

Calendar No. 444115TH CONGRESS
2^D SESSION**S. 1872****[Report No. 115–266]**

To authorize the programs of the Transportation Security Administration relating to transportation security, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 27, 2017

Mr. THUNE (for himself, Mr. NELSON, Mr. BLUNT, and Ms. CANTWELL) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

JUNE 6, 2018

Reported by Mr. THUNE, with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]**A BILL**

To authorize the programs of the Transportation Security Administration relating to transportation security, 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,*

1 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS; REF-**
 2 **ERENCES.**

3 (a) **SHORT TITLE.**—This Act may be cited as the
 4 “TSA Modernization Act”.

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

Sec. 1. Short title; table of contents; references.

Sec. 2. Definitions.

TITLE I—ORGANIZATION AND AUTHORIZATIONS

Sec. 101. Authorization of appropriations.

Sec. 102. Administrator of the Transportation Security Administration; five-year term.

Sec. 103. Transportation Security Administration organization.

Sec. 104. Transmittals to Congress.

TITLE II—AVIATION SECURITY

Subtitle A—Security Technology

Sec. 211. Third party testing and evaluation of screening technology.

Sec. 212. Reciprocal recognition of security standards.

Sec. 213. Transportation Security Laboratory.

Sec. 214. Innovation Task Force.

Sec. 215. 5-Year technology investment plan update.

Sec. 216. Biometrics expansion.

Sec. 217. Pilot program for automated exit lane technology.

Sec. 218. Authorization of appropriations; exit lane security.

Sec. 219. Real-time security checkpoint wait times.

Sec. 220. GAO report on universal deployment of advanced imaging technologies.

Subtitle B—Public Area Security

Sec. 221. Third party canines.

Sec. 222. Tracking and monitoring of canine training and testing.

Sec. 223. VIPR team statistics.

Sec. 224. Public area best practices.

Sec. 225. Law Enforcement Officer Reimbursement Program.

Subtitle C—Passenger and Cargo Security

Sec. 231. PreCheck Program.

Sec. 232. Trusted traveler programs; collaboration.

Sec. 233. Passenger security fee.

Sec. 234. Third party canine teams for air cargo security.

Sec. 235. Known Shipper Program review.

Sec. 236. Screening partnership program updates.

Sec. 237. Screening performance assessments.

Sec. 238. TSA Academy review.

Subtitle D—Foreign Airport Security

Sec. 241. Last point of departure airports; security directives.

Sec. 242. Tracking security screening equipment from last point of departure airports.

Sec. 243. International security standards.

Subtitle E—Cockpit and Cabin Security

Sec. 251. Federal air marshal service updates.

Sec. 252. Crew member self-defense training.

Sec. 253. Flight deck safety and security.

Sec. 254. Carriage of weapons, explosives, and incendiaries by individuals.

TITLE III—CONFORMING AND MISCELLANEOUS AMENDMENTS

Sec. 301. Title 49 amendments.

Sec. 302. Table of contents of chapter 449.

Sec. 303. Other laws; Intelligence Reform and Terrorism Prevention Act of 2004.

Sec. 304. Savings provisions.

1 (c) REFERENCES TO TITLE 49, UNITED STATES
2 CODE.—Except as otherwise expressly provided, wherever
3 in this Act an amendment or repeal is expressed in terms
4 of an amendment to, or repeal of, a section or other provi-
5 sion, the reference shall be considered to be made to a
6 section or other provision of title 49, United States Code.

7 **SEC. 2. DEFINITIONS.**

8 In this Act:

9 (1) ADMINISTRATOR.—The term “Adminis-
10 trator” means the Administrator of the TSA.

11 (2) APPROPRIATE COMMITTEES OF CON-
12 GRESS.—The term “appropriate committees of Con-
13 gress” means—

14 (A) the Committee on Commerce, Science,
15 and Transportation of the Senate;

1 (B) the Committee on Homeland Security
2 and Governmental Affairs of the Senate; and

3 (C) the Committee on Homeland Security
4 of the House of Representatives.

5 (3) ASAC.—The term “ASAC” means the
6 Aviation Security Advisory Committee established
7 under section 44946 of title 49, United States Code.

8 (4) SECRETARY.—The term “Secretary” means
9 the Secretary of Homeland Security.

10 (5) TSA.—The term “TSA” means the Trans-
11 portation Security Administration.

12 **TITLE I—ORGANIZATION AND** 13 **AUTHORIZATIONS**

14 **SEC. 101. AUTHORIZATION OF APPROPRIATIONS.**

15 Section 114(w) is amended to read as follows:

16 “(w) AUTHORIZATION OF APPROPRIATIONS.—There
17 are authorized to be appropriated to the Transportation
18 Security Administration for salaries, operations, and
19 maintenance of the Administration—

20 “(1) \$7,810,196,000 for fiscal year 2018;

21 “(2) \$7,849,247,000 for fiscal year 2019; and

22 “(3) \$7,888,494,000 for fiscal year 2020.”.

1 **SEC. 102. ADMINISTRATOR OF THE TRANSPORTATION SE-**
2 **CURITY ADMINISTRATION; FIVE-YEAR TERM.**

3 (a) **IN GENERAL.**—Section 114, as amended by sec-
4 tion 101, is further amended—

5 (1) in subsection (a), by striking “Department
6 of Transportation” and inserting “Department of
7 Homeland Security”;

8 (2) by amending subsection (b) to read as fol-
9 lows:

10 “(b) **LEADERSHIP.**—

11 “(1) **HEAD OF TRANSPORTATION SECURITY AD-**
12 **MINISTRATION.**—

13 “(A) **APPOINTMENT.**—The head of the Ad-
14 ministration shall be the Administrator of the
15 Transportation Security Administration (re-
16 ferred to in this section as the ‘Administrator’).
17 The Administrator shall be appointed by the
18 President, by and with the advice and consent
19 of the Senate.

20 “(B) **QUALIFICATIONS.**—The Adminis-
21 trator must—

22 “(i) be a citizen of the United States;
23 and

24 “(ii) have experience in a field directly
25 related to transportation or security.

1 “(C) TERM.—Effective with respect to any
2 individual appointment by the President, by and
3 with the advice and consent of the Senate, after
4 August 1, 2017, the term of office of an indi-
5 vidual appointed as the Administrator shall be
6 5 years.

7 “(2) DEPUTY ADMINISTRATOR.—

8 “(A) APPOINTMENT.—There is established
9 in the Transportation Security Administration a
10 Deputy Administrator, who shall assist the Ad-
11 ministrator in the management of the Trans-
12 portation Security Administration. The Deputy
13 Administrator shall be appointed by the Presi-
14 dent. The Deputy Administrator shall be Acting
15 Administrator during the absence or incapacity
16 of the Administrator or during a vacancy in the
17 office of Administrator.

18 “(B) QUALIFICATIONS.—The Deputy Ad-
19 ministrator must—

20 “(i) be a citizen of the United States;

21 and

22 “(ii) have experience in a field directly
23 related to transportation or security.”;

1 (3) in subsections (e) through (n), (p), (q), and
 2 (r), by striking “Under Secretary” each place it ap-
 3 pears and inserting “Administrator”; and

4 (4) by amending subsection (d) to read as fol-
 5 lows:

6 “(d) FUNCTIONS.—The Administrator shall be re-
 7 sponsible for—

8 “(1) carrying out chapter 449, relating to civil
 9 aviation security, and related research and develop-
 10 ment activities;

11 “(2) security in land-based transportation, in-
 12 cluding railroad, highway, pipeline, public transpor-
 13 tation, and over-the-road bus; and

14 “(3) supporting the Coast Guard with maritime
 15 security.”.

16 (b) TECHNICAL AND CONFORMING AMENDMENTS.—
 17 Section 114, as amended by subsection (a), is further
 18 amended—

19 (1) in subsection (g)—

20 (A) in paragraph (1)—

21 (i) in the matter preceding subpara-
 22 graph (A), by striking “Subject to the di-
 23 rection and control of the Secretary” and
 24 inserting “Subject to the direction and

1 control of the Secretary of Homeland Se-
2 curity”; and

3 (ii) in subparagraph (D), by inserting
4 “of Homeland Security” after “Secretary”;
5 and

6 (B) in paragraph (3), by inserting “of
7 Homeland Security” after “Secretary”;

8 (2) in subsection (j)(1)(D), by inserting “of
9 Homeland Security” after “Secretary”;

10 (3) in subsection (k), by striking “functions
11 transferred, on or after the date of enactment of the
12 Aviation and Transportation Security Act,” and in-
13 serting “functions assigned”;

14 (4) in subsection (l)(4)(B), by striking “Admin-
15 istrator under subparagraph (A)” and inserting
16 “Administrator of the Federal Aviation Administra-
17 tion under subparagraph (A)”;

18 (5) in subsection (n), by striking “Department
19 of Transportation” and inserting “Department of
20 Homeland Security”;

21 (6) in subsection (o), by striking “Department
22 of Transportation” and inserting “Department of
23 Homeland Security”;

1 (7) in subsection (p)(4), by striking “Secretary
2 of Transportation” and inserting “Secretary of
3 Homeland Security”;

4 (8) in subsection (s)—

5 (A) in paragraph (3)(B), by inserting “)”
6 after “Act of 2007”; and

7 (B) in paragraph (4)—

8 (i) in the heading, by striking “SUB-
9 MISSIONS OF PLANS TO CONGRESS” and
10 inserting “SUBMISSION OF PLANS”;

11 (ii) by striking subparagraph (A);

12 (iii) by redesignating subparagraphs
13 (B) through (E) as subparagraphs (A)
14 through (D), respectively;

15 (iv) in subparagraph (A), as redesign-
16 nated—

17 (I) in the heading, by striking
18 “SUBSEQUENT VERSIONS” and insert-
19 ing “IN GENERAL”; and

20 (II) by striking “After December
21 31, 2015, the” and inserting “The”;
22 and

23 (v) in subparagraph (B)(ii)(III)(cc),
24 as redesignated, by striking “for the De-

1 partment” and inserting “for the Depart-
2 ment of Homeland Security”;

3 (9) by redesignating subsections (u), (v), and
4 (w) as subsections (t), (u), and (v), respectively;

5 (10) in subsection (t), as redesignated—

6 (A) in paragraph (1)—

7 (i) by striking subparagraph (D); and

8 (ii) by redesignating subparagraph
9 (E) as subparagraph (D);

10 (B) in paragraph (2), by inserting “of
11 Homeland Security” after “Secretary”;

12 (C) in paragraph (4)(B)—

13 (i) by inserting “of Homeland Secu-
14 rity” after “Department”; and

15 (ii) by inserting “of Homeland Secu-
16 rity” after “Secretary”;

17 (D) by amending paragraph (6) to read as
18 follows:

19 “(6) ANNUAL REPORT ON PLAN.—The Sec-
20 retary of Homeland Security shall annually submit
21 to the appropriate congressional committees a report
22 containing the Plan.”; and

23 (E) in paragraphs (7) and (8), by inserting
24 “of Homeland Security” after “Secretary”; and

25 (11) in subsection (u), as redesignated—

1 (A) in paragraph (1)—

2 (i) in subparagraph (B), by inserting
3 “or the Administrator” after “Secretary of
4 Homeland Security”; and

5 (ii) in subparagraph (C)(ii), by strik-
6 ing “Secretary’s designee” and inserting
7 “Secretary of Defense’s designee”;

8 (B) in subparagraphs (B), (C), (D), and
9 (E) of paragraph (3), by inserting “of Home-
10 land Security” after “Secretary” each place it
11 appears;

12 (C) in paragraph (4)(A), by inserting “of
13 Homeland Security” after “Secretary”;

14 (D) in paragraph (5), by inserting “of
15 Homeland Security” after “Secretary”; and

16 (E) in paragraph (7)—

17 (i) in subparagraph (A), by striking
18 “Not later than December 31, 2008, and
19 annually thereafter, the Secretary” and in-
20 sserting “The Secretary of Homeland Secu-
21 rity shall”; and

22 (ii) by striking subparagraph (D).

23 (e) EXECUTIVE SCHEDULE.—

24 (1) ADMINISTRATOR OF THE TSA.—

1 (A) POSITIONS AT LEVEL II.—Section
 2 5313 of title 5, United States Code, is amended
 3 by inserting after the item relating to the
 4 Under Secretary of Homeland Security for
 5 Management the following:

6 “Administrator of the Transportation Security Ad-
 7 ministration.”.

8 (B) BONUS ELIGIBILITY.—Section
 9 101(e)(2) of the Aviation and Transportation
 10 Security Act (5 U.S.C. 5313 note) is amend-
 11 ed—

12 (i) by striking “Under Secretary” and
 13 inserting “Administrator of the Transpor-
 14 tation Security Administration”; and

15 (ii) by inserting “of Homeland Secu-
 16 rity” after “Secretary”.

17 (2) DEPUTY ADMINISTRATOR OF THE TSA.—
 18 Section 5315 of title 5, United States Code, is
 19 amended by inserting after the item relating to the
 20 Deputy Administrator, Federal Aviation Administra-
 21 tion the following:

22 “Deputy Administrator, Transportation Security Ad-
 23 ministration.”.

1 **SEC. 103. TRANSPORTATION SECURITY ADMINISTRATION**
 2 **ORGANIZATION.**

3 Section 114, as amended by sections 101 and 102,
 4 is further amended by adding at the end the following:

5 “(w) **LEADERSHIP AND ORGANIZATION.**—

6 “(1) **IN GENERAL.**—For each of the areas de-
 7 scribed in paragraph (2), the Administrator of the
 8 Transportation Security Administration shall ap-
 9 point at least 1 individual who shall—

10 “(A) report directly to the Administrator
 11 or the Administrator’s designated direct report;
 12 and

13 “(B) be responsible and accountable for
 14 that area.

15 “(2) **AREAS DESCRIBED.**—The areas described
 16 in this paragraph are as follows:

17 “(A) Aviation security operations and
 18 training, including risk-based, adaptive security
 19 focused on airport checkpoint and baggage
 20 screening operations, cargo inspections, work-
 21 force training and development programs, and
 22 other specialized programs designed to secure
 23 air transportation.

24 “(B) Surface transportation security oper-
 25 ations and training, including risk-based, adapt-
 26 ive security focused on accomplishing security

1 systems assessments, reviewing and prioritizing
2 projects for appropriated surface transportation
3 security grants, operator compliance with vol-
4 untary industry standards, workforce training
5 and development programs, and other special-
6 ized programs designed to secure surface trans-
7 portation.

8 “(C) Security policy and industry engage-
9 ment and planning, including the development,
10 interpretation, promotion, and oversight of a
11 unified effort regarding risk-based, risk-reduc-
12 ing security policies and plans (including stra-
13 tegic planning for future contingencies and se-
14 curity challenges) between government and
15 transportation stakeholders, including airports,
16 domestic and international airlines, general
17 aviation, air cargo, mass transit and passenger
18 rail, freight rail, pipeline, highway and motor
19 carriers, and maritime.

20 “(D) International strategy and oper-
21 ations, including agency efforts to work with
22 international partners to secure the global
23 transportation network.

24 “(E) Trusted and registered traveler pro-
25 grams, including the management and mar-

1 keting of the agency’s trusted traveler initia-
2 tives, including the PreCheck Program, and co-
3 ordination with trusted traveler programs of
4 other Department of Homeland Security agen-
5 cies and the private sector.

6 “(F) Technology acquisition and deploy-
7 ment, including the oversight, development,
8 testing, evaluation, acquisition, deployment, and
9 maintenance of security technology and other
10 acquisition programs.

11 “(G) Inspection and compliance, including
12 the integrity, efficiency and effectiveness of the
13 agency’s workforce, operations, and programs
14 through objective audits, covert testing, inspec-
15 tions, criminal investigations, and regulatory
16 compliance.

17 “(H) Civil rights, liberties, and traveler en-
18 gagement, including ensuring that agency em-
19 ployees and the traveling public are treated in
20 a fair and lawful manner consistent with federal
21 laws and regulations protecting privacy and
22 prohibiting discrimination and reprisal.

23 “(I) Legislative and public affairs, includ-
24 ing communication and engagement with inter-
25 nal and external audiences in a timely, accu-

1 rate, and transparent manner, and development
2 and implementation of strategies within the
3 agency to achieve congressional approval or au-
4 thorization of agency programs and policies.

5 “(3) NOTIFICATION.—The Administrator shall
6 transmit to the appropriate committees of Con-
7 gress—

8 “(A) not later than 180 days after the date
9 of enactment of the TSA Modernization Act, a
10 list of the names of the individuals appointed
11 under paragraph (1); and

12 “(B) an update of the list not later than
13 5 days after any new individual is appointed
14 under paragraph (1).”.

15 **SEC. 104. TRANSMITTALS TO CONGRESS.**

16 With regard to each report, legislative proposal, or
17 other communication of the Executive Branch related to
18 the TSA and required to be submitted to Congress or the
19 appropriate committees of Congress, the Administrator
20 shall transmit such communication directly to the appro-
21 priate committees of Congress.

1 **TITLE II—AVIATION SECURITY**

2 **Subtitle A—Security Technology**

3 **SEC. 211. THIRD PARTY TESTING AND EVALUATION OF**
4 **SCREENING TECHNOLOGY.**

5 (a) IN GENERAL.—In carrying out the responsibil-
6 ities under section 114(e)(1), the Administrator shall de-
7 velop and implement, not later than 1 year after the date
8 of enactment of this Act, a program to enable a vendor
9 of related screening technology to obtain testing and
10 verification, including as an alternative to the TSA’s test
11 and evaluation process, by an appropriate third party, of
12 such technology before acquisition or deployment.

13 (b) DETECTION TESTING.—

14 (1) IN GENERAL.—The third party testing and
15 verification program authorized under subsection (a)
16 shall include detection testing to evaluate the per-
17 formance of the security technology system regard-
18 ing the probability of detection, the probability of
19 false alarm, and such other indicators that the sys-
20 tem is able to meet the TSA’s mission needs.

