To require the implementation of a redress process and review of the Transportation Security Administration’s intelligence-based screening rules for aviation security, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 25, 2017

Mr. Katko (for himself, Mr. McCaul, and Mrs. Watson Coleman) introduced the following bill; which was referred to the Committee on Homeland Security

A BILL

To require the implementation of a redress process and review of the Transportation Security Administration’s intelligence-based screening rules for aviation security, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Traveler Redress Improvement Act of 2017”.
SEC. 2. IMPLEMENTATION OF REDRESS PROCESS AND REVIEW OF THE TRANSPORTATION SECURITY ADMINISTRATION'S INTELLIGENCE-BASED SCREENING RULES FOR AVIATION SECURITY.

(a) Redress Process.—

(1) In general.—Not later than 30 days after the date of the enactment of this Act, the Administrator of the Transportation Security Administration shall, using existing resources, systems, and processes, ensure the availability of the Department of Homeland Security Traveler Redress Inquiry Program (DHS TRIP) redress process to adjudicate inquiries for individuals who—

(A) are citizens of the United States or aliens lawfully admitted for permanent residence;

(B) have filed an inquiry with DHS TRIP after receiving enhanced screening at an airport passenger security checkpoint more than three times in any 60-day period; and

(C) believe they have been wrongly identified as being a threat to aviation security.

(2) Report.—Not later than 180 days after the date of the enactment of this Act, the Administrator of the Transportation Security Administration shall submit to the Committee on Homeland Secu-
rity of the House of Representatives and the Com-
mittee on Commerce, Science, and Transportation of
the Senate a report on the implementation of the re-
dress process required under paragraph (1).

(b) PRIVACY IMPACT REVIEW AND UPDATE.—

(1) IN GENERAL.—Not later than 180 days
after the date of the enactment of this Act, the Ad-
ministrator of the Transportation Security Adminis-
tration shall review and update the Privacy Impact
Assessment for the Secure Flight programs to en-
sure such Assessment accurately reflects the oper-
ation of such programs.

(2) PUBLIC DISSEMINATION.—The Secure
Flight Privacy Impact Assessment review required
under paragraph (1) shall be published on a pub-
lically accessible Internet webpage of the Transpor-
tation Security Administration and submitted to the
Committee on Homeland Security of the House of
Representatives and the Committee on Commerce,
Science, and Transportation of the Senate.

c) TRANSPORTATION SECURITY ADMINISTRATION
RULE REVIEW AND NOTIFICATION PROCESS.—

(1) RULE REVIEW.—Not later than 60 days
after the date of the enactment of this Act and every
120 days thereafter, the Assistant Administrator of
the Office of Intelligence Analysis of the Transportation Security Administration, in coordination with the entities specified in paragraph (2), shall conduct a comprehensive review of the Transportation Security Administration’s intelligence-based screening rules.

(2) Notification process.—Not later than 48 hours after changing, updating, implementing, or suspending a Transportation Security Administration intelligence-based screening rule, the Assistant Administrator of the Office of Intelligence Analysis of the Transportation Security Administration shall notify the following entities of any such change, update, implementation, or suspension, as the case may be:

(A) The Office of Civil Rights and Liberties of the Transportation Security Administration.

(B) The Office of the Ombudsman of the Administration.

(C) The Office of Traveler Engagement of the Administration.

(E) The Office of Chief Counsel of the Administration.

(F) The Office of General Counsel of the Department.

(G) The Privacy Office of the Administration.

(H) The Privacy Office of the Department.

(I) The Federal Air Marshal Service.

(J) The Traveler Redress Inquiry Program of the Department.

(d) **FEDERAL AIR MARSHAL SERVICE COORDINATION.**

(1) **IN GENERAL.**—The Administrator of the Transportation Security Administration shall ensure that the Transportation Security Administration’s intelligence-based screening rules are incorporated in the risk analysis conducted during the Federal Air Marshal mission scheduling process.

(2) **REPORT.**—Not later than 180 days after the date of the enactment of this Act, the Administrator of the Transportation Security Administration shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on how the Transportation Se-
security Administration's intelligence-based screening rules are incorporated in the risk analysis conducted during the Federal Air Marshal mission scheduling process.

(e) GAO REPORT.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a study on the Transportation Security Administration’s intelligence-based screening rules and the effectiveness of such rules in identifying and mitigating potential threats to aviation security. Such study shall also examine coordination between the Transportation Security Administration, the Department of Homeland Security, and other relevant partners relating to changing, updating, implementing, or suspending such rules as necessary.