

113TH CONGRESS
1ST SESSION

H. R. 3202

To require the Secretary of Homeland Security to prepare a comprehensive security assessment of the transportation security card program, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 27, 2013

Ms. JACKSON LEE (for herself, Mr. THOMPSON of Mississippi, and Mrs. MILLER of Michigan) introduced the following bill; which was referred to the Committee on Homeland Security

A BILL

To require the Secretary of Homeland Security to prepare a comprehensive security assessment of the transportation security card program, 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 “Essential Transpor-
5 tation Worker Identification Credential Assessment Act”.

1 **SEC. 2. COMPREHENSIVE SECURITY ASSESSMENT OF THE**
2 **TRANSPORTATION SECURITY CARD PRO-**
3 **GRAM.**

4 (a) **IN GENERAL.**—Not later than one year after the
5 date of enactment of this Act, the Secretary of Homeland
6 Security shall submit to the Committee on Homeland Se-
7 curity of the House of Representatives, the Committee on
8 Commerce, Science, and Transportation of the Senate,
9 and the Comptroller General of the United States a com-
10 prehensive assessment of the effectiveness of the transpor-
11 tation security card program under section 70105 of title
12 46, United States Code, at enhancing security or reducing
13 security risks for facilities and vessels regulated pursuant
14 to section 102 of Public Law 107–295, as conducted by
15 an independent not-for-profit laboratory with appropriate
16 expertise.

17 (b) **CONTENTS.**—The comprehensive assessment
18 shall include—

19 (1) an evaluation of the extent to which the
20 program, as implemented, addresses known security
21 risks in the maritime environment;

22 (2) an evaluation of the extent to which internal
23 control deficiencies identified by the Comptroller
24 General have been addressed; and

25 (3) a cost-benefit analysis of the program, as
26 implemented, and a consideration of alternate bio-

1 metric technologies that provide the same or greater
2 security effectiveness, including—

3 (A) technologies and programs, including
4 the biometric entry and exit system required by
5 section 7208 of the Intelligence Reform and
6 Terrorism Prevention Act of 2004 (Public Law
7 108–458; 8 U.S.C. 1365b);

8 (B) technologies and programs operated by
9 United States port facilities and vessels, par-
10 ticularly for purposes of access control to crit-
11 ical infrastructure;

12 (C) international technologies and pro-
13 grams that are operational, particularly for pur-
14 poses of access control to critical infrastructure;
15 and

16 (D) new and emerging technologies.

17 (c) CORRECTIVE ACTION PLAN; PROGRAM RE-
18 FORMS.—Not later than 60 days after the Secretary sub-
19 mits the assessment under subsection (a), the Secretary
20 shall issue a corrective action plan based on such assess-
21 ment that responds to the findings of the cost-benefit
22 analysis under subsection (b)(2) and enhances security or
23 reduces security risk for facilities and vessels referred to
24 in subsection (a). The plan may include programmatic re-
25 forms, revisions to regulations, or proposals for legislation.

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

5 (1) review the extent to which the submissions
6 implement recommendations issued by the Comp-
7 troller General; and

8 (2) inform the Committee on Homeland Secu-
9 rity of the House of Representatives and the Com-
10 mittee on Commerce, Science, and Transportation of
11 the Senate as to the responsiveness of the submis-
12 sion.

13 (e) TRANSPORTATION SECURITY CARD READER
14 RULE.—The Secretary of Homeland Security may not
15 issue a final rule requiring the use of transportation secu-
16 rity card readers until—

17 (1) the Comptroller General informs the Com-
18 mittees on Homeland Security of the House of Rep-
19 resentatives and Commerce, Science and Transpor-
20 tation of the Senate that the submission under sub-
21 section (a) is substantially responsive to the rec-
22 ommendations of the Comptroller General; and

1 (2) the Secretary issues an updated list of
2 transportation security card readers that are com-
3 patible with active transportation security cards.

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