21 (2) COORDINATION WITH FINAL QUALIFICATION
22 PROCESSES.—To the extent practicable, but without
23 compromising the integrity of the TSA test and eval-
24 uation process, the Administrator shall coordinate
25 the third party detection testing under paragraph

1 (1) with subsequent final Federal Government quali-
2 fication processes.

3 (3) RESULTS.—The results of the third party
4 detection testing under paragraph (1) shall be con-
5 sidered final if the results are approved by the Ad-
6 ministration in accordance with approval standards
7 developed by the Administrator.

8 (4) INTERNATIONAL STANDARDS.—To the ex-
9 tent practicable and permissible under law, the Ad-
10 ministrator shall—

11 (A) share detection testing information
12 and standards with appropriate international
13 partners; and

14 (B) coordinate with the appropriate inter-
15 national partners to harmonize TSA testing and
16 evaluation with relevant international standards
17 to maximize the capability to detect explosives
18 and other threats.

19 (c) OPERATIONAL TESTING.—

20 (1) IN GENERAL.—Subject to paragraph (2),
21 the third party testing and verification program au-
22 thorized under subsection (a) shall include oper-
23 ational testing.

24 (2) LIMITATION.—Third party operational test-
25 ing under paragraph (1) may not exceed 1 year.

1 (d) ~~ALTERNATIVE.~~—Third party testing under sub-
 2 section (a) shall replace as an alternative, at the discretion
 3 of the Administrator, the testing at the Transportation
 4 Systems Integration Facility, including operational testing
 5 for—

6 (1) health and safety factors;

7 (2) operator interface;

8 (3) human factors;

9 (4) environmental factors;

10 (5) throughput; and

11 (6) baggage handling systems.

12 (c) ~~TESTING AND VERIFICATION FRAMEWORK.~~—

13 (1) ~~IN GENERAL.~~—The Administrator shall—

14 (A) establish a framework for the third
 15 party testing and for verifying a security tech-
 16 nology is operationally effective and able to
 17 meet the TSA’s mission needs before it may
 18 enter or re-enter, as applicable, the operational
 19 context at an airport or other transportation fa-
 20 cility; and

21 (B) use phased implementation to allow
 22 the TSA and the third party to establish best
 23 practices.

24 (2) ~~RECOMMENDATIONS.~~—The Administrator
 25 shall request ASAC’s Security Technology Sub-

1 committee, in consultation with representatives of
2 the security manufacturers industry, to develop and
3 submit to the Administrator recommendations for
4 the third party testing and verification framework.

5 (f) FIELD TESTING.—The Administrator shall
6 prioritize the field testing and evaluation of security tech-
7 nology and equipment at airports and on site at security
8 technology manufacturers whenever possible as an alter-
9 native to the Transportation Systems Integration Facility.

10 **SEC. 212. RECIPROCAL RECOGNITION OF SECURITY STAND-**
11 **ARDS.**

12 (a) IN GENERAL.—The Administrator, in coordina-
13 tion with the European Civil Aviation Conference and Ca-
14 nadian Air Transport Security Authority, shall develop a
15 validation process for the reciprocal recognition of security
16 equipment technology approvals among international secu-
17 rity partners or recognized certification authorities for de-
18 ployment.

19 (b) REQUIREMENT.—The validation process shall en-
20 sure that the certification process of each participating
21 international security partner or recognized certification
22 authority complies with TSA security standards.

1 **SEC. 213. TRANSPORTATION SECURITY LABORATORY.**

2 (a) **IN GENERAL.**—The Secretary, acting through the
3 Administrator, shall administer the Transportation Secu-
4 rity Laboratory.

5 (b) **PERIODIC REVIEWS.**—The Administrator shall
6 review the screening technology test and evaluation pro-
7 cess conducted at the Transportation Security Laboratory
8 to improve the coordination, collaboration, and commu-
9 nication between the Transportation Security Laboratory
10 and the Office of Acquisition Program Management at the
11 TSA to identify factors contributing to acquisition ineffi-
12 ciencies; develop strategies to reduce acquisition inefficien-
13 cies; facilitate more expeditious initiation and completion
14 of testing; and identify how laboratory practices can better
15 support acquisition decisions.

16 **SEC. 214. INNOVATION TASK FORCE.**

17 (a) **IN GENERAL.**—The Administrator shall establish
18 an innovation task force—

19 (1) to cultivate innovations in aviation security;

20 (2) to develop and recommend how to prioritize
21 and streamline requirements for new approaches to
22 aviation security;

23 (3) to accelerate the development and introduc-
24 tion of new innovative aviation security technologies
25 and improvements to aviation security operations;
26 and

1 (4) to provide industry with access to the air-
2 port environment during the technology development
3 and assessment process to demonstrate the tech-
4 nology and to collect data to understand and refine
5 technical operations and human factor issues.

6 (b) ACTIVITIES.—The task force shall—

7 (1) conduct activities to identify and develop an
8 innovative technology, emerging security capability,
9 or process designed to enhance aviation security, in-
10 cluding—

11 (A) by conducting a field demonstration of
12 such a technology, capability, or process in the
13 airport environment;

14 (B) by gathering performance data from
15 such a demonstration to inform the acquisition
16 process; and

17 (C) by enabling a small business with an
18 innovative technology or emerging security ca-
19 pability, but less than adequate resources, to
20 participate in such a demonstration;

21 (2) conduct at least quarterly collaboration
22 meetings with industry, including air carriers, air-
23 port operators, and other aviation security stake-
24 holders to highlight and discuss best practices on in-

1 novative security operations and technology evalua-
2 tion and deployment; and

3 ~~(3)~~ submit to the appropriate committees of
4 Congress an annual report on the effectiveness of
5 key performance data from task force-sponsored
6 projects and checkpoint enhancements.

7 ~~(e)~~ COMPOSITION.—

8 ~~(1)~~ APPOINTMENT.—The Administrator, in con-
9 sultation with the Chairperson of ASAC shall ap-
10 point the members of the task force.

11 ~~(2)~~ CHAIRPERSON.—The task force shall be
12 chaired by the Administrator's designee.

13 ~~(3)~~ REPRESENTATION.—The task force shall be
14 comprised of representatives of—

15 ~~(A)~~ the relevant offices of the TSA;

16 ~~(B)~~ if considered appropriate by the Ad-
17 ministrator, the Science and Technology Direc-
18 torate of the Department of Homeland Secu-
19 rity;

20 ~~(C)~~ any other component of the Depart-
21 ment of Homeland Security that the Adminis-
22 trator considers appropriate; and

23 ~~(D)~~ such industry representatives as the
24 Administrator considers appropriate.

1 (d) **RULE OF CONSTRUCTION.**—Nothing in this sec-
2 tion shall be construed to require the acquisition or deploy-
3 ment of an innovative technology, emerging security capa-
4 bility, or process identified, developed, or recommended
5 under this section.

6 (e) **NONAPPLICABILITY OF FACCA.**—The Federal Ad-
7 visory Committee Act (5 U.S.C. App.) shall not apply to
8 the task force established under this section.

9 **SEC. 215. 5-YEAR TECHNOLOGY INVESTMENT PLAN UP-**
10 **DATE.**

11 Section 1611(g) of the Homeland Security Act of
12 2002 (6 U.S.C. 563(g)) is amended—

13 (1) by striking the matter preceding paragraph
14 (1) and inserting “The Administrator shall, in col-
15 laboration with relevant industry and government
16 stakeholders, annually submit to Congress in an ap-
17 pendix to the budget request and publish in an un-
18 classified format in the public domain—”;

19 (2) in paragraph (1), by striking “; and” and
20 inserting a semicolon;

21 (3) in paragraph (2), by striking the period and
22 inserting “; and”; and

23 (4) by adding at the end the following:

1 ~~“(3)~~ information about acquisitions completed
2 during the fiscal year preceding the fiscal year dur-
3 ing which the report is submitted.”.

4 **SEC. 216. BIOMETRICS EXPANSION.**

5 Not later than 270 days after the date of enactment
6 of this Act, the Administrator, in coordination with the
7 Commissioner of Customs and Border Protection, shall—

8 (1) assess the operational and security impact
9 of using biometric technology to identify passengers;

10 (2) facilitate, if appropriate, the deployment of
11 such biometric technology at checkpoints, screening
12 lanes, bag drop and boarding areas, and other areas
13 where such deployment would enhance security and
14 facilitate passenger movement; and

15 ~~(3)~~ submit to the appropriate committees of
16 Congress a report on the assessment under para-
17 graph (1) and deployment under paragraph (2).

18 **SEC. 217. PILOT PROGRAM FOR AUTOMATED EXIT LANE**
19 **TECHNOLOGY.**

20 (a) IN GENERAL.—Not later than 90 days after the
21 date of enactment of this Act, the Administrator shall es-
22 tablish a pilot program to implement and evaluate the use
23 of automated exit lane technology at small hub airports
24 and nonhub airports (as those terms are defined in section
25 40102 of title 49, United States Code).

1 (b) PARTNERSHIP.—The Administrator shall carry
2 out the pilot program in partnership with the applicable
3 airport directors.

4 (c) COST SHARE.—The Federal share of the cost of
5 the pilot program under this section shall not exceed 85
6 percent of the total cost of the program.

7 (d) AUTHORIZATION OF APPROPRIATIONS.—There is
8 authorized to be appropriated to carry out the pilot pro-
9 gram under this section \$15,000,000 for each of fiscal
10 years 2018 through 2020.

11 (e) GAO REPORT.—Not later than 2 years after the
12 date of enactment of this Act, the Comptroller General
13 of the United States shall submit to the appropriate com-
14 mittees of Congress a report on the pilot program, includ-
15 ing—

16 (1) the level of airport interest and participa-
17 tion in the pilot program;

18 (2) what return on investment, if any, was
19 achieved by each program participant; and

20 (3) recommendations regarding whether to ex-
21 pand or discontinue the pilot program.

1 **SEC. 218. AUTHORIZATION OF APPROPRIATIONS; EXIT**
2 **LANE SECURITY.**

3 There is authorized to be appropriated to carry out
4 section 44903(n)(1) of title 49, United States Code,
5 \$77,000,000 for each of fiscal years 2018 through 2020.

6 **SEC. 219. REAL-TIME SECURITY CHECKPOINT WAIT TIMES.**

7 (a) **IN GENERAL.**—Not later than 18 months after
8 the date of enactment of this Act, the Administrator shall
9 make available to the public information on wait times at
10 each airport security checkpoint.

11 (b) **REQUIREMENTS.**—The information described in
12 subsection (a) shall be provided in real time via technology
13 and published—

14 (1) online; and

15 (2) in physical locations at the applicable air-
16 port terminal.

17 (c) **CONSIDERATIONS.**—The Administrator shall
18 make the information described in subsection (a) available
19 to the public in a manner that does not increase public
20 area security risks.

21 (d) **DEFINITION OF WAIT TIME.**—In this section, the
22 term “wait time” means the period beginning when a pas-
23 senger enters a queue for a screening checkpoint and end-
24 ing when the passenger has begun divestment of items re-
25 quiring screening at that checkpoint.

1 **SEC. 220. GAO REPORT ON UNIVERSAL DEPLOYMENT OF**
2 **ADVANCED IMAGING TECHNOLOGIES.**

3 (a) **STUDY.**—The Comptroller General of the United
4 States shall conduct a study of the cost to the TSA or
5 an airport to redesign, if necessary, airport security areas
6 to fully deploy advanced imaging technologies at each air-
7 port at which security screening operations are conducted
8 or overseen by the TSA.

9 (b) **COST ANALYSIS.**—As a part of the study con-
10 ducted under subsection (a), the Comptroller General shall
11 identify the costs that would be incurred by the TSA or
12 the airport—

13 (1) to purchase the equipment and other assets
14 necessary to deploy advanced imaging technologies
15 at the airport;

16 (2) to install such equipment, including any re-
17 lated variant, and assets in the airport; and

18 (3) to maintain such equipment and assets.

19 (c) **REPORT.**—Not later than 1 year after the date
20 of enactment of this Act, the Comptroller General shall
21 submit to the appropriate committees of Congress a report
22 on the findings of the study under subsection (a).

23 **Subtitle B—Public Area Security**

24 **SEC. 221. THIRD PARTY CANINES.**

25 (a) **IN GENERAL.**—Not later than 120 days after the
26 date of enactment of this Act, to increase the supply of

1 canine teams for use by the TSA and aviation stake-
 2 holders; the Administrator shall develop and issue stand-
 3 ards that a third party explosives detection canine team
 4 must satisfy to be certified for the screening of individuals
 5 and property, including detection of explosive vapors
 6 among individuals and articles of property, in public areas
 7 of an airport under section 44901 of title 49, United
 8 States Code.

9 (b) AGREEMENT.—Subject to subsections (c), (d),
 10 and (e), not later than 180 days after the date of enact-
 11 ment of this Act, the Administrator shall enter into an
 12 agreement with at least 1 third party entity to test and
 13 certify the capabilities of canine teams in accordance with
 14 the standards under subsection (a).

15 (c) EXPEDITED DEPLOYMENT.—In entering into an
 16 agreement under subsection (b), the Secretary shall use—

17 (1) the other transaction authority under sec-
 18 tion 114(m) of title 49, United States Code; or

19 (2) such other authority of the Secretary as the
 20 Secretary considers appropriate to expedite the de-
 21 ployment of additional canine teams.

22 (d) PROCESS.—Before entering into an agreement
 23 under subsection (b), the Administrator shall—

1 (1) evaluate and verify a third party entity's
2 ability to effectively evaluate the capabilities of ea-
3 nine teams;

4 (2) designate at least 3 evaluation centers to
5 which vendors may send canine teams for testing
6 and certification by the third party entity; and

7 (3) periodically assess the program at evalua-
8 tion centers to ensure the proficiency of the canine
9 team beyond the initial testing and certification by
10 the third party entity.

11 (e) CONSULTATION.—To determine best practices for
12 the use of third party entities to test and certify the capa-
13 bilities of canine teams, the Administrator shall consult
14 with the following entities before entering into an agree-
15 ment under subsection (b):

16 (1) The Secretary of State.

17 (2) Non-profit organizations that train, certify,
18 and provide the services of canines for various pur-
19 poses.

20 (f) OVERSIGHT.—The Administrator shall establish a
21 process to ensure appropriate oversight of the certification
22 program and compliance with the standards under sub-
23 section (a), including periodic audits of participating third
24 party entities.

25 (g) AUTHORIZATION.—

1 (1) TSA.—The Administrator shall develop and
2 implement a process for the TSA to procure third
3 party explosives detection canine teams certified
4 under this section.

5 (2) AVIATION STAKEHOLDERS.—

6 (A) IN GENERAL.—The Administrator
7 shall authorize an aviation stakeholder, under
8 the oversight of and in coordination with the
9 Federal Security Director at an applicable air-
10 port, to contract with, procure or purchase, and
11 deploy one or more third party explosives detec-
12 tion canine teams certified under this section to
13 augment public area security at that airport.

14 (B) APPLICABLE LARGE HUB AIRPORTS.—

15 Notwithstanding any law to the contrary and
16 subject to the other provisions of this para-
17 graph, an applicable large hub airport may pro-
18 vide a certified canine contracted with, or pro-
19 cured or purchased under subparagraph (A) on
20 an in-kind basis to the TSA to be deployed as
21 a passenger screening canine at that airport un-
22 less the applicable large hub airport consents to
23 the use of that certified canine elsewhere.

24 (C) HANDLERS.—Not later than 30 days
25 before an applicable large hub airport begins

1 training a canine under subparagraph (B), the
 2 airport shall notify the TSA of such training
 3 and the Administrator shall assign a TSA ca-
 4 nine handler to participate in the training with
 5 that canine, as appropriate.

6 (D) LIMITATION.—The Administrator may
 7 not reduce the staffing allocation model for an
 8 applicable large hub airport based on that air-
 9 port’s participation in canine testing and certifi-
 10 cation under this paragraph.

11 (h) DEFINITIONS.—In this section:

12 (1) APPLICABLE LARGE HUB AIRPORT.—The
 13 term “applicable large hub airport” means a large
 14 hub airport (as defined in section 40102 of title 49,
 15 United States Code) that has less than 100 percent
 16 of the allocated passenger screening canine teams
 17 staffed by the TSA.

18 (2) AVIATION STAKEHOLDER.—The term “avia-
 19 tion stakeholder” includes an airport, airport oper-
 20 ator, and air carrier.

21 **SEC. 222. TRACKING AND MONITORING OF CANINE TRAIN-**
 22 **ING AND TESTING.**

23 Not later than 180 days after the date of enactment
 24 of this Act, the Administrator shall use, to the extent prac-
 25 ticable, a digital monitoring system for all training, test-

1 ing, and validation or certification of public and private
 2 canine assets utilized by the TSA to facilitate improved
 3 review, data analysis, and record keeping of canine testing
 4 performance and program administration.

5 **SEC. 223. VIPR TEAM STATISTICS.**

6 (a) **IN GENERAL.**—Not later than 90 days after the
 7 date of enactment of this Act, and annually thereafter,
 8 the Administrator shall notify the appropriate committees
 9 of Congress of the number of VIPR teams available for
 10 deployment at transportation facilities, including—

11 (1) the number of VIPR team operations that
 12 include explosive detection canine teams; and

13 (2) the distribution of VIPR team operations
 14 deployed across different modes of transportation.

15 (b) **ANNEX.**—The notification under subsection (a)
 16 may contain a classified annex.

17 (c) **DEFINITION OF VIPR TEAM.**—In this section,
 18 the term “VIPR” means a Visible Intermodal Prevention
 19 and Response team authorized under section 1303 of the
 20 National Transit Systems Security Act of 2007 (6 U.S.C.
 21 1112).

22 **SEC. 224. PUBLIC AREA BEST PRACTICES.**

23 (a) **IN GENERAL.**—The Administrator shall, in ac-
 24 cordance with law and as received or developed, periodi-
 25 cally submit to Federal Security Directors and appropriate

1 aviation security stakeholders information on any best
2 practices developed by the TSA or appropriate aviation
3 stakeholders related to protecting aviation infrastructure
4 from emerging threats to public spaces of transportation
5 venues.

