

117TH CONGRESS  
2D SESSION

# H. R. 903

---

## AN ACT

To enhance the security operations of the Transportation Security Administration and stability of the transportation security workforce by applying the personnel system under title 5, United States Code, to employees 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 “Rights for the Trans-  
3 portation Security Administration Workforce Act of  
4 2022” or the “Rights for the TSA Workforce Act of  
5 2022”.

6 **SEC. 2. DEFINITIONS.**

7       For purposes of this Act—

8           (1) the term “adjusted basic pay” means—

9               (A) the rate of pay fixed by law or admin-  
10           istrative action for the position held by a cov-  
11           ered employee before any deductions; and

12               (B) any regular, fixed supplemental pay-  
13           ment for non-overtime hours of work creditable  
14           as basic pay for retirement purposes, including  
15           any applicable locality payment and any special  
16           rate supplement;

17           (2) the term “Administrator” means the Ad-  
18           ministrator of the Transportation Security Adminis-  
19           tration;

20           (3) the term “appropriate congressional com-  
21           mittees” means the Committees on Homeland Secu-  
22           rity and Oversight and Reform of the House of Rep-  
23           resentatives and the Committees on Commerce,  
24           Science, and Transportation and Homeland Security  
25           and Governmental Affairs of the Senate;

1           (4) the term “at-risk employee” means a  
2           Transportation Security Officer, Federal Air Mar-  
3           shal, canine handler, or any other employee of the  
4           Transportation Security Administration carrying out  
5           duties that require substantial contact with the pub-  
6           lic during the COVID–19 national emergency;

7           (5) the term “conversion date” means the date  
8           as of which subparagraphs (A) through (F) of sec-  
9           tion 3(c)(1) take effect;

10          (6) the term “covered employee” means an em-  
11          ployee who holds a covered position;

12          (7) the term “covered position” means a posi-  
13          tion within the Transportation Security Administra-  
14          tion;

15          (8) the term “COVID–19 national emergency”  
16          means the national emergency declared by the Presi-  
17          dent under the National Emergencies Act (50  
18          U.S.C. 1601 et seq.) on March 13, 2020, with re-  
19          spect to the coronavirus;

20          (9) the term “employee” has the meaning given  
21          such term by section 2105 of title 5, United States  
22          Code;

23          (10) the term “Secretary” means the Secretary  
24          of Homeland Security;

1           (11) the term “TSA personnel management  
2           system” means any personnel management system  
3           established or modified under—

4                   (A) section 111(d) of the Aviation and  
5           Transportation Security Act (49 U.S.C. 44935  
6           note); or

7                   (B) section 114(n) of title 49, United  
8           States Code;

9           (12) the term “TSA” means the Transportation  
10          Security Administration; and

11          (13) the term “2019 Determination” means the  
12          publication, entitled “Determination on Transpor-  
13          tation Security Officers and Collective Bargaining”,  
14          issued on July 13, 2019, by Administrator David P.  
15          Pekoske, as modified, or any superseding subsequent  
16          determination.

17 **SEC. 3. CONVERSION OF TSA PERSONNEL.**

18          (a) RESTRICTIONS ON CERTAIN PERSONNEL AU-  
19          THORITIES.—

20               (1) IN GENERAL.—Notwithstanding any other  
21          provision of law, and except as provided in para-  
22          graph (2), effective as of the date of the enactment  
23          of this Act—

24                   (A) any TSA personnel management sys-  
25          tem in use for covered employees and covered

positions on the day before such date of enactment, and any TSA personnel management policy, letter, guideline, or directive in effect on such day may not be modified;

(B) no TSA personnel management policy, letter, guideline, or directive that was not established before such date issued pursuant to section 111(d) of the Aviation and Transportation Security Act (49 U.S.C. 44935 note) or section 114(n) of title 49, United States Code, may be established; and

(C) any authority to establish or adjust a human resources management system under chapter 97 of title 5, United States Code, shall terminate with respect to covered employees and covered positions.

