

**Suspend the Rules and Pass the Bill, H. R. 5338, With an  
Amendment**

**(The amendment strikes all after the enacting clause and inserts a  
new text)**

114<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 5338

To reduce passenger wait times at airports, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 26, 2016

Mr. KATKO (for himself, Mr. McCAUL, Mr. KEATING, Mr. KING of New York, Miss RICE of New York, Mr. DONOVAN, Ms. McSALLY, Mr. MARCHANT, Mr. JOYCE, and Mr. DOLD) introduced the following bill; which was referred to the Committee on Homeland Security

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## A BILL

To reduce passenger wait times at airports, 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 “Checkpoint Optimiza-  
5 tion and Efficiency Act of 2016”.

1 **SEC. 2. SENSE OF CONGRESS.**

2 It is the sense of Congress that airport checkpoint  
3 wait times should not take priority over the security of  
4 the Nation's aviation system.

5 **SEC. 3. ENHANCED STAFFING ALLOCATION MODEL.**

6 (a) IN GENERAL.—Not later than 30 days after the  
7 date of the enactment of this Act, the Administrator of  
8 the Transportation Security Administration shall complete  
9 an assessment of the Administration's staffing allocation  
10 model to determine the necessary staffing positions at all  
11 airports in the United States at which the Administration  
12 operates passenger checkpoints.

13 (b) APPROPRIATE STAFFING.—The staffing alloca-  
14 tion model described in subsection (a) shall be based on  
15 necessary staffing levels to maintain minimal passenger  
16 wait times and maximum security effectiveness.

17 (c) ADDITIONAL RESOURCES.—In assessing nec-  
18 essary staffing for minimal passenger wait times and max-  
19 imum security effectiveness referred to in subsection (b),  
20 the Administrator of the Transportation Security Admin-  
21 istration shall include the use of canine explosives detec-  
22 tion teams and technology to assist screeners conducting  
23 security checks.

24 (d) TRANSPARENCY.—The Administrator of the  
25 Transportation Security Administration shall share with

1 aviation security stakeholders the staffing allocation model  
2 described in subsection (a), as appropriate.

3 (e) EXCHANGE OF INFORMATION.—The Adminis-  
4 trator of the Transportation Security Administration shall  
5 require each Federal Security Director to engage on a reg-  
6 ular basis with the appropriate aviation security stake-  
7 holders to exchange information regarding airport oper-  
8 ations, including security operations.

9 (f) GAO REVIEW.—Not later than 180 days after the  
10 date of the enactment of this Act, the Comptroller General  
11 of the United States shall review the staffing allocation  
12 model described in subsection (a) and report to the Com-  
13 mittee on Homeland Security of the House of Representa-  
14 tives and the Committee on Commerce, Science, and  
15 Transportation of the Senate on the results of such review.

16 **SEC. 4. EFFECTIVE UTILIZATION OF STAFFING RE-**  
17 **SOURCES.**

18 (a) IN GENERAL.—To the greatest extent practicable,  
19 the Administrator of the Transportation Security Admin-  
20 istration shall direct that Transportation Security Officers  
21 with appropriate certifications and training are assigned  
22 to passenger and baggage security screening functions and  
23 that other Administration personnel who may not have  
24 certification and training to screen passengers or baggage  
25 are utilized for tasks not directly related to security

1 screening, including restocking bins and providing instruc-  
2 tions and support to passengers in security lines.

3 (b) ASSESSMENT AND REASSIGNMENT.—The Admin-  
4 istrator of the Transportation Security Administration  
5 shall conduct an assessment of headquarters personnel  
6 and reassign appropriate personnel to assist with airport  
7 security screening activities on a permanent or temporary  
8 basis, as appropriate.

9 **SEC. 5. TSA STAFFING AND RESOURCE ALLOCATION.**

10 (a) IN GENERAL.—Not later than 30 days after the  
11 date of the enactment of this Act, the Administrator of  
12 the Transportation Security Administration shall take the  
13 following actions:

14 (1) Utilize the Administration's Behavior De-  
15 tection Officers for passenger and baggage security  
16 screening, including the verification of traveler docu-  
17 ments, particularly at designated PreCheck lanes to  
18 ensure that such lanes are operational for use and  
19 maximum efficiency.

20 (2) Make every practicable effort to grant addi-  
21 tional flexibility and authority to Federal Security  
22 Directors in matters related to checkpoint and  
23 checked baggage staffing allocation and employee  
24 overtime in furtherance of maintaining minimal pas-

1       senger wait times and maximum security effective-  
2       ness.

3           (3) Disseminate to aviation security stake-  
4       holders and appropriate Administration personnel a  
5       list of checkpoint optimization best practices.

6           (4) Expand efforts to increase the public's par-  
7       ticipation in the Administration's PreCheck pro-  
8       gram, including deploying Administration-approved  
9       ready-to-market private sector solutions and offering  
10      secure online and mobile enrollment opportunities.

11          (5) Request the Aviation Security Advisory  
12      Committee (established pursuant to section 44946 of  
13      title 49, United States Code) provide recommenda-  
14      tions on best practices for checkpoint security oper-  
15      ations optimization.

16      (b) STAFFING ADVISORY COORDINATION.—Not later  
17      than 30 days after the date of the enactment of this Act,  
18      the Administrator of the Transportation Security Admin-  
19      istration shall—

20           (1) direct each Federal Security Director to co-  
21      ordinate local representatives of aviation security  
22      stakeholders to establish a staffing advisory working  
23      group at each airport at which the Administration  
24      oversees or performs passenger security screening to  
25      provide recommendations to the Administrator on

1 Transportation Security Officer staffing numbers,  
2 for such airport; and

3 (2) certify to the Committee on Homeland Se-  
4 curity of the House of Representatives and the Com-  
5 mittee on Commerce, Science, and Transportation of  
6 the Senate that such staffing advisory working  
7 groups have been established.

8 (c) REPORTING.—Not later than 60 days after the  
9 date of the enactment of this Act, the Administrator of  
10 the Transportation Security Administration shall—

11 (1) report to the Committee on Homeland Se-  
12 curity of the House of Representatives and the Com-  
13 mittee on Commerce, Science, and Transportation of  
14 the Senate regarding how the Administration’s Pas-  
15 senger Screening Canine assets may be deployed and  
16 utilized for maximum efficiency to mitigate risk and  
17 optimize checkpoint operations; and

18 (2) report to the Committee on Homeland Se-  
19 curity of the House of Representatives and the Com-  
20 mittee on Commerce, Science, and Transportation of  
21 the Senate on the status of the Administration’s  
22 Credential Authentication Technology Assessment  
23 program and how deployment of such program  
24 might optimize checkpoint operations.

1 **SEC. 6. AVIATION SECURITY STAKEHOLDERS DEFINED.**

2 For purposes of this Act, the term “aviation security  
3 stakeholders” shall mean, at a minimum, air carriers, air-  
4 port operators, and labor organizations representing  
5 Transportation Security Officers or, where applicable, con-  
6 tract screeners.

7 **SEC. 7. RULE OF CONSTRUCTION.**

8 Nothing in this Act may be construed as authorizing  
9 or directing the Administrator of the Transportation Secu-  
10 rity Administration to prioritize reducing wait times over  
11 security effectiveness.