

**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, conducted by
18 a national laboratory within the Department of Homeland

1 Security laboratory network with expertise in maritime se-
2 curity or by a maritime security university-based center
3 within the Department of Homeland Security centers of
4 excellence network.

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

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

10 (2) an evaluation of the extent to which internal
11 control deficiencies identified by the Comptroller
12 General have been addressed; and

13 (3) a cost-benefit analysis of the program, as
14 implemented, and consideration of the use of alter-
15 nate biometric technologies that provide the same or
16 greater security effectiveness, including—

17 (A) technologies and programs, including
18 the biometric entry and exit system required by
19 section 7208 of the Intelligence Reform and
20 Terrorism Prevention Act of 2004 (Public Law
21 108–458; 8 U.S.C. 1365b);

22 (B) technologies and programs in use at
23 United States port facilities and vessels, par-
24 ticularly for purposes of access control to crit-
25 ical infrastructure;

1 (C) international technologies and pro-
2 grams that are in use, including for purposes of
3 access control to critical infrastructure; and

4 (D) new and emerging technologies.

5 (c) CORRECTIVE ACTION PLAN; PROGRAM RE-
6 FORMS.—Not later than 60 days after the Secretary sub-
7 mits the assessment under subsection (a), the Secretary
8 shall issue a corrective action plan based on such assess-
9 ment that responds to the findings of the cost-benefit
10 analysis under subsection (b)(2) and enhances security or
11 reduces security risk for facilities and vessels referred to
12 in subsection (a). The plan may include programmatic re-
13 forms, revisions to regulations, or proposals for legislation.

14 (d) COMPTROLLER GENERAL REVIEW.—Not later
15 than 120 days after the Secretary issues the corrective ac-
16 tion plan under subsection (c), the Comptroller General
17 shall—

18 (1) review the extent to which the submissions
19 implement recommendations issued by the Comp-
20 troller General; and

21 (2) inform the Committee on Homeland Secu-
22 rity of the House of Representatives and the Com-
23 mittee on Commerce, Science, and Transportation of
24 the Senate as to the responsiveness of the submis-
25 sion.

1 (e) TRANSPORTATION SECURITY CARD READER

2 RULE.—The Secretary of Homeland Security may not
3 issue a final rule requiring the use of transportation secu-
4 rity card readers until—

5 (1) the Comptroller General informs the Com-
6 mittees on Homeland Security of the House of Rep-
7 resentatives and Commerce, Science and Transpor-
8 tation of the Senate that the submission under sub-
9 section (a) is responsive to the recommendations of
10 the Comptroller General; and

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