(2) EXCEPTIONS.—

(A) PAY.—Notwithstanding paragraph (1)(A), the limitation in that paragraph shall not apply to any TSA personnel management policy, letter, guideline, or directive related to annual adjustments to pay schedules and locality-based comparability payments in order to maintain parity with such adjustments author-

1            ized under section 5303, 5304, 5304a, and  
2            5318 of title 5, United States Code; and

3            (B)     ADDITIONAL     POLICY.—Notwith-  
4            standing paragraph (1)(B), new TSA personnel  
5            management policy may be issued if—

6                    (i) such policy is needed to resolve a  
7                    matter not specifically addressed in policy  
8                    in effect on the date of enactment of this  
9                    Act; and

10                   (ii) the Secretary provides such policy,  
11                   with an explanation of its necessity, to the  
12                   appropriate congressional committees not  
13                   later than 7 days of issuance.

14            (C) EMERGING THREATS TO TRANSPOR-  
15            TATION SECURITY DURING TRANSITION PE-  
16            RIOD.—Notwithstanding paragraph (1), any  
17            TSA personnel management policy, letter,  
18            guideline, or directive related to an emerging  
19            threat to transportation security, including na-  
20            tional emergencies or disasters and public  
21            health threats to transportation security, may  
22            be modified or established until the conversion  
23            date. The Secretary shall provide to the appro-  
24            priate congressional committees any modifica-  
25            tion or establishment of such a TSA personnel

1 management policy, letter, guideline, or direc-  
2 tive, with an explanation of its necessity, not  
3 later than 7 days of such modification or estab-  
4 lishment.

5 (b) PERSONNEL AUTHORITIES DURING TRANSITION  
6 PERIOD.—Any TSA personnel management system in use  
7 for covered employees and covered positions on the day  
8 before the date of enactment of this Act and any TSA  
9 personnel management policy, letter, guideline, or direc-  
10 tive in effect on the day before the date of enactment of  
11 this Act shall remain in effect until the conversion date.

12 (c) TRANSITION TO TITLE 5.—

13 (1) IN GENERAL.—Except as provided in para-  
14 graph (2), effective as of the date determined by the  
15 Secretary, but in no event later than December 31,  
16 2022—

17 (A) the TSA personnel management sys-  
18 tem shall cease to be in effect;

19 (B) section 114(n) of title 49, United  
20 States Code, is repealed;

21 (C) section 111(d) of the Aviation and  
22 Transportation Security Act (49 U.S.C. 44935  
23 note) is repealed;

1 (D) any TSA personnel management pol-  
2 icy, letter, guideline, and directive, including the  
3 2019 Determination, shall cease to be effective;

4 (E) any human resources management sys-  
5 tem established or adjusted under chapter 97 of  
6 title 5, United States Code, with respect to cov-  
7 ered employees or covered positions shall cease  
8 to be effective; and

9 (F) covered employees and covered posi-  
10 tions shall be subject to the provisions of title  
11 5, United States Code.

12 (2) CHAPTERS 71 AND 77 OF TITLE 5.—Not  
13 later than 90 days after the date of enactment of  
14 this Act—

15 (A) chapter 71 and chapter 77 of title 5,  
16 United States Code, shall apply to covered em-  
17 ployees carrying out screening functions pursu-  
18 ant to section 44901 of title 49, United States  
19 Code; and

20 (B) any policy, letter, guideline, or direc-  
21 tive issued under section 111(d) of the Aviation  
22 and Transportation Security Act (49 U.S.C.  
23 44935 note) related to matters otherwise cov-  
24 ered by such chapter 71 or 77 shall cease to be  
25 in effect.



