

114TH CONGRESS  
1ST SESSION

# H. R. 3102

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

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## IN THE HOUSE OF REPRESENTATIVES

JULY 16, 2015

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

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## A BILL

To amend the Homeland Security Act of 2002 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 “Airport Access Control  
5 Security Improvement Act of 2015”.

1 **SEC. 2. AVIATION SECURITY.**

2 (a) IN GENERAL.—Subtitle A of title XVI of the  
3 Homeland Security Act of 2002 is amended by adding at  
4 the end the following new section:

5 **“SEC. 1602. RISK-BASED SCREENING OF EMPLOYEES AT**  
6 **AIRPORTS.**

7 “(a) SCREENING MODEL.—

8 “(1) IN GENERAL.—Not later than 180 days  
9 after the date of the enactment of this section, the  
10 Administrator shall establish a risk-based, intel-  
11 ligence-driven model for the screening of employees  
12 at airports based on level of access and employment  
13 positions at domestic airports. Such screening model  
14 shall—

15 “(A) ensure that only those individuals au-  
16 thorized to have access to the secure areas of  
17 a domestic airport are permitted such access;

18 “(B) ensure that an individual is imme-  
19 diately denied entry to a secure area when such  
20 individual’s access authorization for such secure  
21 area is withdrawn; and

22 “(C) provide a means to differentiate be-  
23 tween individuals authorized to have access to  
24 an entire secure area and individuals authorized  
25 access to only a particular portion of a secure  
26 area.

1           “(2) FACTORS.—The Administrator shall con-  
2           sider the following factors when establishing the  
3           screening model described in paragraph (1):

4                   “(A) Whether and how often employees at  
5                   airports require employment-related access to  
6                   Secure Identification Display Areas, Airport  
7                   Operations Areas, or secure areas.

8                   “(B) The ability of each airport operator  
9                   to reduce employee entry and exit points to a  
10                  mutually agreed upon minimum number of such  
11                  entry and exit points necessary to maintain air-  
12                  port operations.

13                  “(C) In consultation with airport opera-  
14                  tors, the ability of the Administration to create  
15                  a mutually agreed upon randomization plan for  
16                  screening at the defined operational minimum  
17                  entry and exit points at airports which maxi-  
18                  mizes the deterrent effect of screening efforts.

19           “(b) DISQUALIFYING OFFENSES.—

20                   “(1) IN GENERAL.—Not later than 180 days  
21                   after the date of the enactment of this section, the  
22                   Administrator, in consultation with the Director of  
23                   the Federal Bureau of Investigation and the Avia-  
24                   tion Security Advisory Committee, shall review the  
25                   disqualifying criminal offenses codified in sections

1 1542.209 and 1544.229 of title 49, Code of Federal  
2 Regulations, to determine adequacy for an individual  
3 to have continued access to Secure Identification  
4 Display Areas of airports. Such review shall deter-  
5 mine the following:

6 “(A) The effectiveness of the currently  
7 codified disqualifying offenses regarding dis-  
8 qualifying certain individuals from occupying  
9 such a position of significant public trust.

10 “(B) If such disqualifying offenses list  
11 should be amended to include other offenses.

12 “(C) The feasibility of identifying patterns  
13 of misdemeanors or of other non-disqualifying  
14 offenses that could jeopardize aviation security.

15 “(D) The feasibility of integrating similar  
16 departmental eligibility requirements for access  
17 to Secure Identification Display Areas of air-  
18 ports.

19 “(E) Whether the look-back period for dis-  
20 qualifying offenses should be extended or modi-  
21 fied.

22 “(2) BRIEFING TO CONGRESS.—Upon comple-  
23 tion of the review required under paragraph (1), the  
24 Administrator shall brief the Committee on Home-  
25 land Security of the House of Representatives and

1 the Committee on Homeland Security and Govern-  
2 mental Affairs and the Committee on Commerce,  
3 Science, and Transportation of the Senate on the re-  
4 sults of such review.

5 “(c) CREDENTIALING.—Not later than 120 days  
6 after the date of the enactment of this section, the Admin-  
7 istrator, in consultation with the Aviation Security Advi-  
8 sory Committee, shall review the auditing procedures for  
9 all airport-issued identification media. Such review shall  
10 determine the following:

11 “(1) The efficacy of the auditing program re-  
12 quirements at domestic airports to ensure the integ-  
13 rity, accountability, and control of airport-issued  
14 identification media.

15 “(2) The feasibility of including biometrics  
16 standards for all airport-issued identification media  
17 used for identity verification and badge verification.

18 “(3) The feasibility of integrating other depart-  
19 mental programs’ eligibility requirements for access  
20 to secure areas of airports.

