

117TH CONGRESS
1ST SESSION

S. 3260

To require a 20th anniversary review of the missions, capabilities, and performance of the Transportation Security Administration.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 18, 2021

Mr. WICKER introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To require a 20th anniversary review of the missions, capabilities, and performance of the Transportation Security Administration.

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 “Transportation Secu-
5 rity Administration 20th Anniversary Review Act”.

6 **SEC. 2. 20TH ANNIVERSARY REVIEW OF TRANSPORTATION**
7 **SECURITY ADMINISTRATION.**

8 (a) IN GENERAL.—The Administrator of the Trans-
9 portation Security Administration shall enter into an ar-
10 rangement with a federally funded research and develop-

1 ment center to conduct a comprehensive review of the mis-
2 sions, capabilities, and performance of the Transportation
3 Security Administration during the 20 years since its es-
4 tablishment.

5 (b) ELEMENTS.—The review required by subsection
6 (a) shall include the following:

7 (1) An assessment of the effectiveness of the
8 Transportation Security Administration in executing
9 the missions required by statute.

10 (2) An assessment of the organizational struc-
11 ture of the Transportation Security Administration
12 and recommendations for improving that structure,
13 including any benefits of separating the operations
14 and compliance missions of the Transportation Secu-
15 rity Administration.

16 (3) An assessment of whether the Transpor-
17 tation Security Administration should retain its cur-
18 rent missions and, if necessary, recommendations on
19 legislative changes needed to streamline those mis-
20 sions.

21 (4) An assessment of whether the Transpor-
22 tation Security Administration is maximizing the use
23 of flexibilities provided by statute with respect to
24 human capital.

1 (5) If the Transportation Security Administra-
2 tion is not maximizing the use of those flexibilities,
3 recommendations for improving the use of those
4 flexibilities administratively.

5 (6) An assessment of efforts of the Transpor-
6 tation Security Administration to retain transpor-
7 tation security officers, an assessment of whether
8 those efforts are effective, and recommendations
9 with respect to how the Transportation Security Ad-
10 ministration could improve those efforts based on
11 the experiences of other large Federal employers
12 with a significant entry-level workforce.

13 (7) An assessment of whether the Transpor-
14 tation Security Administration deployed the number
15 of transportation security officers identified by its
16 resource allocation plan.

17 (8) An assessment of the utilization by the
18 Transportation Security Administration of the
19 Screening Partnership Program under section 44920
20 of title 49, United States Code, and recommenda-
21 tions for expanding that program.

22 (9) A comparative analysis of screening con-
23 ducted under the Screening Partnership Program
24 and screening conducted by employees of the Trans-

1 portation Security Administration, including an
2 analysis of—

3 (A) cost, performance (detection), staffing,
4 and attrition; and

5 (B) whether the Transportation Security
6 Administration intentionally disadvantages or
7 causes difficulties for airports that use the
8 Screening Partnership Program or providers of
9 screening services under the Program.

10 (10) An assessment of the user-pay model for
11 funding for the Transportation Security Administra-
12 tion, recommendations with respect to how to re-
13 implement that model, and an assessment of—

14 (A) whether the Transportation Security
15 Administration is appropriately using the Avia-
16 tion Security Capital Fund established under
17 section 44923(h) of title 49, United States
18 Code; and

19 (B) the potential cost savings if the Trans-
20 portation Security Administration fully reim-
21 bursed airports for purchasing and deploying
22 screening technology.

23 (11) An assessment of the effectiveness of the
24 Transportation Security Administration in imple-
25 menting the Registered Traveler Program and rec-

1 ommendations for modernization of the program for
2 full integration with the biometric technology of the
3 Transportation Security Administration.

4 (12) An assessment of the capabilities of the
5 Transportation Security Administration to respond
6 to homeland security intelligence and recommenda-
7 tions for improving those capabilities.

8 (13) A review of the threats to transportation
9 identified by the intelligence community (as defined
10 in section 3 of the National Security Act of 1947
11 (50 U.S.C. 3003)).

12 (14) An assessment of and recommendations
13 with respect to the use by the Transportation Secu-
14 rity Administration of outcome-oriented performance
15 measures when procuring transportation security
16 technology.

17 (15) Recommendations with respect to how the
18 Transportation Security Administration could diver-
19 sify the transportation security industrial base.

20 (16) An assessment of and recommendations
21 with respect to how the Transportation Security Ad-
22 ministration can facilitate an expansion of transpor-
23 tation security norms with international partners
24 and where appropriate reduce the need for redun-
25 dant screening.

1 (17) An assessment of the role of the Transpor-
2 tation Security Administration as a regulator and
3 recommendations with respect to how the Transpor-
4 tation Security Administration could reduce regu-
5 latory burdens without sacrificing security.

6 (18) An assessment of how the Transportation
7 Security Administration is working with airport op-
8 erators to expand capacity at constrained check-
9 points, including whether the Transportation Secu-
10 rity Administration is accurately and consistently
11 measuring wait times at individual checkpoints and
12 across the system.

13 (19) An assessment of the efficacy of the 5-year
14 technology plan of the Transportation Security Ad-
15 ministration.

16 (20) An assessment of the acquisition practices
17 used by the Transportation Security Administration
18 and the effectiveness of those practices in achieving
19 rapid capability delivery.

20 (c) REPORT TO CONGRESS.—

21 (1) IN GENERAL.—Not later than 18 months
22 after the date of the enactment of this Act, the Ad-
23 ministrators shall submit to Congress a report on the
24 findings of the federally funded research and devel-

1 opment center pursuant to the review conducted
2 under subsection (a).

3 (2) FORM OF REPORT.—

4 (A) IN GENERAL.—The report required by
5 paragraph (1) shall be submitted in unclassified
6 form but may include a classified annex.

7 (B) INCLUSIONS IN CLASSIFIED ANNEX.—
8 Findings relating to the matters described in
9 paragraphs (12) and (13) of subsection (b)
10 shall be included in the classified annex.

11 (d) AUTHORIZATION OF APPROPRIATIONS.—There
12 are authorized to be appropriated to the Administrator
13 \$2,000,000 to carry out this section.

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