6 (b) INFORMATION SHARING.—The Administrator
7 shall, in accordance with law—

8 (1) in coordination with the Office of the Direc-
9 tor of National Intelligence and industry partners,
10 implement improvements to the Air Domain Intel-
11 ligence and Analysis Center to encourage increased
12 participation from aviation stakeholders and enhance
13 government and industry aviation security informa-
14 tion sharing on aviation security threats, including
15 on cybersecurity threat awareness; and

16 (2) expand and improve the City and Airport
17 Threat Assessment or similar program to public and
18 private aviation stakeholders to capture, quantify,
19 communicate, and apply applicable intelligence to in-
20 form airport mitigation measures, such as—

21 (A) quantifying levels of risk by airport
22 that can be used to determine risk-based secu-
23 rity mitigation measures at each location;

1 (B) determining random and surge em-
2 ployee inspection operations based on changing
3 levels of risk; and

4 (C) targeting any high-risk employee
5 groups and specific points of risk within the
6 airport perimeter for such mitigation measures
7 as random inspections;

8 (3) continue to disseminate Transportation In-
9 telligence Notes, tear-lines, and related intelligence
10 products to appropriate transportation security
11 stakeholders on a regular basis; and

12 (4) continue to conduct both regular routine
13 and threat-specific classified briefings between the
14 TSA and appropriate aviation and other transpor-
15 tation sector stakeholders on an individual or group
16 basis to provide greater information sharing between
17 public and private sectors.

18 (c) ~~MASS NOTIFICATION.~~—The Administrator shall
19 encourage aviation security stakeholders to utilize mass
20 notification systems, including the Integrated Public Alert
21 Warning System of the Federal Emergency Management
22 Agency and social media platforms, to disseminate infor-
23 mation to transportation community employees, travelers,
24 and the general public, as appropriate.

1 (d) PUBLIC AWARENESS PROGRAMS.—The Secretary
 2 of Homeland Security, in coordination with the Adminis-
 3 trator, shall expand public programs of the Department
 4 and the TSA that increase security threat awareness, edu-
 5 cation, and training to include transportation network
 6 public area employees, including airport and transpor-
 7 tation vendors, local hotels, cab and limousine companies,
 8 ridesharing companies, cleaning companies, gas station at-
 9 tendants, cargo operators, and general aviation members.

10 (e) AVIATION EMPLOYEE VETTING.—The Adminis-
 11 trator shall allow an air carrier, airport, or airport oper-
 12 ator, in addition to any background check required for ini-
 13 tial employment, to utilize the Federal Bureau of Inves-
 14 tigation’s Rap Back Service and other vetting tools as ap-
 15 propriate, including the No-Fly and Selectee lists, to get
 16 immediate notification of any criminal activity relating to
 17 an employee with access to an airport or its perimeter,
 18 regardless of whether the employee is seeking access to
 19 a public or secured area of the airport.

20 **SEC. 225. LAW ENFORCEMENT OFFICER REIMBURSEMENT**
 21 **PROGRAM.**

22 (a) IN GENERAL.—In accordance with section
 23 44903(e)(1) of title 49, United States Code, the Adminis-
 24 trator shall increase the number of awards, and the total

1 funding amount of each award, under the Law Enforce-
2 ment Officer Reimbursement Program—

3 (1) to increase the presence of law enforcement
4 officers in the public areas of airports, including
5 baggage claim, ticket counters, and nearby roads;

6 (2) to increase the presence of law enforcement
7 officers at screening checkpoints;

8 (3) to reduce the response times of law enforce-
9 ment officers during security incidents; and

10 (4) to provide visible deterrents to potential ter-
11 rorists.

12 (b) COOPERATION BY ADMINISTRATOR.—In carrying
13 out subsection (a), the Administrator shall use the author-
14 ity provided to the Administrator under section 114(m)
15 of title 49, United States Code, that is the same authority
16 as is provided to the Administrator of the Federal Aviation
17 Administration under section 106(m) of that title.

18 (c) ADMINISTRATIVE BURDENS.—The Administrator
19 shall review the regulations and compliance policies related
20 to the Law Enforcement Officer Reimbursement Program
21 and, if necessary, revise such regulations and policies to
22 reduce any administrative burdens on applicants or recipi-
23 ents of such awards.

24 (d) AUTHORIZATION OF APPROPRIATIONS.—There is
25 authorized to be appropriated to carry out section

1 44901(h) of title 49, United States Code, \$55,000,000 for
 2 each of fiscal years 2018 through 2020.

3 **Subtitle C—Passenger and Cargo**
 4 **Security**

5 **SEC. 231. PRECHECK PROGRAM.**

6 (a) IN GENERAL.—Section 44919 is amended to read
 7 as follows:

8 **“§ 44919. PreCheck Program**

9 “(a) IN GENERAL.—The Administrator of the Trans-
 10 portation Security Administration shall continue to ad-
 11 minister the PreCheck Program in accordance with section
 12 109(a)(3) of the Aviation and Transportation Security Act
 13 (49 U.S.C. 114 note).

14 “(b) EXPANSION.—Not later than 180 days after the
 15 date of enactment of the TSA Modernization Act, the Ad-
 16 ministrator shall enter into an agreement, using other
 17 transaction authority under section 114(m) of this title,
 18 with at least 2 private sector entities to increase the meth-
 19 ods and capabilities available for the public to enroll in
 20 the PreCheck Program.

21 “(c) MINIMUM CAPABILITY REQUIREMENTS.—At
 22 least 1 agreement under subsection (b) shall include the
 23 following capabilities:

24 “(1) Start-to-finish secure online or mobile en-
 25 rollment capability.

1 “(2) Vetting of an applicant by means other
2 than biometrics, such as a risk assessment, if—

3 “(A) such means—

4 “(i) are evaluated and certified by the
5 Secretary of Homeland Security;

6 “(ii) meet the definition of a qualified
7 anti-terrorism technology under section
8 865 of the Homeland Security Act of 2002
9 (6 U.S.C. 444); or

10 “(iii) are determined by the Adminis-
11 trator to provide a risk assessment that is
12 as effective as a fingerprint-based criminal
13 history records check conducted through
14 the Federal Bureau of Investigation with
15 respect to identifying individuals who are
16 not qualified to participate in the
17 PreCheck Program due to disqualifying
18 criminal history; and

19 “(B) with regard to private sector risk as-
20 sements, the Secretary has certified that rea-
21 sonable procedures are in place with regard to
22 the accuracy, relevancy, and proper utilization
23 of information employed in such risk assess-
24 ments.

1 “(d) **ADDITIONAL CAPABILITY REQUIREMENTS.**—At
 2 least 1 agreement under subsection (b) shall include the
 3 following capabilities:

4 “(1) ~~Start-to-finish~~ secure online or mobile en-
 5 rollment capability.

6 “(2) ~~Vetting~~ of an applicant by means of bio-
 7 metrics if the collection—

8 “(A) is comparable with the appropriate
 9 and applicable standards developed by the Na-
 10 tional Institute of Standards and Technology;
 11 and

12 “(B) protects privacy and data security,
 13 including that any personally identifiable infor-
 14 mation is collected, retained, used, and shared
 15 in a manner consistent with section 552a of
 16 title 5, United States Code (commonly known
 17 as ‘Privacy Act of 1974’), and with agency reg-
 18 ulations.

19 “(e) **TARGET ENROLLMENT.**—Subject to subsections
 20 (b), (c), and (d), the Administrator shall take actions to
 21 expand the total number of individuals enrolled in the
 22 PreCheck Program as follows:

23 “(1) 7,000,000 passengers before October 1,
 24 2018.

1 ~~“(2) 10,000,000 passengers before October 1,~~
2 ~~2019.~~

3 ~~“(3) 15,000,000 passengers before October 1,~~
4 ~~2020.~~

5 ~~“(f) MARKETING OF PRECHECK PROGRAM.—Not~~
6 ~~later than 90 days after the date of enactment of the TSA~~
7 ~~Modernization Act, the Administrator shall—~~

8 ~~“(1) enter into at least 2 agreements, using~~
9 ~~other transaction authority under section 114(m) of~~
10 ~~this title, to market the PreCheck Program; and~~

11 ~~“(2) implement a long-term strategy for~~
12 ~~partnering with the private sector to encourage en-~~
13 ~~rollment in such program.~~

14 ~~“(g) IDENTITY VERIFICATION ENHANCEMENT.—The~~
15 ~~Administrator shall—~~

16 ~~“(1) coordinate with the heads of appropriate~~
17 ~~components of the Department to leverage Depart-~~
18 ~~ment-held data and technologies to verify the iden-~~
19 ~~tity and citizenship of individuals enrolling in the~~
20 ~~PreCheck Program;~~

21 ~~“(2) partner with the private sector to use bio-~~
22 ~~metrics and authentication standards, such as rel-~~
23 ~~evant standards developed by the National Institute~~
24 ~~of Standards and Technology, to facilitate enroll-~~
25 ~~ment in the program; and~~

1 “(3) consider leveraging the existing resources
2 and abilities of airports to collect fingerprints for
3 use in background checks to expedite identity
4 verification.

5 “(h) PRECHECK PROGRAM LANES OPERATION.—
6 The Administrator shall—

7 “(1) ensure that PreCheck Program screening
8 lanes are open and available during peak and high-
9 volume travel times at appropriate airports to indi-
10 viduals enrolled in the PreCheck Program; and

11 “(2) make every practicable effort to provide
12 expedited screening at standard screening lanes dur-
13 ing times when PreCheck Program screening lanes
14 are closed to individuals enrolled in the program in
15 order to maintain operational efficiency.

16 “(i) VETTING FOR PRECHECK PROGRAM PARTICI-
17 PANTS.—The Administrator shall initiate an assessment
18 to identify any security vulnerabilities in the vetting pro-
19 cess for the PreCheck Program, including determining
20 whether subjecting PreCheck Program participants to re-
21 current fingerprint-based criminal history records checks,
22 in addition to recurrent checks against the terrorist
23 watchlist, could be done in a cost-effective manner to
24 strengthen the security of the PreCheck Program.

1 “(j) ASSURANCE OF SEPARATE PROGRAM.—In car-
 2 rying out this section, the Administrator shall ensure that
 3 the PreCheck program enrollment capabilities, including
 4 the additional private sector application capabilities under
 5 subsections (b), (c), and (d), are separate from any other
 6 related TSA program, initiative, or procurement, including
 7 the Universal Enrollment Services program.

8 “(k) EXPENDITURE OF FUNDS.—Any Federal funds
 9 expended by the Administrator to expand PreCheck Pro-
 10 gram enrollment shall be expended in a manner that meets
 11 the requirements of this section.”.

12 (b) TECHNICAL AND CONFORMING AMENDMENTS.—

13 (1) REPEAL.—Subtitle A of title III of the FAA
 14 Extension, Safety, and Security Act of 2016 (49
 15 U.S.C. 44901 note) and the items relating to that
 16 subtitle in the table of contents of that Act are re-
 17 pealed.

18 (2) TABLE OF CONTENTS.—The table of con-
 19 tents of chapter 449 is amended by amending the
 20 item relating to section 44919 to read as follows:

“44919. PreCheck Program.”.

21 (3) SCREENING PASSENGERS AND PROPERTY.—

22 Section 44901(a) is amended by striking “44919
 23 or”.

1 **SEC. 232. TRUSTED TRAVELER PROGRAMS; COLLABORA-**
2 **TION.**

3 Not later than 180 days after the date of enactment
4 of this Act, the Administrator, in consultation with the
5 Commissioner of U.S. Customs and Border Protection,
6 shall—

7 (1) review each trusted traveler program ad-
8 ministered by U.S. Customs and Border Protection
9 and the PreCheck Program;

10 (2) identify any improvements that can be made
11 to such programs—

12 (A) to streamline and integrate the re-
13 quirements and operations of such programs to
14 reduce administrative burdens, including appli-
15 cations for inclusion and determining whether a
16 valid credential can satisfy the requirements for
17 another credential;

18 (B) to increase information and data shar-
19 ing across such programs; and

20 (C) to allow the public to access and link
21 to the applications for enrollment in all of such
22 programs from ~~1~~ online portal;

23 (3) identify any law, including regulations, pol-
24 icy, or procedure that may unnecessarily inhibit col-
25 laboration among Department of Homeland Security

1 agencies regarding such programs or implementation
2 of the improvements identified under paragraph (2);
3 (4) recommend any legislative, administrative,
4 or other actions that can be taken to eliminate any
5 unnecessary barriers to collaboration or implementa-
6 tion identified in paragraph (3); and
7 (5) submit to the appropriate committees of
8 Congress a report on the review, including any un-
9 necessary barriers to collaboration or implementa-
10 tion identified under paragraph (3), and any rec-
11 ommendations under paragraph (4).

12 **SEC. 233. PASSENGER SECURITY FEE.**

13 Section 44940(e) is amended by adding at the end
14 the following:

15 “(3) OFFSETTING COLLECTIONS.—Beginning
16 on October 1, 2025, fees collected under subsection
17 (a)(1) for any fiscal year shall be credited as offset-
18 ting collections to appropriations made for aviation
19 security measures carried out by the Transportation
20 Security Administration, to remain available until
21 expended.”.

1 **SEC. 234. THIRD PARTY CANINE TEAMS FOR AIR CARGO SE-**
2 **CURITY.**

3 Section 1307 of the Implementing Recommendations
4 of the 9/11 Commission Act of 2007 (6 U.S.C. 1116) is
5 amended by adding at the end the following:

6 “(h) THIRD PARTY CANINE TEAMS FOR AIR CARGO
7 SECURITY.—

8 “(1) IN GENERAL.—In order to enhance the
9 screening of air cargo and ensure that third party
10 explosives detection canine assets are leveraged for
11 such purpose, the Administrator shall, not later than
12 180 days after the date of enactment of the TSA
13 Modernization Act—

14 “(A) develop and issue standards for the
15 use of such third party explosives detection ca-
16 nine assets for the primary screening of air
17 cargo;

18 “(B) develop a process to identify qualified
19 non-Federal entities that will certify canine as-
20 sets that meet the standards established by the
21 Administrator under subparagraph (A);

22 “(C) ensure that entities qualified to cer-
23 tify canine assets shall be independent from en-
24 tities that will train and provide canines to end
25 users of such canine assets;

1 “(D) establish a system of Transportation
2 Security Administration audits of the process
3 developed under subparagraph (B); and

4 “(E) provide that canines certified for the
5 primary screening of air cargo can be used by
6 air carriers, foreign air carriers, freight for-
7 warders, and shippers.

8 “(2) IMPLEMENTATION.—Beginning on the
9 date that the development of the process under para-
10 graph (1)(B) is complete, the Administrator shall—

11 “(A) facilitate the deployment of such as-
12 sets that meet the certification standards of the
13 Administration, as determined by the Adminis-
14 trator;

15 “(B) make such standards available to
16 vendors seeking to train and deploy third party
17 explosives detection canine assets; and

18 “(C) ensure that all costs for the training
19 and certification of canines, and for the use of
20 supplied canines, are borne by private industry
21 and not the Federal Government.

22 “(3) DEFINITIONS.—In this subsection:

23 “(A) AIR CARRIER.—The term ‘air carrier’
24 has the meaning given the term in section
25 40102 of title 49, United States Code.

1 “(B) FOREIGN AIR CARRIER.—The term
2 ‘foreign air carrier’ has the meaning given the
3 term in section 40102 of title 49, United States
4 Code.

5 “(C) THIRD PARTY EXPLOSIVES DETEC-
6 TION CANINE ASSET.—The term ‘third party
7 explosives detection canine asset’ means any ex-
8 plosives detection canine or handler not owned
9 or employed, respectively, by the Transportation
10 Security Administration.”.

11 **SEC. 235. KNOWN SHIPPER PROGRAM REVIEW.**

12 The Administrator shall direct the Air Cargo Sub-
13 committee of ASAC—

14 (1) to conduct a comprehensive review and se-
15 curity assessment of the Known Shipper Program;

16 (2) to recommend whether the Known Shipper
17 Program should be modified or eliminated consid-
18 ering the full implementation of 100 percent screen-
19 ing under section 44901(g) of title 49, United States
20 Code; and

21 (3) to report its findings and recommendations
22 to the Administrator.