21 “(d) VETTING.—

22 “(1) IN GENERAL.—Not later than 180 days  
23 after the date of the enactment of this section, the  
24 Administrator shall—

1           “(A) establish a program to allow airport  
2 badging offices to utilize the employment eligi-  
3 bility confirmation system established under  
4 section 404 of the Illegal Immigration Reform  
5 and Immigrant Responsibility Act of 1996 (8  
6 U.S.C. 1324a note; commonly referred to as ‘E-  
7 Verify’) to determine the eligibility to work in  
8 the United States of all applicants seeking ac-  
9 cess to secure areas of airports;

10           “(B) establish a process to transmit appli-  
11 cants’ biometric fingerprint data to the Office  
12 of Biometric Identity Management’s (OBIM’s)  
13 Automated Biometrics Identification System  
14 (IDENT) for vetting; and

15           “(C) conduct a data quality assessment to  
16 ensure that credential application data elements  
17 received by the Administration are complete  
18 and match the data submitted by the airport  
19 operators.

20           “(2) BRIEFING TO CONGRESS.—Upon comple-  
21 tion of the responsibilities specified in paragraph  
22 (1), the Administrator shall brief the Committee on  
23 Homeland Security of the House of Representatives  
24 and the Committee on Homeland Security and Gov-  
25 ernmental Affairs and the Committee on Commerce,

1 Science, and Transportation of the Senate on the re-  
2 sults of such completion.

3 “(e) REPORTING OF VIOLATIONS.—Not later than  
4 180 days after the date of the enactment of this section,  
5 the Administrator shall establish a nationwide program for  
6 the anonymous reporting of violations of airport security.

7 “(f) CENTRALIZED DATABASE.—Not later than 180  
8 days after the date of the enactment of this section, the  
9 Administrator, in consultation with the Aviation Security  
10 Advisory Committee, shall—

11 “(1) establish a national database of employees  
12 who have had either their airport or aircraft oper-  
13 ator-issued badge revoked for cause; and

14 “(2) determine the appropriate reporting mech-  
15 anisms for airports and airlines to submit data re-  
16 garding employees described in paragraph (1) and to  
17 access the database established pursuant to such  
18 paragraph.

19 “(g) UPDATED REVIEW.—Not later than April 8,  
20 2016, the Aviation Security Advisory Committee shall con-  
21 duct an updated and thorough review of airport access  
22 controls.

23 “(h) EMPLOYEE SCREENING STUDY.—

24 “(1) IN GENERAL.—Not later than 180 days  
25 after the date of the enactment of this section, the

1 Administrator, in consultation with the Aviation Se-  
2 curity Advisory Committee, shall submit to the Com-  
3 mittee on Homeland Security of the House of Rep-  
4 resentatives, the Committee on Homeland Security  
5 and Governmental Affairs and the Committee on  
6 Commerce, Science, and Transportation of the Sen-  
7 ate, and the Comptroller General of the United  
8 States a cost and feasibility study of a statistically  
9 significant number of Category I, II, and X airports,  
10 that ensures that all employee entry and exit points  
11 that lead to secure areas of such airports are com-  
12 prised of the following:

13 “(A) A secure door utilizing card and pin  
14 entry or biometric technology.

15 “(B) Surveillance video recording, capable  
16 of storing video data for at least 30 days.

17 “(C) Advanced screening technologies, in-  
18 cluding at least one of the following:

19 “(i) Magnetometer (walk-through or  
20 hand-held).

21 “(ii) Explosives detection canines.

22 “(iii) Explosives trace detection swab-  
23 bing.

24 “(iv) Advanced imaging technology.

25 “(v) X-ray bag screening technology.



1           “(2) CONTENTS.—The study required under  
2 paragraph (1) shall include information related to  
3 the employee screening costs of those airports which  
4 have already implemented practices of screening one-  
5 hundred percent of employees entering secure areas  
6 of airports, including the following:

7           “(A) Costs associated with establishing an  
8 operational minimum number of employee entry  
9 and exit points.

10           “(B) A comparison of costs associated with  
11 implementing the requirements specified in  
12 paragraph (1), based on whether such imple-  
13 mentation was carried out by the Administra-  
14 tion or airports.

15           “(3) COMPTROLLER GENERAL ASSESSMENT.—

16           “(A) IN GENERAL.—Upon completion of  
17 the study required under paragraph (1), the  
18 Comptroller General of the United States shall  
19 review such study to assess the quality and reli-  
20 ability of such study.

21           “(B) ASSESSMENT.—Not later than 60  
22 days after the receipt of the study required  
23 under paragraph (1), the Comptroller General  
24 of the United States shall report to the Com-  
25 mittee on Homeland Security of the House of

1           Representatives and the Committee on Home-  
2           land Security and Governmental Affairs and the  
3           Committee on Commerce, Science, and Trans-  
4           portation of the Senate on the results of the re-  
5           view required under subparagraph (A).”.

6           (b) CLERICAL AMENDMENT.—The table of contents  
7           of the Homeland Security Act of 2002 is amended by in-  
8           serting after the item relating to section 1601 the fol-  
9           lowing new item:

          “Sec. 1602. Risk-based screening of employees at airports.”.

10       **SEC. 3. UPDATED REVIEW.**

11           Not later than April 8, 2016, the Aviation Security  
12           Advisory Committee Working Group shall conduct an up-  
13           dated and thorough review of airport access controls.

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