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(Original Signature of Member)

115TH CONGRESS  
2D SESSION

# H. R.

To improve the screening of transgender persons at airport security checkpoints, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

Miss RICE of New York introduced the following bill; which was referred to the Committee on \_\_\_\_\_

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# A BILL

To improve the screening of transgender persons at airport security checkpoints, 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 “Screening With Dig-  
5 nity Act of 2018”.

6 **SEC. 2. TSA SCREENING PROCEDURES AND TRAINING.**

7 (a) DEVELOPMENT OF PROCEDURES.—Not later  
8 than 60 days after the date of the enactment of this Act,  
9 the Administrator shall develop procedures to appro-

1 priately and respectfully screen self-identified transgender  
2 passengers. In developing such procedures, the Adminis-  
3 trator shall take into consideration the particular needs  
4 of persons whose gender identity is different or is per-  
5 ceived to be different from their assigned sex at birth and  
6 the particular impact of screening on transgender pas-  
7 sengers as opposed to the general population of pas-  
8 sengers.

9 (b) TRAINING OF TSOs AND IMPLEMENTATION OF  
10 PROCEDURES.—Not later than 90 days after the date of  
11 the enactment of this Act, the Administrator shall begin  
12 conducting in-person training of all Transportation Secu-  
13 rity Officers on the screening procedures developed under  
14 subsection (a) and shall implement such procedures. Such  
15 training shall be designed and, wherever practicable, deliv-  
16 ered with the participation of community groups rep-  
17 resenting the transgender traveler population.

18 **SEC. 3. PROTECTION OF PASSENGERS.**

19 The Administrator shall take such steps as may be  
20 necessary to ensure each of the following with respect to  
21 passenger screening:

22 (1) The prohibition on human viewing of indi-  
23 vidual passenger images.

24 (2) The prohibition on retention of individual  
25 passenger image data.

1           (3) That passengers are provided with an alter-  
2 native to advanced imaging technology scans.

3           (4) That pat-downs of passengers are required  
4 to be conducted by an officer of the gender re-  
5 quested by the passenger.

6           (5) That each passenger is provided with the  
7 option of a private screening with the witness of the  
8 passenger's choice.

9           (6) That passengers are only required to lift or  
10 remove clothing exposing sensitive areas of the body  
11 or to remove prostheses when no less intrusive  
12 screening method is available and the passenger is  
13 provided with visual privacy via a drape or other  
14 means in a private screening area.

15           (7) The prohibition of profiling or other dis-  
16 crimination on the basis of race, color, national ori-  
17 gin, sex, religion, age, disability, genetic information,  
18 sexual orientation, parental status, or gender iden-  
19 tity.

20 **SEC. 4. REPORT ON SCREENING EQUIPMENT.**

21           (a) STUDY.—Not later than 180 days after the date  
22 of the enactment of this Act, the Administrator shall con-  
23 duct a study on the cost and feasibility of retrofitting ad-  
24 vanced image technology screening equipment, or of devel-  
25 oping new such equipment, with the capability to distin-

1 guish between foreign objects and human body parts in  
2 a manner that is effectively gender neutral or which oper-  
3 ates in some other gender neutral manner.

4 (b) REPORT.—Not later than 180 days after the date  
5 of the enactment of this Act, the Administrator shall sub-  
6 mit to the Committee on Homeland Security of the House  
7 of Representatives, the Committee on Commerce, Science,  
8 and Transportation of the Senate, and the Comptroller  
9 General of the United States a report containing the re-  
10 sults of the study conducted under subsection (a).

11 **SEC. 5. REPORT ON ADVANCED IMAGING TECHNOLOGY.**

12 (a) STUDY.—Not later than 180 days after the date  
13 of the enactment of this Act, the Administrator shall con-  
14 duct a study that evaluates the particular impact that ad-  
15 vanced imaging technology has on self-identified  
16 transgender and gender nonconforming passengers as op-  
17 posed to the general population of passengers. Such study  
18 shall include an examination of instances since 2010 in  
19 which a self-identified transgender or gender noncon-  
20 forming passenger was required to undergo an additional  
21 screening procedure after screening with advanced imag-  
22 ing technology resulted in an alarm.

23 (b) REPORT.—Not later than 180 days after the date  
24 of the enactment of this Act, the Administrator shall sub-  
25 mit to the Committee on Homeland Security of the House

1 of Representatives and the Committee on Commerce,  
2 Science, and Transportation of the Senate a report con-  
3 taining the results of the study conducted under sub-  
4 section (a). Such report shall include recommendations to  
5 reduce any particular impact of screening on transgender  
6 passengers and involve the consultation and input of com-  
7 munity groups representing the transgender traveler popu-  
8 lation.

9 **SEC. 6. DEFINITIONS.**

10 In this Act:

11 (1) ADMINISTRATOR.—The term “Adminis-  
12 trator” means the Administrator of the Transpor-  
13 tation Security Administration.

14 (2) ADVANCED IMAGING TECHNOLOGY.—The  
15 term “advanced imaging technology” has the mean-  
16 ing given the term in section 826(l)(1)(A) of the  
17 FAA Modernization and Reform Act of 2012 (49  
18 U.S.C 44901(l)(1)(A)).

19 (3) GENDER IDENTITY.—The term “gender  
20 identity” means the gender-related identity, appear-  
21 ance, mannerisms, or other gender-related character-  
22 istics of an individual, regardless of the individual’s  
23 designated sex at birth.