23 **SEC. 236. SCREENING PARTNERSHIP PROGRAM UPDATES.**

24 (a) SECURITY SCREENING OPT-OUT PROGRAM.—

25 Section 44920 is amended—

1 (1) in the heading by striking “**Security**
 2 **screening opt-out program**” and inserting
 3 “**Screening partnership program**”;

4 (2) by amending subsection (a) to read as fol-
 5 lows:

6 “(a) IN GENERAL.—An operator of an airport, air-
 7 port terminal, or airport security checkpoint may submit
 8 to the Administrator of the Transportation Security Ad-
 9 ministration an application to carry out the screening of
 10 passengers and property at the airport under section
 11 44901 by personnel of a qualified private screening com-
 12 pany pursuant to a contract with the Transportation Se-
 13 curity Administration.”;

14 (3) in subsection (b)—

15 (A) by amending paragraph (1) to read as
 16 follows:

17 “(1) IN GENERAL.—Not later than 30 days
 18 after the date of receipt of an application submitted
 19 by an operator of an airport, airport terminal, or
 20 airport security checkpoint under subsection (a), the
 21 Administrator shall approve or deny the applica-
 22 tion.”; and

23 (B) in paragraphs (2) and (3), by striking
 24 “Under Secretary” each place it appears and
 25 inserting “Administrator”;

1 (4) in subsection (d)—

2 (A) in the heading, by striking “STAND-
3 ARDS” inserting “SELECTION OF CONTRACTS
4 AND STANDARDS”;

5 (B) by redesignating paragraph (2) as
6 paragraph (3);

7 (C) in paragraph (1)—

8 (i) by striking “The Under Secretary
9 may enter” and all that follows through
10 “certifies to Congress that—” and insert-
11 ing “The Administrator shall, upon ap-
12 proval of the application, provide each op-
13 erator of an airport, airport terminal, or
14 airport security checkpoint with a list of
15 qualified private screening companies.”;
16 and

17 (ii) by inserting before subparagraphs
18 (A) and (B) the following:

19 “(2) CONTRACTS.—Not later than 60 days
20 after the selection of a qualified private screening
21 company by the operator, the Administrator shall
22 enter into a contract with such company for the pro-
23 vision of screening at the airport, airport terminal,
24 or airport security checkpoint if—”; and

25 (D) in paragraph (2), as redesignated—

- 1 (i) in subparagraph (A), by striking “;
2 and” and inserting a semicolon;
- 3 (ii) in subparagraph (B)—
- 4 (I) by striking “Under Sec-
5 retary” and inserting “Adminis-
6 trator”; and
- 7 (II) by striking the period at the
8 end and inserting “; and”; and
- 9 (iii) by adding at the end the fol-
10 lowing:
- 11 “(C) the selected qualified private screen-
12 ing company offered contract price is equal to
13 or less than the comprehensive cost to the Fed-
14 eral Government to provide screening services
15 at the airport, airport terminal, or airport secu-
16 rity checkpoint.”; and
- 17 (E) in paragraph (3), as redesignated—
- 18 (i) by striking “paragraph (1)(B)”
19 and inserting “paragraph (2)(B)”; and
- 20 (ii) by striking “Under Secretary”
21 each place it appears and inserting “Ad-
22 ministrator”;
- 23 (5) in subsection (e)—
- 24 (A) in the heading, by striking
25 “SCREENED” and inserting “SCREENING”;

1 (B) by striking the period at the end and
2 inserting “; and”;

3 (C) by striking “The Under Secretary
4 shall” and inserting “The Administrator shall—
5 ”;

6 (D) by inserting “(1)” before “provide
7 Federal Government” and indenting appro-
8 priately; and

9 (E) by adding at the end the following:

10 “(2) undertake covert testing and remedial
11 training support for employees of private screening
12 companies providing screening at airports.”;

13 (6) in subsection (f)—

14 (A) in the heading, by inserting “OR SUS-
15 PENSION”;

16 (B) by striking “terminate” and inserting
17 “suspend or terminate, as appropriate,”; and

18 (C) by striking “Under Secretary” each
19 place it appears and inserting “Administrator”;
20 and

21 (7) by striking subsection (h).

22 (b) APPLICATIONS SUBMITTED BEFORE THE DATE
23 OF ENACTMENT.—Not later than 30 days after the date
24 of enactment of this Act, the Administrator shall approve
25 or deny, in accordance with section 44920(b) of title 49,

1 United States Code, as amended by this Act, each applica-
2 tion submitted before the date of enactment of this Act,
3 by an airport operator under subsection (a) of that sec-
4 tion, that is awaiting such a determination.

5 **SEC. 237. SCREENING PERFORMANCE ASSESSMENTS.**

6 Subject to part 1520 of title 49, Code of Federal Reg-
7 ulations, the Administrator shall quarterly make available
8 to the airport director of an airport—

9 (1) an assessment of the screening performance
10 of that airport compared to the mean average per-
11 formance of all airports in the equivalent airport
12 category for screening performance data; and

13 (2) a quarterly briefing on the results of per-
14 formance data reports, including—

15 (A) a scorecard of objective metrics devel-
16 oped by the Office of Security Operations to
17 measure screening performance, such as results
18 of annual proficiency reviews and covert testing,
19 at the appropriate level of classification; and

20 (B) other performance data, including—

21 (i) passenger throughput;

22 (ii) wait times; and

23 (iii) employee attrition, absenteeism,
24 injury rates, and any other human capital
25 measures collected by TSA.

1 **SEC. 238. TSA ACADEMY REVIEW.**

2 (a) REVIEW.—Not later than 270 days after the date
3 of enactment of this Act, the Comptroller General of the
4 United States shall—

5 (1) conduct an assessment of the efficiency and
6 effectiveness of the new-hire TSA Academy at train-
7 ing airport security personnel compared to when
8 such training of transportation security officers was
9 conducted at local airports; and

10 (2) submit to the appropriate committees of
11 Congress a report on the findings of the assessment
12 and any recommendations to maximize the efficiency
13 and effectiveness of training for airport security per-
14 sonnel.

15 (b) CONTENTS.—The assessment shall—

16 (1) include a cost-benefit analysis of training
17 new Transportation Security Officer and Screening
18 Partnership Program contractor hires at the TSA
19 Academy compared to when such training of trans-
20 portation security officers was conducted at local
21 airports;

22 (2) examine the impact on performance, profes-
23 sionalism, and retention rates of Transportation Se-
24 curity Officer and Screening Partnership Program
25 contractor employees since the new training proto-
26 cols at the TSA Academy have been put in place

1 compared to when training was conducted at local
2 airports; and

3 ~~(3)~~ examine whether new hire training at the
4 TSA Academy has had any impact on the airports
5 and companies that participate in the Screening
6 Partnership Program.

7 **Subtitle D—Foreign Airport** 8 **Security**

9 **SEC. 241. LAST POINT OF DEPARTURE AIRPORTS; SECU-** 10 **RITY DIRECTIVES.**

11 ~~(a)~~ NOTICE AND CONSULTATION.—

12 ~~(1)~~ IN GENERAL.—The Administrator shall, to
13 the maximum extent practicable, consult and notify
14 the following stakeholders prior to making changes
15 to security standards via security directives and
16 emergency amendments for last points of departure:

17 ~~(A)~~ Trade association representatives, for
18 affected air carriers and airports, who hold the
19 appropriate security clearances.

20 ~~(B)~~ The head of each relevant Federal de-
21 partment or agency, including the Adminis-
22 trator of the Federal Aviation Administration.

23 ~~(2)~~ TRANSMITTAL TO CONGRESS.—Not later
24 than ~~3~~ days after the date that the Administrator
25 issues a security directive or emergency amendment

1 for a last point of departure, the Administrator shall
2 transmit to the appropriate committees of Congress
3 a description of the extent to which the Adminis-
4 trator consulted and notified the stakeholders under
5 paragraph (1).

6 (b) GAO REPORT.—

7 (1) IN GENERAL.—Not later than 1 year after
8 the date of enactment of this Act, the Comptroller
9 General of the United States shall review the effec-
10 tiveness of the TSA process to update, consolidate,
11 or revoke security directives, emergency amend-
12 ments, and other policies related to international
13 aviation security at last point of departure airports
14 and submit to the appropriate committees of Con-
15 gress and the Administrator a report on the findings
16 and recommendations.

17 (2) CONTENTS.—In conducting the review
18 under paragraph (1), the Comptroller General
19 shall—

20 (A) review current security directives,
21 emergency amendments, and any other policies
22 related to international aviation security at last
23 point of departure airports;

1 (B) review the extent of intra-agency and
 2 interagency coordination, stakeholder outreach,
 3 coordination, and feedback; and

4 (C) recommend any updates, consolidation,
 5 or revocation of such security directives, emer-
 6 gency amendments, and policies.

7 (e) RESCREENING.—Subject to section
 8 44901(d)(4)(e) of title 49, United States Code, upon dis-
 9 covery of specific threat intelligence, the Administrator
 10 shall immediately direct TSA personnel to rescreen pas-
 11 sengers and baggage arriving from an airport outside the
 12 United States and identify enhanced measures that should
 13 be implemented at that airport.

14 (d) NOTIFICATION TO CONGRESS.—Not later than 1
 15 day after the date that the Administrator determines that
 16 a foreign air carrier is in violation of part 1546 of title
 17 49, Code of Federal Regulations, or any other applicable
 18 security requirement, the Administrator shall notify the
 19 appropriate committees of Congress.

20 **SEC. 242. TRACKING SECURITY SCREENING EQUIPMENT**
 21 **FROM LAST POINT OF DEPARTURE AIR-**
 22 **PORTS.**

23 (a) DONATION OF SCREENING EQUIPMENT TO PRO-
 24 TECT THE UNITED STATES.—Chapter 449 is amended—

1 (1) in subchapter I, by adding at the end the
2 following:

3 **“§ 44929. Donation of screening equipment to protect**
4 **the United States**

5 “(a) IN GENERAL.—Subject to subsection (b), the
6 Administrator is authorized to donate security screening
7 equipment to a foreign last point of departure airport op-
8 erator if such equipment can be reasonably expected to
9 mitigate a specific vulnerability to the security of the
10 United States or United States citizens.

11 “(b) CONDITIONS.—Before donating any security
12 screening equipment to a foreign last point of departure
13 airport operator the Administrator shall—

14 “(1) ensure that the screening equipment has
15 been restored to commercially available settings;

16 “(2) ensure that no TSA-specific security
17 standards or algorithms exist on the screening
18 equipment; and

19 “(3) verify that the appropriate officials have
20 an adequate system—

21 “(A) to properly maintain and operate the
22 screening equipment; and

23 “(B) to document and track any removal
24 or disposal of the screening equipment to en-
25 sure the screening equipment does not come

1 into the possession of terrorists or otherwise
2 pose a risk to security.

3 “(e) REPORTS.—Not later than 30 days before any
4 donation of security screening equipment under subsection
5 (a), the Administrator shall provide to the Committee on
6 Commerce, Science, and Transportation and the Com-
7 mittee on Homeland Security and Governmental Affairs
8 of the Senate and the Committee on Homeland Security
9 of the House of Representatives a detailed written expla-
10 nation of the following:

11 “(1) The specific vulnerability to the United
12 States or United States citizens that will be miti-
13 gated by such donation.

14 “(2) An explanation as to why the recipient of
15 such donation is unable or unwilling to purchase se-
16 curity screening equipment to mitigate such vulner-
17 ability.

18 “(3) An evacuation plan for sensitive tech-
19 nologies in case of emergency or instability in the
20 country to which such donation is being made.

21 “(4) How the Administrator will ensure the se-
22 curity screening equipment that is being donated is
23 used and maintained over the course of its life by
24 the recipient.

25 “(5) The total dollar value of such donation.

1 “(6) How the appropriate officials will docu-
2 ment and track any removal or disposal of the
3 screening equipment by the recipient to ensure the
4 screening equipment does not come into the posses-
5 sion of terrorists or otherwise pose a risk to secu-
6 rity.”; and

7 (2) in the table of contents, by inserting after
8 the item relating to section 44928 the following:

“44929. Donation of screening equipment to protect the United States.”.

9 (b) TECHNICAL AND CONFORMING AMENDMENTS.—
10 Section 3204 of the Aviation Security Act of 2016 (49
11 U.S.C. 44901 note) and the item relating to that section
12 in the table of contents of that Act are repealed.

13 (c) RAISING INTERNATIONAL STANDARDS.—Not
14 later than 90 days after the date of enactment of this Act,
15 the Administrator shall collaborate with other aviation au-
16 thorities and the United States Ambassador or the Charge
17 d’Affaires to the United States Mission to the Inter-
18 national Civil Aviation Organization, as applicable, to ad-
19 vance a global standard for each international airport to
20 document and track the removal and disposal of any secu-
21 rity screening equipment to ensure the screening equip-
22 ment does not come into the possession of terrorists or
23 otherwise pose a risk to security.

1 **SEC. 243. INTERNATIONAL SECURITY STANDARDS.**

2 (a) NOTIFICATION.—Not later than 90 days after the
3 date of enactment of this Act, the Administrator, in con-
4 sultation with the United States Ambassador to the Inter-
5 national Civil Aviation Organization, shall notify the Com-
6 mittee on Commerce, Science, and Transportation and the
7 Committee on Foreign Relations of the Senate, and the
8 Committee on Homeland Security and the Committee on
9 Foreign Affairs of the House of Representatives of pro-
10 posed international improvements to aviation security.

11 (b) SECURITY ENHANCEMENT PROPOSALS.—Subject
12 to subsection (a), the Administrator and Ambassador shall
13 take such action at the International Civil Aviation Orga-
14 nization as the Administrator and Ambassador consider
15 necessary to advance aviation security improvement pro-
16 posals, including if practicable, introducing a resolution to
17 raise minimum standards for aviation security.

18 (c) BRIEFINGS TO CONGRESS.—Beginning not later
19 than 180 days after the date of enactment of this Act,
20 and periodically thereafter, the Administrator, in consulta-
21 tion with the Ambassador, shall brief the Committee on
22 Commerce, Science, and Transportation and the Com-
23 mittee on Foreign Relations of the Senate, and the Com-
24 mittee on Homeland Security and the Committee on For-
25 eign Affairs of the House of Representatives a report on
26 the implementation of subsection (a).

1 **Subtitle E—Cockpit and Cabin**
2 **Security**

3 **SEC. 251. FEDERAL AIR MARSHAL SERVICE UPDATES.**

4 (a) **STANDARDIZATION.**—Not later than 60 days
5 after the date of enactment of this Act, the Administrator
6 shall develop a standard written agreement that shall be
7 the basis of all negotiations and agreements that begin
8 after the date of enactment of this Act between the United
9 States and foreign governments or partners regarding the
10 presence of Federal air marshals on flights to and from
11 the United States, including deployment, technical assist-
12 ance, and information sharing.

13 (b) **WRITTEN AGREEMENTS.**—Except as provided in
14 subsection (c), not later than 180 days after the date of
15 enactment of this Act, all agreements between the United
16 States and foreign governments or partners regarding the
17 presence of Federal air marshals on flights to and from
18 the United States shall be in writing and signed by the
19 Administrator or other authorized United States Govern-
20 ment representative.

21 (c) **EXCEPTION.**—The Administrator may schedule
22 Federal air marshal service on flights operating to a for-
23 eign country with which no written agreement is in effect
24 if the Administrator determines that—

1 (1) such mission is necessary for aviation secu-
2 rity; and

3 (2) the requirements of subsection (d)(2) are
4 met.

5 (d) NOTIFICATION TO CONGRESS.—

6 (1) WRITTEN AGREEMENTS.—Not later than
7 30 days after the date that the Administrator enters
8 into a written agreement under this section, the Ad-
9 ministrator shall transmit to the appropriate com-
10 mittees of Congress a copy of the agreement.

11 (2) NO WRITTEN AGREEMENTS.—The Adminis-
12 trator shall submit to the appropriate committees of
13 Congress—

14 (A) not later than 30 days after the date
15 of enactment of this Act, a list of each foreign
16 government or partner that does not have a
17 written agreement under this section, including
18 an explanation for why no written agreement
19 exists and a justification for the determination
20 that such a mission is necessary for aviation se-
21 curity; and

22 (B) not later than 30 days after the date
23 that the Administrator makes a determination
24 to schedule Federal air marshal service on
25 flights operating to a foreign country with

1 which no written agreement is in effect under
2 subsection (e), the name of the applicable for-
3 eign government or partner, an explanation for
4 why no written agreement exists, and a jus-
5 tification for the determination that such mis-
6 sion is necessary for aviation security.

7 (e) **MISSION SCHEDULING AUTOMATION.**—The Ad-
8 ministrators shall endeavor to acquire automated capabili-
9 ties or technologies for scheduling Federal air marshal
10 service missions based on current risk modeling.

11 **SEC. 252. CREW MEMBER SELF-DEFENSE TRAINING.**

12 The Administrator, in consultation with the Adminis-
13 trator of the Federal Aviation Administration, shall con-
14 tinue to carry out and encourage increased participation
15 by air carrier employees in the voluntary self-defense
16 training program under section 44918(b) of title 49,
17 United States Code.

18 **SEC. 253. FLIGHT DECK SAFETY AND SECURITY.**

19 (a) **THREAT ASSESSMENT.**—Not later than 90 days
20 after the date of enactment of this Act, the Administrator,
21 in consultation with the Administrator of the Federal
22 Aviation Administration, shall complete a detailed threat
23 assessment to identify any safety or security risks associ-
24 ated with unauthorized access to the flight decks on com-

1 mercial aircraft and any appropriate measures that should
 2 be taken based on the risks.

3 (b) **RTCA REPORT.**—The Administrator, in coordi-
 4 nation with the Administrator of the Federal Aviation Ad-
 5 ministration, shall disseminate RTCA Document (DO-
 6 329) Aircraft Secondary Barriers and Alternative Flight
 7 Deck Security Procedure to aviation stakeholders, includ-
 8 ing air carriers and flight crew, to convey effective meth-
 9 ods and best practices to protect the flight deck.

10 **SEC. 254. CARRIAGE OF WEAPONS, EXPLOSIVES, AND IN-**
 11 **CENDIARIES BY INDIVIDUALS.**

12 (a) **INTERPRETIVE RULE.**—Subject to subsections
 13 (b) and (c), the Administrator shall periodically review and
 14 amend, as necessary, the interpretive rule (68 Fed. Reg.
 15 7444) that provides guidance to the public on the types
 16 of property considered to be weapons, explosives, and in-
 17 cendiaries prohibited under section 1540.111 of title 49,
 18 Code of Federal Regulations.

19 (b) **CONSIDERATIONS.**—Before determining whether
 20 to amend the interpretive rule to include or remove an
 21 item from the prohibited list, the Administrator shall—

22 (1) research and evaluate—

23 (A) the impact, if any, the amendment
 24 would have on security risks;

1 (B) the impact, if any, the amendment
2 would have on screening operations, including
3 effectiveness and efficiency; and

4 (C) whether the amendment is consistent
5 with international standards and guidance, in-
6 cluding of the International Civil Aviation Or-
7 ganization; and

8 (2) consult with appropriate aviation security
9 stakeholders, including ASAC.

10 (e) EXCEPTIONS.—Except for plastic or round bladed
11 butter knives, the Administrator may not amend the inter-
12 pretive rule described in subsection (a) to authorize any
13 knife to be permitted in an airport sterile area or in the
14 cabin of an aircraft.

15 (d) NOTIFICATION.—The Administrator shall—

16 (1) publish in the Federal Register any amend-
17 ment to the interpretive rule described in subsection
18 (a); and

19 (2) notify the appropriate committees of Con-
20 gress of the amendment not later than 3 days before
21 publication under paragraph (1).

