

**AMENDMENT IN THE NATURE OF A SUBSTITUTE  
TO H.R. 3202  
OFFERED BY MS. JACKSON LEE OF TEXAS**

Strike all after the enacting clause and insert the following:

**1 SECTION 1. SHORT TITLE.**

2       This Act may be cited as the “Essential Transpor-  
3 tation Worker Identification Credential Assessment Act”.

**4 SEC. 2. COMPREHENSIVE SECURITY ASSESSMENT OF THE  
5                   TRANSPORTATION SECURITY CARD PRO-  
6                   GRAM.**

7       (a) IN GENERAL.—Not later than one year after the  
8 date of enactment of this Act, the Secretary of Homeland  
9 Security shall submit to the Committee on Homeland Se-  
10 curity of the House of Representatives, the Committee on  
11 Commerce, Science, and Transportation of the Senate,  
12 and the Comptroller General of the United States a com-  
13 prehensive assessment of the effectiveness of the transpor-  
14 tation security card program under section 70105 of title  
15 46, United States Code, at enhancing security and reduc-  
16 ing security risks for facilities and vessels regulated pursu-  
17 ant to section 102 of Public Law 107–295. Such assess-  
18 ment shall be conducted by a national laboratory that, to

1 the extent practicable, is within the Department of Home-  
2 land Security laboratory network with expertise in mari-  
3 time security or by a maritime security university-based  
4 center within the Department of Homeland Security cen-  
5 ters of excellence network.

6 (b) CONTENTS.—The comprehensive assessment  
7 shall include—

8 (1) an evaluation of the extent to which the  
9 program, as implemented, addresses known or likely  
10 security risks in the maritime environment;

11 (2) an evaluation of the extent to which defi-  
12 ciencies identified by the Comptroller General have  
13 been addressed; and

14 (3) a cost-benefit analysis of the program, as  
15 implemented.

16 (c) CORRECTIVE ACTION PLAN; PROGRAM RE-  
17 FORMS.—Not later than 60 days after the Secretary sub-  
18 mits the assessment under subsection (a), the Secretary  
19 shall submit a corrective action plan to the Committee on  
20 Homeland Security of the House of Representatives and  
21 the Committee on Commerce, Science, and Transportation  
22 of the Senate that responds to the assessment under sub-  
23 section (b). The corrective action plan shall include an im-  
24 plementation plan with benchmarks and may include pro-

1 grammatic reforms, revisions to regulations, or proposals  
2 for legislation.

3 (d) COMPTROLLER GENERAL REVIEW.—Not later  
4 than 120 days after the Secretary issues the corrective ac-  
5 tion plan under subsection (c), the Comptroller General  
6 shall—

7 (1) review the extent to which such plan imple-  
8 ments—

9 (A) recommendations issued by the na-  
10 tional laboratory or maritime security univer-  
11 sity-based center, as applicable, in the assess-  
12 ment submitted under subsection (a); and

13 (B) recommendations issued by the Comp-  
14 troller General before the enactment of this Act;  
15 and

16 (2) inform the Committee on Homeland Secu-  
17 rity of the House of Representatives and the Com-  
18 mittee on Commerce, Science, and Transportation of  
19 the Senate as to the responsiveness of such plan to  
20 such recommendations.

21 (e) TRANSPORTATION SECURITY CARD READER  
22 RULE.—

23 (1) IN GENERAL.—The Secretary of Homeland  
24 Security may not issue a final rule requiring the use  
25 of transportation security card readers until—

1 (A) the Comptroller General informs the  
2 Committees on Homeland Security of the  
3 House of Representatives and Commerce,  
4 Science and Transportation of the Senate that  
5 the submission under subsection (a) is respon-  
6 sive to the recommendations of the Comptroller  
7 General; and

8 (B) the Secretary issues an updated list of  
9 transportation security card readers that are  
10 compatible with active transportation security  
11 cards.

12 (2) APPLICATION.—Paragraph (1) applies only  
13 to issuance of a rule in a rule making commenced  
14 after the date of the enactment of this Act.

15 (f) COMPTROLLER GENERAL OVERSIGHT.—Not less  
16 than 18 months after the date of the issuance of the cor-  
17 rective action plan under subsection (c), and every six  
18 months thereafter during the 3-year period following the  
19 date of the issuance of the first report under this sub-  
20 section, the Comptroller General shall report to the Com-  
21 mittee on Homeland Security of the House of Representa-  
22 tives and the Committee on Commerce, Science, and  
23 Transportation of the Senate regarding implementation of  
24 the corrective action plan.