1           (3) ASSISTANCE OF OTHER AGENCIES.—Not  
2       later than 180 days after the date of enactment of  
3       this Act or December 31, 2022, whichever is ear-  
4       lier—

5           (A) the Office of Personnel Management  
6       shall establish a position series and classifica-  
7       tion standard for the positions of Transpor-  
8       tation Security Officer, Federal Air Marshal,  
9       Transportation Security Inspector, and other  
10      positions requested by the Administrator; and

11          (B) the Department of Agriculture’s Na-  
12      tional Finance Center shall make necessary  
13      changes to its Financial Management Services  
14      and Human Resources Management Services to  
15      ensure payroll, leave, and other personnel proc-  
16      essing systems for TSA personnel are commen-  
17      surate with chapter 53 of title 5, United States  
18      Code, and provide functions as needed to imple-  
19      ment this Act.

20      (d) SAFEGUARDS ON GRIEVANCES AND APPEALS.—

21          (1) IN GENERAL.—Each covered employee with  
22      a grievance or appeal pending within TSA on the  
23      date of the enactment of this Act or initiated during  
24      the transition period described in subsection (c) shall  
25      have the right to have such grievance or appeal re-

1 moved to proceedings pursuant to title 5, United  
2 States Code, or continued within the TSA.

3 (2) **AUTHORITY.**—With respect to any griev-  
4 ance or appeal continued within the TSA pursuant  
5 to paragraph (1), the Administrator may consider  
6 and finally adjudicate such grievance or appeal not-  
7 withstanding any other provision of this Act.

8 (3) **PRESERVATION OF RIGHTS.**—Notwith-  
9 standing any other provision of law, any appeal or  
10 grievance continued pursuant to this section that is  
11 not finally adjudicated pursuant to paragraph (2)  
12 shall be preserved and all timelines tolled until the  
13 rights afforded by application of chapters 71 and 77  
14 of title 5, United States Code, are made available  
15 pursuant to section 3(c)(2) of this Act.

16 **SEC. 4. TRANSITION RULES.**

17 (a) **NONREDUCTION IN PAY AND COMPENSATION.**—  
18 Under pay conversion rules as the Secretary may prescribe  
19 to carry out this Act, a covered employee converted from  
20 a TSA personnel management system to the provisions of  
21 title 5, United States Code, pursuant to section  
22 3(c)(1)(F)—

23 (1) shall not be subject to any reduction in ei-  
24 ther the rate of adjusted basic pay payable or law

1 enforcement availability pay payable to such covered  
2 employee; and

3 (2) shall be credited for years of service in a  
4 specific pay band under a TSA personnel manage-  
5 ment system as if the employee had served in an  
6 equivalent General Schedule position at the same  
7 grade, for purposes of determining the appropriate  
8 step within a grade at which to establish the employ-  
9 ee's converted rate of pay.

10 (b) RETIREMENT PAY.—Not later than 90 days after  
11 the date of enactment of this Act, the Secretary shall sub-  
12 mit to the appropriate congressional committees a pro-  
13 posal, including proposed legislative changes if needed, for  
14 determining a covered employee's average pay for pur-  
15 poses of calculating the employee's retirement annuity,  
16 consistent with title 5, United States Code, for any cov-  
17 ered employee who retires within three years of the conver-  
18 sion date, in a manner that appropriately accounts for  
19 time in service and annual rate of basic pay following the  
20 conversion date.

21 (c) LIMITATION ON PREMIUM PAY.—Notwith-  
22 standing section 5547 of title 5, United States Code, or  
23 any other provision of law, a Federal Air Marshal or crimi-  
24 nal investigator hired prior to the date of enactment of  
25 this Act may be eligible for premium pay up to the max-

1 imum level allowed by the Administrator prior to the date  
2 of enactment of this Act. The Office of Personnel Manage-  
3 ment shall recognize such premium pay as fully creditable  
4 for the purposes of calculating pay and retirement bene-  
5 fits.