1 **TITLE III—CONFORMING AND**
 2 **MISCELLANEOUS AMENDMENTS**

3 **SEC. 301. TITLE 49 AMENDMENTS.**

4 (a) DELETION OF DUTIES RELATED TO AVIATION
 5 SECURITY.—Section 106(g) is amended to read as follows:

6 “(g) DUTIES AND POWERS OF ADMINISTRATOR.—

7 The Administrator shall carry out the following:

8 “(1) Duties and powers of the Secretary of
 9 Transportation under subsection (f) of this section
 10 related to aviation safety (except those related to
 11 transportation, packaging, marking, or description of
 12 hazardous material) and stated in the following:

13 “(A) Section 308(b).

14 “(B) Subsections (c) and (d) of section
 15 1132.

16 “(C) Sections 40101(c), 40103(b),
 17 40106(a), 40108, 40109(b), 40113(a),
 18 40113(e), 40113(d), 40113(e), and 40114(a).

19 “(D) Chapter 445, except sections
 20 44501(b), 44502(a)(2), 44502(a)(3),
 21 44502(a)(4), 44503, 44506, 44509, 44510,
 22 44514, and 44515.

23 “(E) Chapter 447, except sections 44717,
 24 44718(a), 44718(b), 44719, 44720, 44721(b),
 25 44722, and 44723.

1 ~~“(F) Chapter 451.~~

2 ~~“(G) Chapter 453.~~

3 ~~“(H) Section 46104.~~

4 ~~“(I) Subsections (d) and (h)(2) of section~~
 5 ~~46301 and sections 46303(e), 46304 through~~
 6 ~~46308, 46310, 46311, and 46313 through~~
 7 ~~46316.~~

8 ~~“(J) Chapter 465.~~

9 ~~“(K) Sections 47504(b) (related to flight~~
 10 ~~procedures), 47508(a), and 48107.~~

11 ~~“(2) Additional duties and powers prescribed by~~
 12 ~~the Secretary of Transportation.”.~~

13 (b) ~~TRANSPORTATION SECURITY OVERSIGHT~~
 14 ~~BOARD.—Section 115 is amended—~~

15 (1) in subsection (e)(1), by striking ~~“Under~~
 16 ~~Secretary of Transportation for security”~~ and insert-
 17 ~~ing “Administrator of the Transportation Security~~
 18 ~~Administration”~~; and

19 (2) in subsection (e)(6), by striking ~~“Under~~
 20 ~~Secretary”~~ and inserting ~~“Administrator”~~.

21 (c) ~~CHAPTER 401 AMENDMENTS.—Chapter 401 is~~
 22 ~~amended—~~

23 (1) in section 40109—

24 (A) in subsection (b), by striking ~~“, 40119,~~
 25 ~~44901, 44903, 44906, and 44935–44937”~~; and

1 (B) in subsection (c), by striking “sections
2 44909 and” and inserting “sections 44909(a),
3 44909(b), and”;

4 (2) in section 40113—

5 (A) in subsection (a)—

6 (i) by striking “the Under Secretary
7 of Transportation for Security with respect
8 to security duties and powers designated to
9 be carried out by the Under Secretary or”;
10 and

11 (ii) by striking “, Under Secretary,”;
12 and

13 (B) in subsection (d)—

14 (i) by striking “Under Secretary of
15 Transportation for Security or the”;

16 (ii) by striking “Transportation Secu-
17 rity Administration or Federal Aviation
18 Administration, as the case may be,” and
19 inserting “Federal Aviation Administra-
20 tion”; and

21 (iii) by striking “Under Secretary or
22 Administrator, as the case may be,” and
23 inserting “Administrator”;

24 (3) by striking section 40119; and

1 (4) in the table of contents, by striking the item
2 relating to section 40119 and inserting the fol-
3 lowing:

“40119. [Reserved].”.

4 (d) CHAPTER 449 AMENDMENTS.—Chapter 449 is
5 amended—

6 (1) in section 44901—

7 (A) in subsection (a)—

8 (i) by striking “Under Secretary of
9 Transportation for Security” and inserting
10 “Administrator of the Transportation Se-
11 curity Administration”;

12 (ii) by striking “, United States
13 Code”; and

14 (iii) by striking “section 44919 or
15 44920” and inserting “section 44920”;

16 (B) in subsection (e), by striking “but not
17 later than the 60th day following the date of
18 enactment of the Aviation and Transportation
19 Security Act”;

20 (C) in subsection (d)—

21 (i) in paragraph (1)—

22 (I) in the matter preceding sub-
23 paragraph (A), by striking “Under
24 Secretary of Transportation for Secu-
25 rity” and inserting “Administrator of

1 the Transportation Security Adminis-
2 tration”]; and

3 (H) in subparagraph (A), by
4 striking “no later than December 31,
5 2002”;

6 (ii) by striking paragraphs (2) and
7 (3);

8 (iii) by redesignating paragraph (4) as
9 paragraph (2); and

10 (iv) in paragraph (2), as redesi-
11 gnated—

12 (I) in subparagraph (A), by strik-
13 ing “Assistant Secretary (Transpor-
14 tation Security Administration)” and
15 inserting “Administrator of the
16 Transportation Security Administra-
17 tion”;

18 (H) in subparagraph (B), by
19 striking “Assistant Secretary” and in-
20 serting “Administrator of the Trans-
21 portation Security Administration”;
22 and

23 (III) in subparagraph (D)—

24 (aa) by striking “Assistant
25 Secretary” the first place it ap-

1 appears and inserting “Adminis-
2 trator of the Transportation Se-
3 curity Administration”; and

4 (bb) by striking “Assistant
5 Secretary” the second place it
6 appears and inserting “Adminis-
7 trator”;

8 (D) in subsection (e)—

9 (i) in that matter preceding para-
10 graph (1)—

11 (I) by striking “but not later
12 than the 60th day following the date
13 of enactment of the Aviation and
14 Transportation Security Act”; and

15 (II) by striking “Under Sec-
16 retary” and inserting “Administrator
17 of the Transportation Security Ad-
18 ministration”; and

19 (ii) in paragraph (4), by striking
20 “Under Secretary” and inserting “Admin-
21 istrator”;

22 (E) in subsection (f), by striking “after the
23 date of enactment of the Aviation and Trans-
24 portation Security Act”;

25 (F) in subsection (g)—

1 (i) in paragraph (1), by striking “Not
 2 later than 3 years after the date of enact-
 3 ment of the Implementing Recommenda-
 4 tions of the 9/11 Commission Act of 2007,
 5 the” and inserting “The”;

6 (ii) in paragraph (2), by striking “as
 7 follows:” and all that follows and inserting
 8 a period;

9 (iii) by amending paragraph (3) to
 10 read as follows:

11 “(3) REGULATIONS.—The Secretary of Home-
 12 land Security shall issue a final rule as a permanent
 13 regulation to implement this subsection in accord-
 14 ance with the provisions of chapter 5 of title 5.”;

15 (iv) by striking paragraph (4); and

16 (v) by redesignating paragraph (5) as
 17 paragraph (4);

18 (G) in subsection (h)—

19 (i) in paragraph (1), by striking
 20 “Under Secretary” and inserting “Admin-
 21 istrator of the Transportation Security Ad-
 22 ministration”; and

23 (ii) in paragraph (2)—

24 (I) by striking “Under Sec-
 25 retary” the first place it appears and

1 inserting “Administrator of the
2 Transportation Security Administra-
3 tion”; and

4 (H) by striking “Under Sec-
5 retary” each place it appears and in-
6 serting “Administrator”;

7 (H) in subsection (i)—

8 (i) in the matter preceding paragraph
9 (1), by striking “Under Secretary” and in-
10 serting “Administrator of the Transpor-
11 tation Security Administration”; and

12 (ii) in paragraph (2), by striking
13 “Under Secretary” and inserting “Admin-
14 istrator”;

15 (I) in subsection (j)(1)—

16 (i) in the matter preceding subpara-
17 graph (A), by striking “Before January 1,
18 2008, the” and inserting “The”; and

19 (ii) in subparagraph (A), by striking
20 “the date of enactment of this subsection”
21 and inserting “August 3, 2007”;

22 (J) in subsection (k)—

23 (i) in paragraph (1), by striking “Not
24 later than one year after the date of enact-

1 ment of this subsection, the² and inserting
2 “The”;

3 (ii) in paragraph (2), by striking “Not
4 later than 6 months after the date of en-
5 actment of this subsection, the² and in-
6 serting “The”;

7 (iii) in paragraph (3), by striking
8 “Not later than 180 days after the date of
9 enactment of this subsection, the² in para-
10 graph (3) and inserting “The”;

11 (K) in subsection (1)—

12 (i) in paragraph (2)—

13 (I) in the matter preceding sub-
14 paragraph (A), by striking “Begin-
15 ning June 1, 2012, the Assistant Sec-
16 retary of Homeland Security (Trans-
17 portation Security Administration)²
18 and inserting “The Administrator of
19 the Transportation Security Adminis-
20 tration²”; and

21 (II) in subparagraph (B), by
22 striking “Assistant Secretary² and in-
23 serting “Administrator²”;

24 (ii) in paragraph (3)—

25 (I) in subparagraph (A)—

1 (aa) by striking “Assistant
2 Secretary” the first place it ap-
3 pears and inserting “Adminis-
4 trator of the Transportation Se-
5 curity Administration”; and

6 (bb) by striking “Assistant
7 Secretary” the second place it
8 appears and inserting “Adminis-
9 trator”; and

10 (H) in subparagraph (B), by
11 striking “Assistant Secretary” and in-
12 serting “Administrator of the Trans-
13 portation Security Administration”;
14 and

15 (iii) in paragraph (4)—

16 (I) in subparagraph (A)—

17 (aa) by striking “60 days
18 after the deadline specified in
19 paragraph (2), and not later
20 than”;

21 (bb) by striking “Assistant
22 Secretary” the first place it ap-
23 pears and inserting “Adminis-
24 trator of the Transportation Se-
25 curity Administration”; and

1 (cc) by striking “Assistant
2 Secretary” the second place it
3 appears and inserting “Adminis-
4 trator”; and

5 (II) in subparagraph (B), by
6 striking “Assistant Secretary” each
7 place it appears and inserting “Ad-
8 ministrator of the Transportation Se-
9 curity Administration”;

10 (2) section 44902 is amended—

11 (A) in subsection (a), by striking “Under
12 Secretary of Transportation for Security” and
13 inserting “Administrator of the Transportation
14 Security Administration”; and

15 (B) in subsection (b), by striking “Under
16 Secretary” and inserting “Administrator of the
17 Transportation Security Administration”;

18 (3) section 44903 is amended—

19 (A) in subsection (a)—

20 (i) in the heading, by striking “DEFI-
21 NITION” and inserting “DEFINITIONS”;

22 (ii) by redesignating paragraphs (1)
23 through (3) as subparagraphs (A) through
24 (C), respectively;

1 (iii) in subparagraph (B), as redesignig-
 2 nated, by striking “Under Secretary of
 3 Transportation for Security” and inserting
 4 “Administrator”;

5 (iv) in the matter preceding subpara-
 6 graph (A), as redesignated, by striking “In
 7 this section, ‘law enforcement personnel’
 8 means individuals—” and inserting “In
 9 this section:”;

10 (v) by inserting before subparagraph
 11 (A), the following:

12 “(2) LAW ENFORCEMENT PERSONNEL.—The
 13 term ‘law enforcement personnel’ means individ-
 14 uals—”; and

15 (vi) by inserting before paragraph (2),
 16 as redesignated, the following:

17 “(1) ADMINISTRATOR.—The term ‘Adminis-
 18 trator’ means the Administrator of the Transpor-
 19 tation Security Administration.”;

20 (B) by striking “Under Secretary” each
 21 place it appears and inserting “Administrator”;

22 (C) in subsection (d), by striking “Sec-
 23 retary of Transportation” and inserting “Ad-
 24 ministrator”;

25 (D) in subsection (h)—

1 (i) in paragraph (3), by striking “Sec-
2 retary” and inserting “Secretary of Home-
3 land Security”;

4 (ii) in paragraph (4)—

5 (I) in subparagraph (A), by strik-
6 ing “, as soon as practicable after the
7 date of enactment of this subsection,”;

8 (II) in subparagraph (C), by
9 striking “section 44903(e)” and in-
10 sserting “subsection (e)”; and

11 (III) in subparagraph (E), by
12 striking “, not later than March 31,
13 2005,”;

14 (iii) in paragraph (5), by striking
15 “Assistant Secretary of Homeland Security
16 (Transportation Security Administration)”
17 and inserting “Administrator”;

18 (iv) in paragraph (6)(A)—

19 (I) in the matter preceding clause
20 (i), by striking “Not later than 18
21 months after the date of enactment of
22 the Implementing Recommendations
23 of the 9/11 Commission Act of 2007,
24 the” and inserting “The”; and

1 (H) in clause (i), by striking
2 “section” and inserting “paragraph”;
3 and

4 (v) in paragraph (6)(C), by striking
5 “Secretary” and inserting “Secretary of
6 Homeland Security”;

7 (E) in subsection (i)(3), by striking “,
8 after the date of enactment of this paragraph,”;

9 (F) in subsection (j)—

10 (i) by amending paragraph (1) to read
11 as follows:

12 “(1) IN GENERAL.—The Administrator shall
13 periodically recommend to airport operators commer-
14 cially available measures or procedures to prevent
15 access to secure airport areas by unauthorized per-
16 sons.”;

17 (ii) in paragraph (2)—

18 (I) in the heading, by striking
19 “COMPUTER-ASSISTED PASSENGER
20 PRESCREENING SYSTEM” and insert-
21 ing “SECURE FLIGHT PROGRAM”;

22 (H) in subparagraph (A)—

23 (aa) by striking “Computer-
24 Assisted Passenger Prescreening

1 System” and inserting “Secure
2 Flight program”; and
3 (bb) by striking “system”
4 each place it appears and insert-
5 ing “program”;
6 (III) in subparagraph (B), by
7 striking “Computer-Assisted Pas-
8 senger Prescreening System” and in-
9 serting “Secure Flight program”;
10 (IV) in subparagraph (C)—
11 (aa) in clause (i), by striking
12 “Not later than January 1, 2005,
13 the Assistant Secretary of Home-
14 land Security (Transportation
15 Security Administration), or the
16 designee of the Assistant Sec-
17 retary,” and inserting “The Ad-
18 ministrator”;
19 (bb) in clause (ii), by strik-
20 ing “Not later than 180 days
21 after completion of testing under
22 clause (i), the” and inserting
23 “The”; and

1 (cc) in clause (iv), by strik-
2 ing “Not later than 180 days
3 after” and inserting “After”;

4 (V) in subparagraph (D), by
5 striking “Assistant Secretary of
6 Homeland Security (Transportation
7 Security Administration)” and insert-
8 ing “Administrator”;

9 (VI) in subparagraph (E)(i), by
10 striking “Not later than 90 days after
11 the date on which the Assistant Sec-
12 retary assumes the performance of the
13 advanced passenger prescreening
14 function under subparagraph (C)(ii),
15 the” and inserting “The Adminis-
16 trator”;

17 (VII) by striking “Assistant Sec-
18 retary” each place it appears and in-
19 serting “Administrator”; and

20 (VIII) by striking “Secretary of
21 Transportation” each place it appears
22 and inserting “Administrator”; and

23 (G) in subsection (m)—

24 (i) in paragraph (1), by striking “As-
25 sistant Secretary of Homeland Security

1 (Transportation Security Administration)”

2 and inserting “Administrator”; and

3 (ii) by striking “Assistant Secretary”

4 each place it appears and inserting “Ad-

5 ministrator”;

6 (4) section 44904 is amended—

7 (A) in subsection (a), by striking “Under

8 Secretary of Transportation for Security” and

9 inserting “Administrator of the Transportation

10 Security Administration”;

11 (B) in subsection (e)—

12 (i) by striking “section 114(t)(3)” and

13 inserting “section 114(s)(3)”; and

14 (ii) by striking “section 114(t)” and

15 inserting “section 114(s)”;

16 (C) in subsection (d)—

17 (i) by striking “Not later than 90

18 days after the date of the submission of

19 the National Strategy for Transportation

20 Security under section 114(t)(4)(A), the

21 Assistant Secretary of Homeland Security

22 (Transportation Security Administration)”

23 and inserting “The Administrator of the

24 Transportation Security Administration”;

25 and

1 (ii) by striking “section 114(t)(1)”
2 and inserting “section 114(s)(1)”; and

3 (D) by striking “Under Secretary” each
4 place it appears and inserting “Administrator
5 of the Transportation Security Administration”;
6 (5) section 44905 is amended—

7 (A) in subsection (a)—

8 (i) by striking “Secretary of Trans-
9 portation” and inserting “Administrator of
10 the Transportation Security Administra-
11 tion”; and

12 (ii) by striking “Secretary.” and in-
13 serting “Administrator.”;

14 (B) in subsection (b), by striking “Under
15 Secretary of Transportation for Security” and
16 inserting “Administrator of the Transportation
17 Security Administration”; and

18 (C) in subsections (c), (d), and (f), by
19 striking “Under Secretary” each place it ap-
20 pears and inserting “Administrator of the
21 Transportation Security Administration”;

22 (6) section 44906 is amended—

23 (A) by striking “Under Secretary of
24 Transportation for Security” and inserting

1 “Administrator of the Transportation Security
2 Administration”; and

3 (B) by striking “Under Secretary” each
4 place it appears and inserting “Administrator”;
5 (7) section 44908 is amended—

6 (A) by striking “Secretary of Transpor-
7 tation” each place it appears and inserting
8 “Administrator of the Transportation Security
9 Administration”;

10 (B) in subsection (a), by striking “safety
11 or”; and

12 (C) in subsection (e), by striking “The
13 Secretary” and inserting “The Administrator”;
14 (8) section 44909 is amended—

15 (A) in subsection (a)(1), by striking “Not
16 later than March 16, 1991, the” and inserting
17 “the”; and

18 (B) in subsection (e)—

19 (i) in paragraph (1), by striking “Not
20 later than 60 days after the date of enact-
21 ment of the Aviation and Transportation
22 Security Act, each” and inserting “Each”;

23 (ii) in paragraphs (2)(F) and (5), by
24 striking “Under Secretary” and inserting

1 “Administrator of the Transportation Se-
2 curity Administration”; and

3 (iii) in paragraph (6)—

4 (I) in subparagraph (A), by strik-
5 ing “Not later than 60 days after date
6 of enactment of this paragraph, the”
7 and inserting “The”; and

8 (II) in subparagraph (B)(ii)—

9 (aa) by striking “the Sec-
10 retary will” and inserting “the
11 Secretary of Homeland Security
12 will”; and

13 (bb) by striking “the Sec-
14 retary to” and inserting “the
15 Secretary of Homeland Security
16 to”;

17 (9) section 44911 is amended—

18 (A) in subsection (b), by striking “Under
19 Secretary of Transportation for Security” and
20 inserting “Administrator of the Transportation
21 Security Administration”;

22 (B) in subsection (d), by striking “request
23 of the Secretary” and inserting “request of the
24 Secretary of Homeland Security”; and

25 (C) in subsection (e)—

1 (i) by striking “Secretary, and the
2 Under Secretary” and inserting “Secretary
3 of Homeland Security, and the Adminis-
4 trator of the Transportation Security Ad-
5 ministration”; and

6 (ii) by striking “intelligence commu-
7 nity and the Under Secretary” and insert-
8 ing “intelligence community and the Ad-
9 ministrator of the Transportation Security
10 Administration”;

11 ~~(10)~~ section 44912 is amended—

12 ~~(A)~~ in subsection (a)—

13 (i) in paragraph (1)—

14 (I) by striking “Under Secretary
15 of Transportation for Security” and
16 inserting “Administrator”; and

17 (II) by striking “, not later than
18 November 16, 1993,”; and

19 (ii) in paragraph (4)(C), by striking
20 “Research, Engineering and Development
21 Advisory Committee” and inserting “Ad-
22 ministrator”;

23 ~~(B)~~ in subsection (c)—

24 (i) in paragraph (1), by striking “, as
25 a subcommittee of the Research, Engineer-

1 ing, and Development Advisory Com-
2 mittee,”; and

3 (ii) in paragraph (4), by striking “Not
4 later than 90 days after the date of the en-
5 actment of the Aviation and Transpor-
6 tation Security Act, and every two years
7 thereafter,” and inserting “Biennially,”;

8 (C) by striking “Under Secretary” each
9 place it appears and inserting “Administrator”;
10 and

11 (D) by adding at the end the following:

12 “(d) SECURITY AND RESEARCH AND DEVELOPMENT
13 ACTIVITIES.—

14 “(1) IN GENERAL.—The Administrator of the
15 Transportation Security Administration shall con-
16 duct research (including behavioral research) and
17 development activities appropriate to develop, mod-
18 ify, test, and evaluate a system, procedure, facility,
19 or device to protect passengers and property against
20 acts of criminal violence, aircraft piracy, and ter-
21 rorism and to ensure security.

