testing of employee screening oper-
18 ations at airports and measure existing levels of se-
19 curity effectiveness. The Administrator shall provide
20 to air carriers, foreign air carriers, airport operators,
21 airport vendors, and airport concessionaires—

22 (A) the results of such testing; and

23 (B) recommendations based on such re-
24 sults and measurements on how to improve
25 such security screening operations.

1 (2) ANNUAL REPORTING.—The Administrator
2 shall submit to the appropriate congressional com-
3 mittees an annual report on the frequency, method-
4 ology, strategy, and effectiveness of employee screen-
5 ing operations at airports.

6 (f) CENTRALIZED DATABASE.—Not later than 180
7 days after the date of the enactment of this Act, the Ad-
8 ministrator, in consultation with the Aviation Security Ad-
9 visory Committee, shall—

10 (1) establish a national database of Administra-
11 tion employees who have had either their airport or
12 aircraft operator-issued badge revoked for failure to
13 comply with aviation security requirements;

14 (2) determine the appropriate reporting mecha-
15 nisms for airports and air carriers and foreign air
16 carriers to—

17 (A) submit to the Administration data re-
18 garding employees described in paragraph (1);
19 and

20 (B) access the database established pursu-
21 ant to such paragraph; and

22 (3) establish a process that allows individuals
23 whose names were mistakenly entered into such
24 database to have their names removed and have
25 their credentialing restored.

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

2 The Department of Homeland Security is the lead
3 interagency coordinator pertaining to insider threat inves-
4 tigations and mitigation efforts at airports. The Depart-
5 ment shall make every practicable effort to coordinate with
6 other relevant Government entities when undertaking such
7 investigations and efforts.

8 **SEC. 7. INFORMATION TECHNOLOGY SECURITY.**

9 Not later than 90 days after the date of the enact-
10 ment of this Act, the Administrator shall submit to the
11 appropriate congressional committees a plan to conduct
12 recurring reviews of the operational, technical, and man-
13 agement security controls for Administration information
14 technology systems at airports.

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