6 (d) PRESERVATION OF LAW ENFORCEMENT AVAIL-  
7 ABILITY PAY AND OVERTIME PAY RATES FOR FEDERAL  
8 AIR MARSHALS.—

9 (1) LEAP.—Section 5545a of title 5, United  
10 States Code, is amended by adding at the end the  
11 following:

12 “(l) The provisions of subsections (a)–(h) providing  
13 for availability pay shall apply to any Federal Air Marshal  
14 who is an employee of the Transportation Security Admin-  
15 istration.”.

16 (2) OVERTIME.—Section 5542 of such title is  
17 amended by adding at the end the following:

18 “(i) Notwithstanding any other provision of law, a  
19 Federal Air Marshal who is an employee of the Transpor-  
20 tation Security Administration shall receive overtime pay  
21 under this section, at such a rate and in such a manner,  
22 so that such Federal Air Marshal does not receive less  
23 overtime pay than such Federal Air Marshal would receive  
24 were that Federal Air Marshal subject to the overtime pay

1 provisions of section 7 of the Fair Labor Standards Act  
2 of 1938.”.

3 (3) EFFECTIVE DATE.—The amendments made  
4 by paragraphs (1) and (2) shall begin to apply on  
5 the conversion date (as that term is defined in sec-  
6 tion 2 of the Rights for the TSA Workforce Act of  
7 2022).

8 (e) COLLECTIVE BARGAINING UNIT.—Notwith-  
9 standing section 7112 of title 5, United States Code, fol-  
10 lowing the application of chapter 71 pursuant to section  
11 3(c)(2) of this Act, full- and part-time non-supervisory  
12 Transportation Security Administration personnel car-  
13 rying out screening functions under section 44901 of title  
14 49, United States Code, shall remain eligible to form a  
15 collective bargaining unit.

16 (f) PRESERVATION OF OTHER RIGHTS.—The Sec-  
17 retary shall take any actions necessary to ensure that the  
18 following rights are preserved and available for each cov-  
19 ered employee as of the conversion date and any covered  
20 employee appointed after the conversion date, and con-  
21 tinue to remain available to covered employees after the  
22 conversion date:

23 (1) Any annual leave, sick leave, or other paid  
24 leave accrued, accumulated, or otherwise available to  
25 a covered employee immediately before the conver-

1        sion date shall remain available to the employee  
2        until used, subject to any limitation on accumulated  
3        leave under chapter 63 of title 5, United States  
4        Code.

5            (2) Part-time personnel carrying out screening  
6        functions under section 44901 of title 49, United  
7        States Code, pay Federal Employees Health Bene-  
8        fits premiums on the same basis as full-time TSA  
9        employees.

10           (3) Covered employees are provided appropriate  
11        leave during national emergencies to assist the cov-  
12        ered employees and ensure TSA meets mission re-  
13        quirements, notwithstanding section 6329a of title 5,  
14        United States Code.

15           (4) Eligible covered employees carrying out  
16        screening functions under section 44901 of title 49,  
17        United States Code, receive a split-shift differential  
18        for regularly scheduled split-shift work as well as  
19        regularly scheduled overtime and irregular and occa-  
20        sional split-shift work.

21           (5) Eligible covered employees receive group re-  
22        tention incentives, as appropriate, notwithstanding  
23        sections 5754(c), (e), and (f) of title 5, United  
24        States Code.

1 **SEC. 5. CONSULTATION REQUIREMENT.**

2 (a) **EXCLUSIVE REPRESENTATIVE.**—

3 (1) **IN GENERAL.**—

4 (A) Beginning on the date chapter 71 of  
5 title 5, United States Code, begins to apply to  
6 covered employees pursuant to section 3(c)(2),  
7 the labor organization certified by the Federal  
8 Labor Relations Authority on June 29, 2011,  
9 or any successor labor organization, shall be  
10 treated as the exclusive representative of full-  
11 and part-time non-supervisory TSA personnel  
12 carrying out screening functions under section  
13 44901 of title 49, United States Code, and shall  
14 be the exclusive representative for such per-  
15 sonnel under chapter 71 of title 5, United  
16 States Code, with full rights under such chap-  
17 ter.