22 “(2) DISCLOSURE.—

23 “(A) IN GENERAL.—Notwithstanding sec-
24 tion 552 of title 5, the Administrator of the
25 Transportation Security Administration shall

1 prescribe regulations prohibiting disclosure of
2 information obtained or developed in ensuring
3 security under this title if the Secretary of
4 Homeland Security decides disclosing the infor-
5 mation would—

6 “(i) be an unwarranted invasion of
7 personal privacy;

8 “(ii) reveal a trade secret or privileged
9 or confidential commercial or financial in-
10 formation; or

11 “(iii) be detrimental to transportation
12 safety.

13 “(B) INFORMATION TO CONGRESS.—Sub-
14 paragraph (A) does not authorize information
15 to be withheld from a committee of Congress
16 authorized to have the information.

17 “(C) RULE OF CONSTRUCTION.—Nothing
18 in subparagraph (A) shall be construed to au-
19 thorize the designation of information as sen-
20 sitive security information (as defined in section
21 15.5 of title 49, Code of Federal Regulations)—

22 “(i) to conceal a violation of law, inef-
23 ficiency, or administrative error;

24 “(ii) to prevent embarrassment to a
25 person, organization, or agency;

1 ~~“(iii) to restrain competition; or~~

2 ~~“(iv) to prevent or delay the release of~~
3 ~~information that does not require protec-~~
4 ~~tion in the interest of transportation secu-~~
5 ~~rity, including basic scientific research in-~~
6 ~~formation not clearly related to transpor-~~
7 ~~tation security.~~

8 ~~“(D) PRIVACY ACT.—Section 552a of title~~
9 ~~5 shall not apply to disclosures that the Admin-~~
10 ~~istrator of the Transportation Security Admin-~~
11 ~~istration may make from the systems of records~~
12 ~~of the Transportation Security Administration~~
13 ~~to any Federal law enforcement, intelligence,~~
14 ~~protective service, immigration, or national se-~~
15 ~~curity official in order to assist the official re-~~
16 ~~ceiving the information in the performance of~~
17 ~~official duties.~~

18 ~~“(3) TRANSFERS OF DUTIES AND POWERS PRO-~~
19 ~~HIBITED.—Except as otherwise provided by law, the~~
20 ~~Administrator may not transfer a duty or power~~
21 ~~under this section to another department, agency, or~~
22 ~~instrumentality of the United States Government.~~

23 ~~“(e) DEFINITION OF ADMINISTRATOR.—In this sec-~~
24 ~~tion, the term ‘Administrator’ means the Administrator of~~
25 ~~the Transportation Security Administration.”;~~

1 (11) section 44913 is amended—

2 (A) in subsection (a)—

3 (i) in paragraph (1), by striking
4 “Under Secretary of Transportation for
5 Security” and inserting “Administrator of
6 the Transportation Security Administra-
7 tion (referred to in this section as ‘the Ad-
8 ministrator’)”;

9 (ii) by striking paragraph (2);

10 (iii) by redesignating paragraphs (3)
11 and (4) as paragraphs (2) and (3), respec-
12 tively; and

13 (iv) by striking “Under Secretary”
14 each place it appears and inserting “Ad-
15 ministrator”; and

16 (B) in subsection (b), by striking “Sec-
17 retary of Transportation” and inserting “Ad-
18 ministrator”;

19 (12) section 44914 is amended—

20 (A) by striking “Under Secretary of
21 Transportation for Security” and inserting
22 “Administrator of the Transportation Security
23 Administration”;

1 (B) by striking “Under Secretary” each
2 place it appears and inserting “Administrator”;
3 and

4 (C) by inserting “the Department of
5 Transportation,” before “air carriers, airport
6 authorities, and others”;

7 (13) section 44915 is amended by striking
8 “Under Secretary of Transportation for Security”
9 and inserting “Administrator of the Transportation
10 Security Administration”;

11 (14) section 44916 is amended—

12 (A) in subsection (a), by striking “Under
13 Secretary of Transportation for Security” and
14 inserting “Administrator of the Transportation
15 Security Administration”; and

16 (B) in subsection (b)—

17 (i) by striking “Under Secretary” the
18 first place it appears and inserting “Ad-
19 ministrator of the Transportation Security
20 Administration”; and

21 (ii) by striking “Under Secretary” the
22 second place it appears and inserting “Ad-
23 ministrator”;

24 (15) section 44917 is amended—

25 (A) in subsection (a)—

1 (i) in the matter preceding paragraph
2 (1), by striking “Under Secretary of
3 Transportation for Security” and inserting
4 “Administrator of the Transportation Se-
5 curity Administration”; and

6 (ii) in paragraph (2), by striking “by
7 the Secretary”;

8 (B) in subsection (d)—

9 (i) in paragraph (1), by striking “As-
10 sistant Secretary for Immigration and Cus-
11 toms Enforcement of the Department of
12 Homeland Security” and inserting “Ad-
13 ministrator of the Transportation Security
14 Administration”; and

15 (ii) in paragraph (3), by striking “As-
16 sistant Secretary” each place it appears
17 and inserting “Administrator of the Trans-
18 portation Security Administration”;

19 (16) section 44918 is amended—

20 (A) in subsection (a)—

21 (i) in paragraph (2)(E), by striking
22 “Under Secretary for Border and Trans-
23 portation Security of the Department of
24 Homeland Security” and inserting “Ad-

1 administrator of the Transportation Security
2 Administration”;

3 (ii) in paragraph (4), by striking “Not
4 later than one year after the date of enact-
5 ment of the Vision 100—Century of Avia-
6 tion Reauthorization Act, the” and insert-
7 ing “The”; and

8 (iii) in paragraph (5), by striking “the
9 date of enactment of the Vision 100—Cen-
10 tury of Aviation Reauthorization Act” and
11 inserting “December 12, 2003”;

12 (B) in subsection (b)—

13 (i) in paragraph (1), by striking “Not
14 later than one year after the date of enact-
15 ment of the Vision 100—Century of Avia-
16 tion Reauthorization Act, the” and insert-
17 ing “The”; and

18 (ii) in paragraph (6), by striking
19 “Federal Air Marshals Service” and insert-
20 ing “Federal Air Marshal Service”; and

21 (C) by striking “Under Secretary” each
22 place it appears and inserting “Administrator
23 of the Transportation Security Administration”;
24 (17) section 44920 is amended—

1 (A) in subsection (a), by striking “On or
2 after the last day of the 2-year period beginning
3 on the date on which the Under Secretary
4 transmits to Congress the certification required
5 by section 110(e) of the Aviation and Transpor-
6 tation Security Act, an” and inserting “An”;

7 (B) in subsection (g)(1), by striking “sub-
8 section (a) or section 44919” and inserting
9 “subsection (a)”;

10 (C) by striking “Under Secretary” each
11 place it appears and inserting “Administrator”;
12 and

13 (D) by adding at the end the following:

14 “(i) DEFINITION OF ADMINISTRATOR.—In this sec-
15 tion, the term ‘Administrator’ means the Administrator of
16 the Transportation Security Administration.”;

17 (18) section 44922 is amended—

18 (A) in the heading, by striking “**Deputa-**
19 **tion**” and inserting “**Deputization**”;

20 (B) in subsection (a)—

21 (i) in the heading, by striking “DEPU-
22 TATION” and inserting “DEPUTIZATION”;
23 and

24 (ii) by striking “Under Secretary of
25 Transportation for Security” and inserting

1 “Administrator of the Transportation Security Administration”;

2
3 (C) in subsection (e), by striking “deputation” and inserting “deputization”; and

4
5 (D) by striking “Under Secretary” each
6 place it appears and inserting “Administrator
7 of the Transportation Security Administration”;

8 (19) section 44923 is amended—

9 (A) in subsection (a), by striking “Under
10 Secretary for Border and Transportation Security
11 of the Department of Homeland Security”
12 and inserting “Administrator of the Transportation
13 Security Administration”;

14 (B) by striking “Under Secretary” each
15 place it appears and inserting “Administrator
16 of the Transportation Security Administration”;

17 (C) in subsection (e)—

18 (i) by striking paragraph (2); and

19 (ii) by striking “(1) IN GENERAL.—”;

20 and

21 (D) by striking subsection (j);

22 (20) section 44924 is amended—

23 (A) in subsection (a)—

24 (i) by striking “Under Secretary for
25 Border and Transportation Security of the

1 Department of Homeland Security” and
2 inserting “Administrator of the Transpor-
3 tation Security Administration”; and

4 (ii) by striking “Administrator under”
5 and inserting “Administrator of the Fed-
6 eral Aviation Administration under”;

7 (B) in subsections (b), (c), (d), (e), and
8 (f), by striking “Administrator” and inserting
9 “Administrator of the Federal Aviation Admin-
10 istration”;

11 (C) in subsection (f), by striking “Not
12 later than 240 days after the date of enactment
13 of this section, the” and inserting “The”; and

14 (D) by striking “Under Secretary” each
15 place it appears and inserting “Administrator
16 of the Transportation Security Administration”;
17 (21) section 44925 is amended—

18 (A) in subsection (b)(1), by striking “Not
19 later than 90 days after the date of enactment
20 of this section, the Assistant Secretary of
21 Homeland Security (Transportation Security
22 Administration)” and inserting “The Adminis-
23 trator of the Transportation Security Adminis-
24 tration”;

1 (B) in subsection (b), by striking para-
2 graph (3); and

3 (C) in subsection (d), by striking “Assist-
4 ant Secretary” each place it appears and insert-
5 ing “Administrator of the Transportation Secu-
6 rity Administration”;

7 (22) section 44926(b)(3) is amended by strik-
8 ing “an misidentified passenger” and inserting “a
9 misidentified passenger”;

10 (23) section 44927 is amended—

11 (A) by striking “Assistant Secretary” each
12 place it appears and inserting “Administrator
13 of the Transportation Security Administration”;

14 (B) in subsection (a), by striking “Veteran
15 Affairs” and inserting “Veterans Affairs”; and

16 (C) in subsection (f)—

17 (i) in the heading, by striking “RE-
18 PORT” and inserting “REPORTS”; and

19 (ii) by striking “Not later than 1 year
20 after the date of enactment of this section,
21 and annually thereafter,” and inserting
22 “Each year,”;

23 (24) section 44933 is amended—

24 (A) in subsection (a)—

1 (i) by striking “Under Secretary of
2 Transportation for Security” and inserting
3 “Administrator of the Transportation Se-
4 curity Administration”;

5 (ii) by striking “Federal Security
6 Manager” and inserting “Federal Security
7 Director”; and

8 (iii) by striking “Managers” each
9 place it appears and inserting “Federal Se-
10 curity Directors”;

11 (B) in subsection (b), by striking “Man-
12 ager” and inserting “Federal Security Direc-
13 tor”; and

14 (C) by striking “Under Secretary” each
15 place it appears and inserting “Administrator
16 of the Transportation Security Administration”;
17 (25) section 44934 is amended—

18 (A) in subsection (a)—

19 (i) by striking “Under Secretary of
20 Transportation for Security” and inserting
21 “Administrator of the Transportation Se-
22 curity Administration”;

23 (ii) by striking “airports. In coordina-
24 tion with the Secretary” and inserting

1 “airports. In coordination with the Sec-
2 retary of State”;

3 (iii) by striking “The Secretary shall
4 give high priority” and inserting “The Sec-
5 retary of State shall give high priority”;
6 and

7 (iv) by striking “Under Secretary”
8 each place it appears and inserting “Ad-
9 ministrator”;

10 (B) in subsection (b)—

11 (i) in the matter preceding paragraph
12 (1), by striking “Under Secretary” and in-
13 serting “Administrator of the Transpor-
14 tation Security Administration”;

15 (ii) in paragraph (1), by striking
16 “Under Secretary” and inserting “Admin-
17 istrator”;

18 (C) in subsection (c), by striking “the Sec-
19 retary and the chief” and inserting “the Sec-
20 retary of State and the chief”;

21 (26) section 44935 is amended—

22 (A) in subsection (a), by striking “Under
23 Secretary of Transportation for Security” and
24 inserting “Administrator”;

25 (B) in subsection (c)—

1 (i) in paragraph (1), by striking
 2 “Under Secretary of Transportation for
 3 Security” and inserting “Administrator”;
 4 and

5 (ii) in paragraph (2)(A)—

6 (I) in the matter preceding clause

7 (i)—

8 (aa) by striking “Within 30
 9 days after the date of enactment
 10 of the Aviation and Transpor-
 11 tation Security Act, the” and in-
 12 serting “The”; and

13 (bb) by inserting “other” be-
 14 fore “provision of law”; and

15 (II) in clause (ii), by striking
 16 “1102(a)(22)” and inserting
 17 “101(a)(22)”;

18 (C) in subsection (f)(1), by inserting
 19 “other” before “provision of law”;

20 (D) in subsection (g)(2), by striking
 21 “Within 60 days after the date of enactment of
 22 the Aviation and Transportation Security Act,
 23 the” and inserting “The”;

24 (E) by striking “(i) ACCESSIBILITY OF
 25 COMPUTER-BASED TRAINING FACILITIES.—”

1 and inserting “(k) ACCESSIBILITY OF COM-
2 PUTER-BASED TRAINING FACILITIES.—”;

3 (F) by striking “Under Secretary” each
4 place it appears and inserting “Administrator”;
5 and

6 (G) by adding at the end the following:

7 “(1) DEFINITION OF ADMINISTRATOR.—In this sec-
8 tion, the term ‘Administrator’ means the Administrator of
9 the Transportation Security Administration.”;

10 (27) section 44936 is amended—

11 (A) in subsections (a)—

12 (i) by striking “Under Secretary of
13 Transportation for Security” each place it
14 appears and inserting “Administrator”;

15 (ii) in paragraph (1)—

16 (I) in subparagraph (A), by strik-
17 ing “,” and inserting a comma; and

18 (II) by striking subparagraph
19 (C); and

20 (iii) by redesignating subparagraph
21 (D) as subparagraph (C);

22 (B) by striking “Under Secretary” each
23 place it appears and inserting “Administrator”;
24 and

25 (C) by adding at the end the following:

1 “(f) DEFINITION OF ADMINISTRATOR.—In this sec-
 2 tion, the term ‘Administrator’ means the Administrator of
 3 the Transportation Security Administration.”;

4 (28) section 44937 is amended by striking
 5 “Under Secretary of Transportation for Security”
 6 and inserting “Administrator of the Transportation
 7 Security Administration”;

8 (29) section 44938 is amended—

9 (A) in subsection (a)—

10 (i) by striking “Under Secretary of
 11 Transportation for Security” and inserting
 12 “Administrator of the Transportation Se-
 13 curity Administration”; and

14 (ii) by striking “Secretary of Trans-
 15 portation” and inserting “Secretary of
 16 Homeland Security”; and

17 (B) by striking “Under Secretary” each
 18 place it appears and inserting “Administrator
 19 of the Transportation Security Administration”;

20 (30) section 44939(d) is amended by striking
 21 “Not later than 60 days after the date of enactment
 22 of this section, the Secretary” and inserting “The
 23 Secretary of Homeland Security”;

24 (31) section 44940 is amended—

25 (A) in subsection (a)—

1 (i) in paragraph (1)—

2 (I) by striking “Under Secretary
3 of Transportation for Security” and
4 inserting “Administrator of the
5 Transportation Security Administra-
6 tion”; and

7 (II) by striking the last two sen-
8 tences; and

9 (ii) by adding at the end the fol-
10 lowing:

11 “(2) DETERMINATION OF COSTS.—

12 “(A) IN GENERAL.—The amount of the
13 costs under paragraph (1) shall be determined
14 by the Administrator of the Transportation Se-
15 curity Administration and shall not be subject
16 to judicial review.

