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(Original Signature of Member)

117TH CONGRESS
1ST SESSION

H. R. 1871

To improve the understanding and clarity of Transportation Security Administration policies, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. BISHOP of North Carolina introduced the following bill; which was referred to the Committee on Homeland Security

A BILL

To improve the understanding and clarity of Transportation Security Administration policies, 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 “Transportation Secu-
5 rity Transparency Improvement Act”.

6 **SEC. 2. SENSITIVE SECURITY INFORMATION; INTER-**
7 **NATIONAL AVIATION SECURITY.**

8 (a) SENSITIVE SECURITY INFORMATION.—

1 (1) IN GENERAL.—Not later than 90 days after
2 the date of the enactment of this Act, the Adminis-
3 trator of the Transportation Security Administration
4 (TSA) shall—

5 (A) ensure clear and consistent designation
6 of “Sensitive Security Information”, including
7 reasonable security justifications for such des-
8 ignation;

9 (B) develop and implement a schedule to
10 regularly review and update, as necessary, TSA
11 Sensitive Security Information Identification
12 guidelines;

13 (C) develop a tracking mechanism for all
14 Sensitive Security Information redaction and
15 designation challenges;

16 (D) document justifications for changes in
17 position regarding Sensitive Security Informa-
18 tion redactions and designations, and make
19 such changes accessible to TSA personnel for
20 use with relevant stakeholders, including air
21 carriers, airport operators, surface transpor-
22 tation operators, and State and local law en-
23 forcement, as necessary; and

1 (E) ensure that TSA personnel are ade-
2 quately trained on appropriate designation poli-
3 cies.

4 (2) STAKEHOLDER OUTREACH.—Not later than
5 180 days after the date of the enactment of this Act,
6 the Administrator of the Transportation Security
7 Administration (TSA) shall conduct outreach to rel-
8 evant stakeholders described in paragraph (1)(D)
9 that regularly are granted access to Sensitive Secu-
10 rity Information to raise awareness of the TSA’s
11 policies and guidelines governing the designation and
12 use of Sensitive Security Information.

13 (b) INTERNATIONAL AVIATION SECURITY.—

14 (1) IN GENERAL.—Not later than 60 days after
15 the date of the enactment of this Act, the Adminis-
16 trator of the Transportation Security Administration
17 shall develop and implement guidelines with respect
18 to last point of departure airports to—

19 (A) ensure the inclusion, as appropriate, of
20 air carriers and other transportation security
21 stakeholders in the development and implemen-
22 tation of security directives and emergency
23 amendments;

24 (B) document input provided by air car-
25 riers and other transportation security stake-

1 holders during the security directive and emer-
2 gency amendment, development, and implemen-
3 tation processes;

4 (C) define a process, including time
5 frames, and with the inclusion of feedback from
6 air carriers and other transportation security
7 stakeholders, for cancelling or incorporating se-
8 curity directives and emergency amendments
9 into security programs;

10 (D) conduct engagement with foreign part-
11 ners on the implementation of security direc-
12 tives and emergency amendments, as appro-
13 priate, including recognition if existing security
14 measures at a last point of departure airport
15 are found to provide commensurate security as
16 intended by potential new security directives
17 and emergency amendments; and

18 (E) ensure that new security directives and
19 emergency amendments are focused on defined
20 security outcomes.

21 (2) BRIEFING TO CONGRESS.—Not later than
22 90 days after the date of the enactment of this Act,
23 the Administrator of the Transportation Security
24 Administration shall brief the Committee on Home-
25 land Security of the House of Representatives and

1 the Committee on Commerce, Science, and Trans-
2 portation of the Senate on the guidelines described
3 in paragraph (1).

4 (3) DECISIONS NOT SUBJECT TO JUDICIAL RE-
5 VIEW.—Notwithstanding any other provision of law,
6 any action of the Administrator of the Transpor-
7 tation Security Administration under paragraph (1)
8 is not subject to judicial review.