18 (B) Nothing in this subsection shall be  
19 construed to prevent covered employees from  
20 selecting an exclusive representative other than  
21 the labor organization described under para-  
22 graph (1) for purposes of collective bargaining  
23 under such chapter 71.

24 (2) **NATIONAL LEVEL.**—Notwithstanding any  
25 provision of such chapter 71, collective bargaining  
26 for any unit of covered employees shall occur at the

1 national level, but may be supplemented by local  
2 level bargaining and local level agreements in fur-  
3 therance of elements of a national agreement or on  
4 local unit employee issues not otherwise covered by  
5 a national agreement. Such local-level bargaining  
6 and local-level agreements shall occur only by mu-  
7 tual consent of the exclusive representative of full  
8 and part-time non-supervisory TSA personnel car-  
9 rying out screening functions under section 44901 of  
10 title 49, United States Code, and a TSA Federal Se-  
11 curity Director or their designee.

12 (3) CURRENT AGREEMENT.—Any collective bar-  
13 gaining agreement covering such personnel in effect  
14 on the date of enactment of this Act shall remain in  
15 effect until a collective bargaining agreement is en-  
16 tered into under such chapter 71, unless the Admin-  
17 istrator and exclusive representative mutually agree  
18 to revisions to such agreement.

19 (b) CONSULTATION PROCESS.—Not later than seven  
20 days after the date of the enactment of this Act, the Sec-  
21 retary shall consult with the exclusive representative for  
22 the personnel described in subsection (a) under chapter  
23 71 of title 5, United States Code, on the formulation of  
24 plans and deadlines to carry out the conversion of full-  
25 and part-time non-supervisory TSA personnel carrying out



1 screening functions under section 44901 of title 49,  
2 United States Code, under this Act. Prior to the date such  
3 chapter 71 begins to apply pursuant to section 3(c)(2),  
4 the Secretary shall provide (in writing) to such exclusive  
5 representative the plans for how the Secretary intends to  
6 carry out the conversion of such personnel under this Act,  
7 including with respect to such matters as—

8 (1) the anticipated conversion date; and

9 (2) measures to ensure compliance with sections  
10 3 and 4.

11 (c) REQUIRED AGENCY RESPONSE.—If any views or  
12 recommendations are presented under subsection (b) by  
13 the exclusive representative, the Secretary shall consider  
14 the views or recommendations before taking final action  
15 on any matter with respect to which the views or rec-  
16 ommendations are presented and provide the exclusive  
17 representative a written statement of the reasons for the  
18 final actions to be taken.

19 **SEC. 6. NO RIGHT TO STRIKE.**

20 Nothing in this Act may be considered—

21 (1) to repeal or otherwise affect—

22 (A) section 1918 of title 18, United States  
23 Code (relating to disloyalty and asserting the  
24 right to strike against the Government); or

1 (B) section 7311 of title 5, United States  
2 Code (relating to loyalty and striking); or  
3 (2) to otherwise authorize any activity which is  
4 not permitted under either provision of law cited in  
5 paragraph (1).

6 **SEC. 7. PROPOSAL ON HIRING AND CONTRACTING BACK-**  
7 **GROUND CHECK REQUIREMENTS.**

8 Not later than one year after the date of enactment  
9 of this Act, the Secretary shall submit a plan to the appro-  
10 priate congressional committees on a proposal to har-  
11 monize and update, for the purposes of hiring and for au-  
12 thorizing or entering into any contract for service, the re-  
13 strictions in section 70105(c) of title 46, United States  
14 Code, (relating to the issuance of transportation security  
15 cards) and section 44936 of title 49, United States Code,  
16 (relating to security screener employment investigations  
17 and restrictions).

