

COMMITTEE PRINT

1 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

2 (a) **SHORT TITLE.**—This Act may be cited as the
3 “Transportation Security Administration Reform and Im-
4 provement Act of 2015”.

5 (b) **TABLE OF CONTENTS.**—The table of contents of
6 this Act is as follows:

Sec. 1. Short title; Table of contents.
Sec. 2. Definitions.

TITLE I—AVIATION SECURITY

Sec. 101. TSA PreCheck.
Sec. 102. PreCheck and general passenger biometric identification.
Sec. 103. Secure Flight program.
Sec. 104. Efficiency review by Assistant Secretary.
Sec. 105. Donation of screening equipment to protect the United States.
Sec. 106. Review of sustained security directives.

TITLE II—SURFACE TRANSPORTATION SECURITY

Sec. 201. Surface Transportation Inspectors.
Sec. 202. Repeal of biennial reporting requirement for the Government Ac-
countability Office relating to the Transportation Security In-
formation Sharing Plan.
Sec. 203. Repeal of frontline employee training requirements.

7 **SEC. 2. DEFINITIONS.**

8 In this Act:

9 (1) **ADMINISTRATION; TSA.**—The terms “Ad-
10 ministration” and “TSA” mean the Transportation
11 Security Administration.

12 (2) **ADMINISTRATOR.**—The term “Adminis-
13 trator” means the Administrator of the Transpor-
14 tation Security Administration.

1 (3) INTELLIGENCE COMMUNITY.—The term
2 “intelligence community” has the meaning given
3 such term in section 3(4) of the National Security
4 Act of 1947 (50 U.S.C. 3003(4)).

5 (4) DEPARTMENT.—The term “Department”
6 means the Department of Homeland Security.

7 **TITLE I—AVIATION SECURITY**

8 **SEC. 101. TSA PRECHECK.**

9 (a) TSA PRECHECK.—The Administrator shall—

10 (1) ensure that all screening of passengers and
11 their accessible property shall be conducted in a
12 risk-based, intelligence-driven manner with consider-
13 ation given to the privacy and civil liberties of such
14 passengers; and

15 (2) operate a trusted passenger program known
16 as “TSA PreCheck” that provides expedited screen-
17 ing for low-risk passengers and their accessible prop-
18 erty based on a comprehensive and continuous anal-
19 ysis of factors specified in subsection (b).

20 (b) FACTORS.—Factors referred to in subsection
21 (a)(2) shall include the following:

22 (1) Whether passengers described in such sub-
23 section are members of other trusted traveler pro-
24 grams of the Department.

1 (2) Whether such passengers are traveling pur-
2 suant to subsection (m) of section 44903 of title 49,
3 United States Code (as established under the Risk-
4 Based Security for Members of the Armed Forces
5 Act (Public Law 112–86)), section 44927 of such
6 title (as established under the Helping Heroes Fly
7 Act (Public Law 113–27)), or section 44928 of such
8 title (as established under the Honor Flight Act
9 (Public Law 113–221)).

10 (3) Whether such passengers possess an active
11 security clearance issued by the Federal Govern-
12 ment.

13 (4) The ability of the Administration to verify
14 such passengers’ identity and whether such pas-
15 sengers pose a risk to aviation security.

16 (5) Threats to aviation as identified by the in-
17 telligence community and United States law enforce-
18 ment communities.

19 **SEC. 102. PRECHECK AND GENERAL PASSENGER BIOMET-**
20 **RIC IDENTIFICATION.**

21 (a) **IN GENERAL.**—Not later than one year after the
22 date of enactment of this Act, the Administrator shall con-
23 duct a pilot project to establish a secure, automated, bio-
24 metric-based system at airports to verify the identity of

1 passengers who are members of TSA PreCheck. Such sys-
2 tem shall—

3 (1) reduce the need for security screening per-
4 sonnel to perform travel document verification for
5 individuals enrolled in TSA PreCheck;

6 (2) reduce the average wait-time of individuals
7 enrolled in TSA PreCheck;

8 (3) reduce overall operating expenses of the Ad-
9 ministration;

10 (4) be integrated with the Administration's
11 watch list matching program;

12 (5) be integrated with other checkpoint tech-
13 nologies to further facilitate risk-based passenger
14 screening at the checkpoint, to the extent prac-
15 ticable; and

16 (6) borrow capabilities and policies of U.S. Cus-
17 toms and Border Protection's Global Entry Pro-
18 gram, as appropriate, including with respect to the
19 handling of minors.