17 “(B) DEFINITION OF FEDERAL LAW EN-
18 FORCEMENT PERSONNEL.—For purposes of
19 paragraph (1)(A), the term ‘Federal law en-
20 forcement personnel’ includes State and local
21 law enforcement officers who are deputized
22 under section 44922.”;

23 (B) in subsections (b), (d), (e), (g), and
24 (h), by striking “Under Secretary” each place it

1 appears and inserting “Administrator of the
2 Transportation Security Administration”;

3 (C) in subsection (d)—

4 (i) in paragraph (1)—

5 (I) by striking “within 60 days of
6 the date of enactment of this Act, or”;

7 and

8 (II) by striking “thereafter”; and

9 (ii) in paragraph (2), by striking
10 “subsection (d)” each place it appears and
11 inserting “paragraph (1) of this sub-
12 section”;

13 (D) in subsection (e)(1), by striking “FEES
14 PAYABLE TO UNDER SECRETARY” in the head-
15 ing and inserting “FEES PAYABLE TO ADMINIS-
16 TRATOR”; and

17 (E) in subsection (i)(4)—

18 (i) by striking subparagraphs (A)
19 through (D); and

20 (ii) by redesignating subparagraphs
21 (E) through (L) as subparagraphs (A)
22 through (H), respectively;

23 (32) section 44941(a) is amended by inserting
24 “the Department of Homeland Security,” after “De-
25 partment of Transportation”;

1 ~~(33)~~ section 44942 is amended—

2 (A) in subsection (a)—

3 (i) in paragraph (1)—

4 (I) in the matter preceding sub-
5 paragraph (A), by striking “Within
6 180 days after the date of enactment
7 of the Aviation and Transportation
8 Security Act, the Under Secretary for
9 Transportation Security may, in con-
10 sultation with” and inserting “The
11 Administrator of the Transportation
12 Security Administration may, in con-
13 sultation with other relevant Federal
14 agencies and”; and

15 (II) in subparagraph (A), by
16 striking “, and” and inserting “,
17 and”; and

18 (ii) in paragraph (2), by inserting a
19 comma after “Federal Aviation Adminis-
20 tration”;

21 (B) in subsection (b)—

22 (i) by striking “(1) PERFORMANCE
23 PLAN AND REPORT.—”;

1 (ii) by redesignating subparagraphs
2 (A) and (B) as paragraphs (1) and (2), re-
3 spectively;

4 (iii) in paragraph (1), as redesign-
5 ated—

6 (I) by redesignating clauses (i)
7 and (ii) as subparagraphs (A) and
8 (B), respectively;

9 (II) in subparagraph (A), as re-
10 designated, by striking “the Secretary
11 and the Under Secretary for Trans-
12 portation Security shall agree” and
13 inserting “the Secretary of Homeland
14 Security and the Administrator of the
15 Transportation Security Administra-
16 tion shall agree”; and

17 (III) in subparagraph (B), as re-
18 designated, by striking “the Sec-
19 retary, the Under Secretary for
20 Transportation Security” and insert-
21 ing “the Secretary of Homeland Secu-
22 rity, the Administrator of the Trans-
23 portation Security Administration,”;
24 and

1 (iv) in paragraph (2), as redesignated,
 2 by striking “Under Secretary for Trans-
 3 portation Security” and inserting “Admin-
 4 istrator of the Transportation Security Ad-
 5 ministration”;

6 (34) section 44943 is amended—

7 (A) in subsection (a), by striking “Under
 8 Secretary for Transportation Security” and in-
 9 serting “Administrator of the Transportation
 10 Security Administration”;

11 (B) in subsection (b)—

12 (i) in paragraph (1)—

13 (I) by striking “Secretary and
 14 Under Secretary of Transportation for
 15 Security” and inserting “Secretary of
 16 Homeland Security and Administrator
 17 of the Transportation Security Ad-
 18 ministration”; and

19 (II) by striking “Under Sec-
 20 retary” and inserting “Administrator
 21 of the Transportation Security Ad-
 22 ministration”; and

23 (ii) in paragraph (2)—

24 (I) by striking “Under Sec-
 25 retary” the first place it appears and

1 inserting “Administrator of the
2 Transportation Security Administra-
3 tion”; and

4 (H) by striking “Under Secretary
5 shall” each place it appears and in-
6 serting “Administrator shall”; and

7 (C) in subsection (c), by striking “Aviation
8 Security Act, the Under Secretary for Trans-
9 portation Security” and inserting “Aviation and
10 Transportation Security Act (Public Law 107-
11 71, 115 Stat. 597), the Administrator of the
12 Transportation Security Administration”;

13 (35) section 44944 is amended—

14 (A) in subsection (a)—

15 (i) in paragraph (1), by striking
16 “Under Secretary of Transportation for
17 Transportation Security” and inserting
18 “Administrator of the Transportation Se-
19 curity Administration”; and

20 (ii) in paragraph (4), by inserting
21 “the Administrator of the Federal Aviation
22 Administration,” after “consult with”; and

23 (B) by striking “Under Secretary” each
24 place it appears and inserting “Administrator
25 of the Transportation Security Administration”;

1 (36) section 44945(b) is amended by striking
 2 “Assistant Secretary” each place it appears and in-
 3 serting “Administrator of the Transportation Secu-
 4 rity Administration”; and

5 (37) section 44946 is amended—

6 (A) in subsection (g)—

7 (i) by striking paragraph (2);

8 (ii) by redesignating paragraph (1) as
 9 paragraph (2); and

10 (iii) by inserting before paragraph (2),

11 as redesignated, the following:

12 “(1) ADMINISTRATOR.—The term ‘Adminis-
 13 trator’ means the Administrator of the Transpor-
 14 tation Security Administration.”;

15 (B) by striking “Assistant Secretary” each
 16 place it appears and inserting “Administrator”;

17 (C) in subsection (b)(4)—

18 (i) by striking “the Secretary re-
 19 ceives” and inserting “the Administrator
 20 receives”; and

21 (ii) by striking “the Secretary shall”
 22 and inserting “the Administrator shall”;
 23 and

24 (D) in subsection (e)(1)(A), by striking
 25 “Not later than 180 days after the date of en-

1 actment of the Aviation Security Stakeholder
2 Participation Act of 2014, the² and inserting
3 ~~“The”~~.

4 (e) CHAPTER 451 AMENDMENTS.—Section 45107 is
5 amended—

6 (1) in subsection (a), by striking “Under Sec-
7 retary of Transportation for Security² and inserting
8 “Administrator of the Transportation Security Ad-
9 ministration”; and

10 (2) in subsection (b), by striking “Under Sec-
11 retary of Transportation for Security, the Transpor-
12 tation Security Administration,” and inserting “Ad-
13 ministrator of the Transportation Security Adminis-
14 tration”.

15 (f) CHAPTER 461 AMENDMENTS.—Chapter 461 is
16 amended—

17 (1) in each of sections 46101(a)(1), 46102(a),
18 46103(a), 46104(a), 46105(a), 46106, 46107(b),
19 and 46110(a) by striking “Under Secretary of
20 Transportation for Security with respect to security
21 duties and powers designated to be carried out by
22 the Under Secretary² and inserting “Administrator
23 of the Transportation Security Administration with
24 respect to security duties and powers designated to

1 be carried out by the Administrator of the Transpor-
2 tation Security Administration”;

3 (2) in each of sections 46101, 46102(e), 46103,
4 46104, 46105, 46107, and 46110 by striking “or
5 Administrator” each place it appears and inserting
6 “or Administrator of the Federal Aviation Adminis-
7 tration”;

8 (3) in each of sections 46101(a)(1), 46102(a)
9 46103(a), 46104(a), 46105(a), 46106, 46107(b),
10 and 46110(a) by striking “by the Administrator”
11 and inserting “by the Administrator of the Federal
12 Aviation Administration”;

13 (4) in each of sections 46101, 46102, 46103,
14 46104, 46105, 46107, and 46110 by striking
15 “Under Secretary,” each place it appears and insert-
16 ing “Administrator of the Transportation Security
17 Administration,”;

18 (5) in section 46102—

19 (A) in subsection (b), by striking “the Ad-
20 ministrator” each place it appears and inserting
21 “the Administrator of the Federal Aviation Ad-
22 ministration”;

23 (B) in subsection (e), by striking “and Ad-
24 ministrator” each place it appears and inserting

1 “and Administrator of the Federal Aviation Ad-
2 ministration”; and

3 (C) in subsection (d), by striking “the Ad-
4 ministrator, or an officer or employee of the
5 Administration” in subsection (d) and inserting
6 “the Administrator of the Federal Aviation Ad-
7 ministration, or an officer or employee of the
8 Federal Aviation Administration”;

9 (6) in section 46104—

10 (A) by striking “subpena” each place it ap-
11 pears and inserting “subpoena”; and

12 (B) in subsection (b)—

13 (i) in the heading, by striking “SUB-
14 PENAS” and inserting “SUBPOENAS”; and

15 (ii) by striking “the Administrator”
16 and inserting “the Administrator of the
17 Federal Aviation Administration”;

18 (7) in section 46105(c), by striking “When the
19 Administrator” and inserting “When the Adminis-
20 trator of the Federal Aviation Administration”;

21 (8) in section 46109, by inserting “(or the Ad-
22 ministrator of the Transportation Security Adminis-
23 tration with respect to security duties and powers
24 designated to be carried out by the Administrator of
25 the Transportation Security Administration or the

1 Administrator of the Federal Aviation Administra-
2 tion with respect to aviation safety duties and pow-
3 ers designated to be carried out by the Adminis-
4 trator)” after “Secretary of Transportation”; and

5 (9) in section 46111—

6 (A) in subsection (a)—

7 (i) by inserting “the” before “Federal
8 Aviation Administration”;

9 (ii) by striking “Administrator is”
10 and inserting “Administrator of the Fed-
11 eral Aviation Administration is”; and

12 (iii) by striking “Under Secretary for
13 Border and Transportation Security of the
14 Department of Homeland Security” and
15 inserting “Administrator of the Transpor-
16 tation Security Administration”;

17 (B) in subsections (b), (c), (e), and (g), by
18 striking “Administrator” and inserting “Admin-
19 istrator of the Federal Aviation Administra-
20 tion”;

21 (C) in subsection (g)(2)(A), by striking
22 “(18 U.S.C. App.)” and inserting “(18 U.S.C.
23 App.)”; and

1 (D) by striking “Under Secretary” each
2 place it appears and inserting “Administrator
3 of the Transportation Security Administration”.

4 (g) CHAPTER 463 AMENDMENTS.—Chapter 463 is
5 amended—

6 (1) in section 46301—

7 (A) in subsection (a)(5)—

8 (i) in subparagraph (A)(i), by striking
9 “or chapter 451” and inserting “chapter
10 451”; and

11 (ii) in subparagraph (D), by inserting
12 “of Transportation” after “Secretary”;

13 (B) in subsection (d)—

14 (i) in paragraph (2)—

15 (I) by striking “defined by the
16 Secretary” and inserting “defined by
17 the Secretary of Transportation”; and

18 (II) by striking “Administrator
19 shall” and inserting “Administrator of
20 the Federal Aviation Administration
21 shall”;

22 (ii) in paragraphs (3), (4), (5), (6),
23 (7), and (8), by striking “Administrator”
24 and inserting “Administrator of the Fed-
25 eral Aviation Administration”; and

1 (iii) in paragraph (8), by striking
2 “Under Secretary” and inserting “Admin-
3 istrator of the Transportation Security Ad-
4 ministration”;

5 (C) in subsection (e), by inserting “of
6 Transportation” after “Secretary”;

7 (D) in subsection (g), by striking “Admin-
8 istrator” and inserting “Administrator of the
9 Federal Aviation Administration”; and

10 (E) in subsection (h)(2)—

11 (i) by striking “Under Secretary of
12 Transportation for Security with respect to
13 security duties and powers designated to
14 be carried out by the Under Secretary”
15 and inserting “Administrator of the Trans-
16 portation Security Administration with re-
17 spect to security duties and powers des-
18 igned to be carried out by the Adminis-
19 trator of the Transportation Security Ad-
20 ministration”; and

21 (ii) by striking “or the Administrator
22 with respect to aviation safety duties and
23 powers designated to be carried out by the
24 Administrator” and inserting “or the Ad-
25 ministrator of the Federal Aviation Admin-

1 istration with respect to aviation safety du-
2 ties and powers designated to be carried
3 out by the Administrator of the Federal
4 Aviation Administration”;

5 (2) in section 46304(b), by striking “the Ad-
6 ministrator of the Federal Aviation Administration
7 with respect to aviation safety duties and powers
8 designated to be carried out by the Administrator”
9 and inserting “or the Administrator of the Federal
10 Aviation Administration with respect to aviation
11 safety duties and powers designated to be carried
12 out by the Administrator of the Federal Aviation
13 Administration”;

14 (3) in section 46311—

15 (A) in subsection (a)—

16 (i) in the matter preceding paragraph

17 (1)—

18 (I) by striking “Under Secretary
19 of Transportation for Security with
20 respect to security duties and powers
21 designated to be carried out by the
22 Under Secretary” and inserting “Ad-
23 ministrator of the Transportation Se-
24 curity Administration with respect to
25 security duties and powers designated

1 to be carried out by the Administrator
2 of the Transportation Security Ad-
3 ministration”;

4 (II) by striking “the Adminis-
5 trator of the Federal Aviation Admin-
6 istration with respect to aviation safe-
7 ty duties and powers designated to be
8 carried out by the Administrator” and
9 inserting “or the Administrator of the
10 Federal Aviation Administration with
11 respect to aviation safety duties and
12 powers designated to be carried out by
13 the Administrator of the Federal
14 Aviation Administration”;

15 (III) by striking “Administrator
16 shall” and inserting “Administrator of
17 the Federal Aviation Administration
18 shall”; and

19 (IV) by striking “Administrator,”
20 and inserting “Administrator of the
21 Federal Aviation Administration,”;
22 and

23 (ii) in paragraph (1), by striking “Ad-
24 ministrator” and inserting “Administrator
25 of the Federal Aviation Administration”;

1 (B) in subsections (b) and (c), by striking
2 “Administrator” and inserting “Administrator
3 of the Federal Aviation Administration”; and

4 (C) by striking “Under Secretary” each
5 place it appears and inserting “Administrator
6 of the Transportation Security Administration”;

7 (4) in section 46313—

8 (A) by striking “Under Secretary of
9 Transportation for Security with respect to se-
10 curity duties and powers designated to be ear-
11 ried out by the Under Secretary” and inserting
12 “Administrator of the Transportation Security
13 Administration with respect to security duties
14 and powers designated to be carried out by the
15 Administrator of the Transportation Security
16 Administration”;

17 (B) by striking “the Administrator of the
18 Federal Aviation Administration with respect to
19 aviation safety duties and powers designated to
20 be carried out by the Administrator” and in-
21 serting “or the Administrator of the Federal
22 Aviation Administration with respect to aviation
23 safety duties and powers designated to be ear-
24 ried out by the Administrator of the Federal
25 Aviation Administration”; and

1 (C) by striking “subpena” and inserting
2 “subpoena”; and
3 (5) in section 46316(a)—

4 (A) by striking “Under Secretary of
5 Transportation for Security with respect to se-
6 curity duties and powers designated to be ear-
7 ried out by the Under Secretary” and inserting
8 “Administrator of the Transportation Security
9 Administration with respect to security duties
10 and powers designated to be carried out by the
11 Administrator of the Transportation Security
12 Administration”; and

13 (B) by striking “the Administrator of the
14 Federal Aviation Administration with respect to
15 aviation safety duties and powers designated to
16 be carried out by the Administrator” and in-
17 serting “or the Administrator of the Federal
18 Aviation Administration with respect to aviation
19 safety duties and powers designated to be ear-
20 ried out by the Administrator of the Federal
21 Aviation Administration”.

22 (h) CHAPTER 465 AMENDMENTS.—Chapter 465 is
23 amended—

24 (1) in section 46505(d)(2), by striking “Under
25 Secretary of Transportation for Security” and in-

1 serting “Administrator of the Transportation Secu-
2 rity Administration”; and

3 (2) in the table of contents for chapter 465 of
4 subtitle VII, by striking the following:

“46503. Repealed.”.

5 (i) CHAPTER 483 REPEAL.—

6 (1) IN GENERAL.—Chapter 483 is repealed.

7 (2) CONFORMING AMENDMENT.—The table of
8 contents for subtitle VII is amended by striking the
9 following:

“483. Aviation security funding 48301”.

10 (j) AUTHORITY TO EXEMPT.—

11 (1) IN GENERAL.—Subchapter II of chapter
12 449 is amended by inserting before section 44933
13 the following:

14 **“§ 44931. Authority to exempt**

15 “The Secretary of Homeland Security may grant an
16 exemption from a regulation prescribed in carrying out
17 sections 44901, 44903, 44906, 44909(e), and 44935–
18 44937 of this title when the Secretary decides the exemp-
19 tion is in the public interest.

20 **“§ 44932. Administrative**

21 “(a) GENERAL AUTHORITY.—The Secretary of
22 Homeland Security may take action the Secretary con-
23 siders necessary to carry out this chapter and chapters
24 461, 463, and 465 of this title, including conducting inves-

1 tigungen, prescribing regulations, standards, and proce-
 2 dures, and issuing orders.

3 “(b) INDEMNIFICATION.—The Secretary of Home-
 4 land Security may indemnify an officer or employee of the
 5 Transportation Security Administration against a claim or
 6 judgment arising out of an act that the Secretary decides
 7 was committed within the scope of the official duties of
 8 the officer or employee.”.

9 (2) TABLE OF CONTENTS.—The table of con-
 10 tents of chapter 449 is amended by inserting before
 11 the item relating to section 44933 the following:

“44931. Authority to exempt.
 “44932. Administrative.”.