18 **SEC. 8. COMPTROLLER GENERAL REVIEWS.**

19 (a) REVIEW OF RECRUITMENT.—Not later than one  
20 year after the date of the enactment of this Act, the Comp-  
21 troller General shall submit to Congress a report on the  
22 efforts of the TSA regarding recruitment, including re-  
23 cruitment efforts relating to veterans and the dependents  
24 of veterans and members of the Armed Forces and the  
25 dependents of such members. Such report shall also in-

1 clude recommendations regarding how the TSA may im-  
2 prove such recruitment efforts.

3 (b) REVIEW OF IMPLEMENTATION.—Not later than  
4 60 days after the conversion date, the Comptroller General  
5 shall commence a review of the implementation of this Act.  
6 The Comptroller General shall submit to Congress a re-  
7 port on its review no later than one year after such conver-  
8 sion date.

9 (c) REVIEW OF PROMOTION POLICIES AND LEADER-  
10 SHIP DIVERSITY.—Not later than one year after the date  
11 of the enactment of this Act, the Comptroller General shall  
12 submit to Congress a report on the efforts of the TSA  
13 to ensure that recruitment, hiring, promotion, and ad-  
14 vancement opportunities are equitable and provide for de-  
15 mographics among senior leadership that are reflective of  
16 the United States' workforce demographics writ large.  
17 Such report shall, to the extent possible, include an over-  
18 view and analysis of the current demographics of TSA  
19 leadership and, as appropriate, recommendations to im-  
20 prove hiring and promotion procedures and diversity in  
21 leadership roles that may include recommendations for  
22 how TSA can better promote from within and retain and  
23 advance its workers.

24 (d) REVIEW OF HARASSMENT AND ASSAULT POLI-  
25 CIES AND PROTECTIONS.—Not later than one year after

1 the date of the enactment of this Act, the Comptroller  
2 General shall submit to Congress a report on the efforts  
3 of the TSA to ensure the safety of its staff with regards  
4 to harassment and assault in the workplace, such as inci-  
5 dents of sexual harassment and violence and harassment  
6 and violence motivated by an individual's perceived race,  
7 ethnicity, religion, gender identity or sexuality, and includ-  
8 ing incidents where the alleged perpetrator or perpetrators  
9 are members of the general public. Such report shall in-  
10 clude an overview and analysis of the current TSA policies  
11 and response procedures, a detailed description of if,  
12 when, and how these policies fail to adequately protect  
13 TSA personnel, and, as appropriate, recommendations for  
14 steps the TSA can take to better protect its employees  
15 from harassment and violence in their workplace. In con-  
16 ducting its review, the Comptroller General shall provide  
17 opportunities for TSA employees of all levels and posi-  
18 tions, and unions and associations representing such em-  
19 ployees, to submit comments, including in an anonymous  
20 form, and take those comments into account in its final  
21 recommendations.

22 **SEC. 9. SENSE OF CONGRESS.**

23 It is the sense of Congress that—

24 (1) the TSA's personnel system provides insuf-  
25 ficient benefits and workplace protections to the

1 workforce that secures the nation's transportation  
2 systems and that the TSA's workforce should be  
3 provided protections and benefits under title 5,  
4 United States Code; and

5 (2) the provision of these title 5 protections and  
6 benefits should not result in a reduction of pay or  
7 benefits to current TSA employees.

8 **SEC. 10. ASSISTANCE FOR FEDERAL AIR MARSHAL SERV-**  
9 **ICE.**

10 The Administrator may communicate with organiza-  
11 tions representing a significant number of Federal Air  
12 Marshals, to the extent provided by law, to address con-  
13 cerns regarding Federal Air Marshals related to the fol-  
14 lowing:

15 (1) Mental health.

16 (2) Suicide rates.

17 (3) Morale and recruitment.

18 (4) Equipment and training.

19 (5) Work schedules and shifts, including man-  
20 dated periods of rest.

21 (6) Any other personnel issues the Adminis-  
22 trator determines appropriate.