20 (b) ESTABLISHMENT OF SCREENING SYSTEM FOR
21 CERTAIN PASSENGERS.—Section 44901 of title 49,
22 United States Code is amended—

23 (1) by redesignating subsections (c) through (l)
24 as subsections (d) through (m), respectively; and

1 (2) by inserting after subsection (b) the fol-
2 lowing new subsection:

3 “(c) ESTABLISHMENT OF SCREENING SYSTEM FOR
4 CERTAIN PASSENGERS.—Not later than December 31,
5 2017, in accordance with the requirements of the Trans-
6 portation Security Administration Reform and Improve-
7 ment Act of 2015, the Administrator of the Transpor-
8 tation Security Administration shall establish a secure,
9 automated system at all large hub airports for verifying
10 travel and identity documents of passengers who are not
11 members of the Administration’s risk-based aviation pas-
12 senger screening program, known as ‘TSA PreCheck’.
13 Such system shall—

14 “(1) reduce the need for security screening per-
15 sonnel to perform travel document verification for
16 such passengers, thereby reducing the overall num-
17 ber of such screening personnel;

18 “(2) reduce the average wait time of such pas-
19 sengers;

20 “(3) reduce overall operating expenses of the
21 Administration;

22 “(4) be integrated with the Administration’s
23 watch list matching program; and

24 “(5) be integrated with other checkpoint tech-
25 nologies to further facilitate risk-based passenger

1 screening at the checkpoint, to the extent prac-
2 ticable.”.

3 **SEC. 103. SECURE FLIGHT PROGRAM.**

4 Not later than 90 days after the date of the enact-
5 ment of this Act, the Administrator shall—

6 (1) develop a process for regularly evaluating
7 the root causes of screening errors at checkpoints
8 across airports so that corrective measures are able
9 to be identified;

10 (2) implement such corrective measures to ad-
11 dress the root causes of such screening errors occur-
12 ring at the checkpoint;

13 (3) develop additional measures to address key
14 performance aspects related to the Secure Flight
15 program goals and ensure that such measures clear-
16 ly identify activities necessary to achieve progress to-
17 wards such goals;

18 (4) develop a mechanism to systematically docu-
19 ment the number and causes of Secure Flight pro-
20 gram matching errors for the purpose of improving
21 program performance and provide program man-
22 agers with timely and reliable information;

23 (5) provide job-specific privacy refresher train-
24 ing for Secure Flight program staff to further pro-

1 tect personally identifiable information in the Secure
2 Flight system program; and

3 (6) develop a mechanism to comprehensively
4 document and track key Secure Flight program pri-
5 vacy issues and decisions to ensure the Secure
6 Flight program has complete information for effec-
7 tive oversight of its privacy controls.

8 **SEC. 104. EFFICIENCY REVIEW BY TSA.**

9 (a) REVIEW REQUIRED.—Not later than 270 days
10 after the date of the enactment of this Act, the Adminis-
11 trator shall conduct and complete a comprehensive, agen-
12 cy-wide efficiency review of the Administration to identify
13 and effectuate spending reductions and administrative
14 savings through the streamlining and any necessary re-
15 structuring of agency divisions to make the Administra-
16 tion more efficient. In carrying out the review under this
17 section, the Administrator shall consider each of the fol-
18 lowing:

19 (1) The elimination of any duplicative or over-
20 lapping programs and initiatives that can be stream-
21 lined.

22 (2) The elimination of any unnecessary or obso-
23 lete rules, regulations, directives, or procedures.

24 (3) The reduction of the workforce over a set
25 period of time through natural attrition, as a direct

1 result of efficiencies gained through the implementa-
2 tion of risk-based screening or through any other
3 means as determined by the Administrator.

4 (4) Any other matters the Administrator deter-
5 mines are appropriate.

6 (b) REPORT TO CONGRESS.—Not later than 30 days
7 after the completion of the efficiency review required
8 under subsection (a), the Administrator shall submit to
9 the Committee on Homeland Security of the House of
10 Representatives and the Committee on Homeland Security
11 and Governmental Affairs and the Committee on Com-
12 merce, Science, and Transportation of the Senate a report
13 that specifies the results and cost savings expected to be
14 achieved through such efficiency review.

15 **SEC. 105. DONATION OF SCREENING EQUIPMENT TO PRO-**
16 **TECT THE UNITED STATES.**

17 (a) IN GENERAL.—The Administrator is authorized
18 to donate security-screening equipment to a foreign last
19 point of departure airport operator if such equipment can
20 be reasonably expected to mitigate a specific threat to the
21 security of the United States or United States citizens.

22 (b) REPORT TO CONGRESS.—Not later than 30 days
23 before any donation of equipment under this section, the
24 Administrator shall provide to the Committee on Home-
25 land Security of the House of Representatives and the

1 Committee on Homeland Security and Governmental Af-
2 fairs and the Committee on Commerce, Science, and
3 Transportation of the Senate a detailed written expla-
4 nation of—

5 (1) the specific threat to the United States that
6 will be mitigated with such donation;

7 (2) an explanation as to why the recipient is
8 unable or unwilling to purchase equipment to miti-
9 gate such threat;

10 (3) an evacuation plan for sensitive technologies
11 in case of emergency or instability in the country to
12 which such donation is being made;

13 (4) how the Administration will ensure the
14 equipment that is being donated is used and main-
15 tained over the course of its life by the recipient;
16 and

17 (5) the total dollar value of such donation.

18 **SEC. 106. REVIEW OF SUSTAINED SECURITY DIRECTIVES.**

19 (a) IN GENERAL.—Not later than 90 days after the
20 date of the enactment of this Act and annually thereafter,
21 for any security directive that has been in effect for longer
22 than one year, the Administrator shall review the necessity
23 of such directives, from a risk-based perspective.

24 (b) BRIEFING TO CONGRESS.—Upon completion of
25 each review pursuant to subsection (a), the Administrator

1 shall brief the Committee on Homeland Security of the
2 House of Representatives and the Committee on Home-
3 land Security and Governmental Affairs and the Com-
4 mittee on Commerce, Science, and Transportation of the
5 Senate on—

6 (1) any changes being made to existing security
7 directives as a result of each such review;

8 (2) the specific threat that is being mitigated
9 by any directive that will remain in effect; and

10 (3) the rationale for not going through the for-
11 mal rulemaking process for any directive that will
12 remain in effect.

13 **TITLE II—SURFACE** 14 **TRANSPORTATION SECURITY**

15 **SEC. 201. SURFACE TRANSPORTATION INSPECTORS.**

16 (a) IN GENERAL.—Section 1304(d) of the Imple-
17 menting Recommendations of the 9/11 Commission Act of
18 2007 (6 U.S.C. 1113; Public Law 110–53) is amended—

19 (1) by inserting “surface” after “relevant”; and

20 (2) by striking “, as determined appropriate”.

21 (b) REPORT TO CONGRESS.—Not later than one year
22 after the date of the enactment of this Act, the Comp-
23 troller General of the United States shall submit to the
24 Committee on Homeland Security of the House of Rep-
25 resentatives and the Committee on Homeland Security

1 and Governmental Affairs and the Committee on Com-
2 merce, Science, and Transportation of the Senate a report
3 on the efficiency and effectiveness of the Administration's
4 Surface Transportation Security Inspectors Program
5 under subsection (d) of section 1304 of the Implementing
6 Recommendations of the 9/11 Commission Act of 2007 (6
7 U.S.C. 1113; Public Law 110–53).

8 (c) CONTENTS.—The report required under sub-
9 section (b) shall include a review of the following:

10 (1) The roles and responsibilities of surface
11 transportation security inspectors.

12 (2) The extent to which the TSA has used a
13 risk-based, strategic approach to determine the ap-
14 propriate number of surface transportation security
15 inspectors and resource allocation across field of-
16 fices.

17 (3) Whether TSA's surface transportation regu-
18 lations are risk-based and whether surface transpor-
19 tation security inspectors have adequate experience
20 and training to perform their day-to-day responsibil-
21 ities.

22 (4) Feedback from regulated surface transpor-
23 tation industry stakeholders on the benefit of surface
24 transportation security inspectors to the overall se-
25 curity of the surface transportation systems of such

1 stakeholders and the consistency of regulatory en-
2 forcement.

3 (5) Whether surface transportation security in-
4 spectors have appropriate qualifications to help se-
5 cure and inspect surface transportation systems.

6 (6) Whether TSA measures the effectiveness of
7 surface transportation security inspectors.

8 (7) Any overlap between the TSA and the De-
9 partment of Transportation as such relates to sur-
10 face transportation security inspectors in accordance
11 with section 1310 of the Implementing Rec-
12 ommendations of the 9/11 Commission Act of 2007
13 (6 U.S.C. 1117; Public Law 110–53).

14 **SEC. 202. REPEAL OF BIENNIAL REPORTING REQUIREMENT**
15 **FOR THE GOVERNMENT ACCOUNTABILITY**
16 **OFFICE RELATING TO THE TRANSPORTATION**
17 **SECURITY INFORMATION SHARING PLAN.**

18 Subsection (u) of section 114 of title 49, United
19 States Code, is amended by—

20 (1) striking paragraph (7); and

21 (2) redesignating paragraphs (8) and (9) as
22 paragraphs (7) and (8), respectively.

1 **SEC. 203. REPEAL OF FRONTLINE EMPLOYEE TRAINING RE-**
2 **QUIREMENTS.**

3 Sections 1408 (6 U.S.C. 1137), 1411 (6 U.S.C.
4 1140), 1520, and 1534 (6 U.S.C. 1184) of the Imple-
5 menting Recommendations of the 9/11 Commission Act of
6 2007 (Public Law 110–53) are repealed.