1 **SEC. 11. PREVENTION AND PROTECTION AGAINST CERTAIN**  
2 **ILLNESS.**

3 The Administrator, in coordination with the Director  
4 of the Centers for Disease Control and Prevention and the  
5 Director of the National Institute of Allergy and Infec-  
6 tious Diseases, shall ensure that covered employees are  
7 provided proper guidance regarding prevention and protec-  
8 tions against the COVID–19 National Emergency, includ-  
9 ing appropriate resources.

10 **SEC. 12. HAZARDOUS DUTY PAYMENTS.**

11 Subject to the availability of appropriations, and not  
12 later than 90 days after receiving such appropriations, the  
13 Administrator shall provide a one-time bonus payment of  
14 \$3,000 to each at-risk employee.

15 **SEC. 13. AUTHORIZATION OF APPROPRIATIONS.**

16 There is authorized to be appropriated such sums as  
17 may be necessary, to remain available until expended, to  
18 carry out this Act.

19 **SEC. 14. STUDY ON FEASIBILITY OF COMMUTING BENEFITS.**

20 Not later than 270 days after the enactment of this  
21 Act, the Administrator shall submit to the appropriate  
22 congressional committees a feasibility study on allowing  
23 covered employees carrying out screening functions under  
24 section 44901 of title 49, United States Code, to treat as  
25 hours of employment time spent by such employees regu-  
26 larly traveling between airport parking lots and bus and

1 transit stops and screening checkpoints before and after  
2 the regular work day. In conducting such study, the Ad-  
3 ministrator shall consider—

4 (1) the amount of time needed to travel to and  
5 from airport parking lots and bus and transit stops  
6 at representative airports of various sizes;

7 (2) the feasibility of using mobile phones and  
8 location data to allow employees to report their ar-  
9 rival to and departure from airport parking lots and  
10 bus and transit stops; and

11 (3) the estimated costs of providing such bene-  
12 fits.

13 **SEC. 15. BRIEFING ON ASSAULTS AND THREATS ON TSA EM-**  
14 **PLOYEES.**

15 Not later than 90 days after the date of the enact-  
16 ment of this Act, the Administrator shall brief the appro-  
17 priate congressional committees regarding the following:

18 (1) Reports to the Administrator of instances of  
19 physical or verbal assault or threat made by a mem-  
20 ber of the general public against a covered employee  
21 engaged in carrying out screening functions under  
22 section 44901 of title 49, United States Code, since  
23 January 1, 2019.

24 (2) Procedures for reporting such assaults and  
25 threats, including information on how the Adminis-

1       trator communicates the availability of such proce-  
2       dures.

3           (3) Any steps taken by TSA to prevent and re-  
4       spond to such assaults and threats.

5           (4) Any related civil actions and criminal refer-  
6       rals made annually since January 1, 2019.

7           (5) Any additional authorities needed by the  
8       Administrator to better prevent or respond to such  
9       assaults and threats.

10 **SEC. 16. ANNUAL REPORTS ON TSA WORKFORCE.**

11       Not later than one year after the date of the enact-  
12       ment of this Act and annually thereafter, the Adminis-  
13       trator shall submit to the appropriate congressional com-  
14       mittees a report that contains the following:

15           (1) An analysis of the Office of Personnel Man-  
16       agement's Federal Employee Viewpoint Survey  
17       (FEVS) to determine job satisfaction rates of cov-  
18       ered employees.

19           (2) Information relating to retention rates of  
20       covered employees at each airport, including trans-  
21       fers, in addition to aggregate retention rates of cov-  
22       ered employees across the TSA workforce.



1           (3) Information relating to actions taken by the  
2       TSA intended to improve workforce morale and re-  
3       tention.

Passed the House of Representatives May 12, 2022.

Attest:

*Clerk.*

117TH CONGRESS  
2D SESSION

# H. R. 903

---

## AN ACT

To enhance the security operations of the Transportation Security Administration and stability of the transportation security workforce by applying the personnel system under title 5, United States Code, to employees of the Transportation Security Administration, and for other purposes.