12 **SEC. 302. TABLE OF CONTENTS OF CHAPTER 449.**

13 The table of contents of chapter 449 is amended—

14 (1) in the item relating to section 44922, by
 15 striking “Deputation” and inserting “Deputization”;
 16 and

17 (2) by inserting after section 44941 the fol-
 18 lowing:

“44942. Performance goals and objectives.
 “44943. Performance management system.”.

19 **SEC. 303. OTHER LAWS; INTELLIGENCE REFORM AND TER-**
 20 **RORISM PREVENTION ACT OF 2004.**

21 Section 4016(c) of the Intelligence Reform and Ter-
 22 rorism Prevention Act of 2004 (49 U.S.C. 44917 note)
 23 is amended—

1 (1) in paragraph (1), by striking “Assistant
2 Secretary for Immigration and Customs Enforce-
3 ment” and inserting “Administrator of the Trans-
4 portation Security Administration”; and

5 (2) by striking “Assistant Secretary for Immi-
6 gration and Customs Enforcement and the Director
7 of Federal Air Marshal Service of the Department of
8 Homeland Security, in coordination with the Assist-
9 ant Secretary of Homeland Security (Transportation
10 Security Administration),” and inserting “Adminis-
11 trator of the Transportation Security Administration
12 and the Director of Federal Air Marshal Service of
13 the Department of Homeland Security”.

14 **SEC. 304. SAVINGS PROVISIONS.**

15 References relating to the Under Secretary of Trans-
16 portation for Security in statutes, Executive orders, rules,
17 regulations, directives, or delegations of authority that
18 precede the effective date of this Act shall be deemed to
19 refer, as appropriate, to the Administrator of the Trans-
20 portation Security Administration.

21 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS; REF-**
22 **ERENCES.**

23 (a) *SHORT TITLE.*—*This Act may be cited as the*
24 *“TSA Modernization Act”.*

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

Sec. 1. Short title; table of contents; references.

Sec. 2. Definitions.

TITLE I—ORGANIZATION AND AUTHORIZATIONS

Sec. 101. Authorization of appropriations.

Sec. 102. Administrator of the Transportation Security Administration; five-year term.

Sec. 103. Transportation Security Administration organization.

Sec. 104. Transmittals to Congress.

TITLE II—AVIATION SECURITY

Subtitle A—Security Technology

Sec. 201. Third party testing and evaluation of screening technology.

Sec. 202. Reciprocal recognition of security standards.

Sec. 203. Transportation Security Laboratory.

Sec. 204. Innovation Task Force.

Sec. 205. 5-Year technology investment plan update.

Sec. 206. Biometrics expansion.

Sec. 207. Pilot program for automated exit lane technology.

Sec. 208. Authorization of appropriations; exit lane security.

Sec. 209. Real-time security checkpoint wait times.

Sec. 210. GAO report on universal deployment of advanced imaging technologies.

Sec. 211. Testing and verification performance objectives.

Sec. 212. Computed tomography pilot program.

Subtitle B—Public Area Security

Sec. 221. Third party canines.

Sec. 222. Tracking and monitoring of canine training and testing.

Sec. 223. VIPR team statistics.

Sec. 224. Public area best practices.

Sec. 225. Law Enforcement Officer Reimbursement Program.

Subtitle C—Passenger and Cargo Security

Sec. 231. PreCheck Program.

Sec. 232. Trusted traveler programs; collaboration.

Sec. 233. Passenger security fee.

Sec. 234. Third party canine teams for air cargo security.

Sec. 235. Known Shipper Program review.

Sec. 236. Screening partnership program updates.

Sec. 237. Screening performance assessments.

Sec. 238. TSA Academy review.

Sec. 239. Improvements for screening of disabled passengers.

Subtitle D—Foreign Airport Security

Sec. 241. Last point of departure airports; security directives.

Sec. 242. Tracking security screening equipment from last point of departure airports.

Sec. 243. *International security standards.*

Subtitle E—Cockpit and Cabin Security

Sec. 251. *Federal air marshal service updates.*

Sec. 252. *Crew member self-defense training.*

Sec. 253. *Flight deck safety and security.*

Sec. 254. *Carriage of weapons, explosives, and incendiaries by individuals.*

Sec. 255. *Federal flight deck officer program improvements.*

TITLE III—CONFORMING AND MISCELLANEOUS AMENDMENTS

Sec. 301. *Title 49 amendments.*

Sec. 302. *Table of contents of chapter 449.*

Sec. 303. *Other laws; Intelligence Reform and Terrorism Prevention Act of 2004.*

Sec. 304. *Savings provisions.*

1 (c) *REFERENCES TO TITLE 49, UNITED STATES*
 2 *CODE.—Except as otherwise expressly provided, wherever*
 3 *in this Act an amendment or repeal is expressed in terms*
 4 *of an amendment to, or repeal of, a section or other provi-*
 5 *sion, the reference shall be considered to be made to a section*
 6 *or other provision of title 49, United States Code.*

7 **SEC. 2. DEFINITIONS.**

8 *In this Act:*

9 (1) *ADMINISTRATOR.—The term “Adminis-*
 10 *trator” means the Administrator of the TSA.*

11 (2) *APPROPRIATE COMMITTEES OF CONGRESS.—*
 12 *The term “appropriate committees of Congress”*
 13 *means—*

14 (A) *the Committee on Commerce, Science,*
 15 *and Transportation of the Senate;*

16 (B) *the Committee on Homeland Security*
 17 *and Governmental Affairs of the Senate; and*

1 (C) the Committee on Homeland Security of
2 the House of Representatives.

3 (3) ASAC.—The term “ASAC” means the Avia-
4 tion Security Advisory Committee established under
5 section 44946 of title 49, United States Code.

6 (4) SECRETARY.—The term “Secretary” means
7 the Secretary of Homeland Security.

8 (5) TSA.—The term “TSA” means the Trans-
9 portation Security Administration.

10 **TITLE I—ORGANIZATION AND**
11 **AUTHORIZATIONS**

12 **SEC. 101. AUTHORIZATION OF APPROPRIATIONS.**

13 Section 114(w) is amended to read as follows:

14 “(w) AUTHORIZATION OF APPROPRIATIONS.—There
15 are authorized to be appropriated to the Transportation Se-
16 curity Administration for salaries, operations, and mainte-
17 nance of the Administration—

18 “(1) \$7,810,196,000 for fiscal year 2018;

19 “(2) \$7,849,247,000 for fiscal year 2019; and

20 “(3) \$7,888,494,000 for fiscal year 2020.”.

21 **SEC. 102. ADMINISTRATOR OF THE TRANSPORTATION SE-**
22 **CURITY ADMINISTRATION; FIVE-YEAR TERM.**

23 (a) IN GENERAL.—Section 114, as amended by section
24 101, is further amended—

1 (1) *in subsection (a), by striking “Department of*
2 *Transportation” and inserting “Department of*
3 *Homeland Security”;*

4 (2) *by amending subsection (b) to read as fol-*
5 *lows:*

6 “(b) *LEADERSHIP.—*

7 “(1) *HEAD OF TRANSPORTATION SECURITY AD-*
8 *MINISTRATION.—*

9 “(A) *APPOINTMENT.—The head of the Ad-*
10 *ministration shall be the Administrator of the*
11 *Transportation Security Administration (re-*
12 *ferred to in this section as the ‘Administrator’).*
13 *The Administrator shall be appointed by the*
14 *President, by and with the advice and consent of*
15 *the Senate.*

16 “(B) *QUALIFICATIONS.—The Administrator*
17 *must—*

18 “(i) *be a citizen of the United States;*

19 *and*

20 “(ii) *have experience in a field directly*
21 *related to transportation or security.*

22 “(C) *TERM.—Effective with respect to any*
23 *individual appointment by the President, by and*
24 *with the advice and consent of the Senate, after*
25 *August 1, 2017, the term of office of an indi-*

1 *vidual appointed as the Administrator shall be 5*
2 *years.*

3 “(2) *DEPUTY ADMINISTRATOR.*—

4 “(A) *APPOINTMENT.*—*There is established*
5 *in the Transportation Security Administration a*
6 *Deputy Administrator, who shall assist the Ad-*
7 *ministrator in the management of the Transpor-*
8 *tation Security Administration. The Deputy Ad-*
9 *ministrator shall be appointed by the President.*
10 *The Deputy Administrator shall be Acting Ad-*
11 *ministrator during the absence or incapacity of*
12 *the Administrator or during a vacancy in the of-*
13 *fice of Administrator.*

14 “(B) *QUALIFICATIONS.*—*The Deputy Ad-*
15 *ministrator must—*

16 “(i) *be a citizen of the United States;*

17 *and*

18 “(ii) *have experience in a field directly*
19 *related to transportation or security.”;*

20 (3) *in subsections (c), (e) through (n), (p), (q),*
21 *and (r), by striking “Under Secretary” each place it*
22 *appears and inserting “Administrator”; and*

23 (4) *by amending subsection (d) to read as fol-*
24 *lows:*

1 “(d) *FUNCTIONS.*—*The Administrator shall be respon-*
2 *sible for—*

3 “(1) *carrying out chapter 449, relating to civil*
4 *aviation security, and related research and develop-*
5 *ment activities;*

6 “(2) *security in land-based transportation, in-*
7 *cluding railroad, highway, pipeline, public transpor-*
8 *tation, and over-the-road bus; and*

9 “(3) *supporting the Coast Guard with maritime*
10 *security.*”.

11 “(b) *TECHNICAL AND CONFORMING AMENDMENTS.*—
12 *Section 114, as amended by subsection (a), is further*
13 *amended—*

14 (1) *in subsection (g)—*

15 (A) *in paragraph (1)—*

16 (i) *in the matter preceding subpara-*
17 *graph (A), by striking “Subject to the direc-*
18 *tion and control of the Secretary” and in-*
19 *serting “Subject to the direction and control*
20 *of the Secretary of Homeland Security”;*
21 *and*

22 (ii) *in subparagraph (D), by inserting*
23 *“of Homeland Security” after “Secretary”;*
24 *and*

1 (B) in paragraph (3), by inserting “of
2 Homeland Security” after “Secretary”;

3 (2) in subsection (j)(1)(D), by inserting “of
4 Homeland Security” after “Secretary”;

5 (3) in subsection (k), by striking “functions
6 transferred, on or after the date of enactment of the
7 Aviation and Transportation Security Act,” and in-
8 serting “functions assigned”;

9 (4) in subsection (l)(4)(B), by striking “Admin-
10 istrator under subparagraph (A)” and inserting “Ad-
11 ministrator of the Federal Aviation Administration
12 under subparagraph (A)”;

13 (5) in subsection (n), by striking “Department of
14 Transportation” and inserting “Department of
15 Homeland Security”;

16 (6) in subsection (o), by striking “Department of
17 Transportation” and inserting “Department of
18 Homeland Security”;

19 (7) in subsection (p)(4), by striking “Secretary
20 of Transportation” and inserting “Secretary of
21 Homeland Security”;

22 (8) in subsection (s)—

23 (A) in paragraph (3)(B), by inserting “)”
24 after “Act of 2007”; and

25 (B) in paragraph (4)—

1 (i) *in the heading, by striking “SUB-*
2 *MISSIONS OF PLANS TO CONGRESS” and in-*
3 *serting “SUBMISSION OF PLANS”;*

4 (ii) *by striking subparagraph (A);*

5 (iii) *by redesignating subparagraphs*
6 *(B) through (E) as subparagraphs (A)*
7 *through (D), respectively;*

8 (iv) *in subparagraph (A), as redesign-*
9 *ated—*

10 (I) *in the heading, by striking*
11 *“SUBSEQUENT VERSIONS” and insert-*
12 *ing “IN GENERAL”; and*

13 (II) *by striking “After December*
14 *31, 2015, the” and inserting “The”;*
15 *and*

16 (v) *in subparagraph (B)(ii)(III)(cc), as*
17 *redesignated, by striking “for the Depart-*
18 *ment” and inserting “for the Department of*
19 *Homeland Security”;*

20 (9) *by redesignating subsections (u), (v), and (w)*
21 *as subsections (t), (u), and (v), respectively;*

22 (10) *in subsection (t), as redesignated—*

23 (A) *in paragraph (1)—*

24 (i) *by striking subparagraph (D); and*

1 (ii) by redesignating subparagraph (E)
2 as subparagraph (D);

3 (B) in paragraph (2), by inserting “of
4 Homeland Security” after “Plan, the Secretary”;

5 (C) in paragraph (4)(B)—

6 (i) by inserting “of Homeland Secu-
7 rity” after “agency within the Depart-
8 ment”; and

9 (ii) by inserting “of Homeland Secu-
10 rity” after “Secretary”;

11 (D) by amending paragraph (6) to read as
12 follows:

13 “(6) ANNUAL REPORT ON PLAN.—The Secretary
14 of Homeland Security shall annually submit to the
15 appropriate congressional committees a report con-
16 taining the Plan.”; and

17 (E) in paragraphs (7) and (8), by inserting
18 “of Homeland Security” after “Secretary”; and

19 (11) in subsection (u), as redesignated—

20 (A) in paragraph (1)—

21 (i) in subparagraph (B), by inserting
22 “or the Administrator” after “Secretary of
23 Homeland Security”; and

1 (ii) in subparagraph (C)(ii), by strik-
2 ing “Secretary’s designee” and inserting
3 “Secretary of Defense’s designee”;

4 (B) in subparagraphs (B), (C), (D), and
5 (E) of paragraph (3), by inserting “of Homeland
6 Security” after “Secretary” each place it ap-
7 pears;

8 (C) in paragraph (4)(A), by inserting “of
9 Homeland Security” after “Secretary”;

10 (D) in paragraph (5), by inserting “of
11 Homeland Security” after “Secretary”; and

12 (E) in paragraph (7)—

13 (i) in subparagraph (A), by striking
14 “Not later than December 31, 2008, and an-
15 nually thereafter, the Secretary” and insert-
16 ing “The Secretary of Homeland Security”;
17 and

18 (ii) by striking subparagraph (D).

19 (c) *EXECUTIVE SCHEDULE.*—

20 (1) *ADMINISTRATOR OF THE TSA.*—

21 (A) *POSITIONS AT LEVEL II.*—Section 5313
22 of title 5, United States Code, is amended by in-
23 serting after the item relating to the Under Sec-
24 retary of Homeland Security for Management
25 the following:

1 *“Administrator of the Transportation Security Ad-*
 2 *ministration.”.*

3 *(B) BONUS ELIGIBILITY.—Section 101(c)(2)*
 4 *of the Aviation and Transportation Security Act*
 5 *(5 U.S.C. 5313 note) is amended—*

6 *(i) by striking “Under Secretary” and*
 7 *inserting “Administrator of the Transpor-*
 8 *tation Security Administration”;*

9 *(ii) by striking “on the Secretary’s”*
 10 *and inserting “on the Secretary of Home-*
 11 *land Security’s”;* and

12 *(iii) by striking “Under Secretary’s”*
 13 *and inserting “Administrator’s”.*

14 *(2) DEPUTY ADMINISTRATOR OF THE TSA.—Sec-*
 15 *tion 5315 of title 5, United States Code, is amended*
 16 *by inserting after the item relating to the Deputy Ad-*
 17 *ministrator, Federal Aviation Administration the fol-*
 18 *lowing:*

19 *“Deputy Administrator, Transportation Security Ad-*
 20 *ministration.”.*

21 **SEC. 103. TRANSPORTATION SECURITY ADMINISTRATION**
 22 **ORGANIZATION.**

23 *Section 114, as amended by sections 101 and 102, is*
 24 *further amended by adding at the end the following:*

25 *“(w) LEADERSHIP AND ORGANIZATION.—*

1 “(1) *IN GENERAL.*—For each of the areas de-
2 scribed in paragraph (2), the Administrator of the
3 *Transportation Security Administration* shall ap-
4 point at least 1 individual who shall—

5 “(A) report directly to the Administrator or
6 the Administrator’s designated direct report; and

7 “(B) be responsible and accountable for that
8 area.

9 “(2) *AREAS DESCRIBED.*—The areas described in
10 this paragraph are as follows:

11 “(A) *Aviation security operations and*
12 *training, including risk-based, adaptive security*
13 *focused on airport checkpoint and baggage*
14 *screening operations, cargo inspections, work-*
15 *force training and development programs, and*
16 *other specialized programs designed to secure air*
17 *transportation.*

18 “(B) *Surface transportation security oper-*
19 *ations and training, including risk-based, adapt-*
20 *ive security focused on accomplishing security*
21 *systems assessments, reviewing and prioritizing*
22 *projects for appropriated surface transportation*
23 *security grants, operator compliance with vol-*
24 *untary industry standards, workforce training*
25 *and development programs, and other specialized*

1 *programs designed to secure surface transpor-*
2 *tation.*

3 *“(C) Security policy and industry engage-*
4 *ment and planning, including the development,*
5 *interpretation, promotion, and oversight of a*
6 *unified effort regarding risk-based, risk-reducing*
7 *security policies and plans (including strategic*
8 *planning for future contingencies and security*
9 *challenges) between government and transpor-*
10 *tation stakeholders, including airports, domestic*
11 *and international airlines, general aviation, air*
12 *cargo, mass transit and passenger rail, freight*
13 *rail, pipeline, highway and motor carriers, and*
14 *maritime.*

15 *“(D) International strategy and operations,*
16 *including agency efforts to work with inter-*
17 *national partners to secure the global transpor-*
18 *tation network.*

19 *“(E) Trusted and registered traveler pro-*
20 *grams, including the management and mar-*
21 *keting of the agency’s trusted traveler initiatives,*
22 *including the PreCheck Program, and coordina-*
23 *tion with trusted traveler programs of other De-*
24 *partment of Homeland Security agencies and the*
25 *private sector.*

1 “(F) *Technology acquisition and deploy-*
2 *ment, including the oversight, development, test-*
3 *ing, evaluation, acquisition, deployment, and*
4 *maintenance of security technology and other ac-*
5 *quisition programs.*

6 “(G) *Inspection and compliance, including*
7 *the integrity, efficiency and effectiveness of the*
8 *agency’s workforce, operations, and programs*
9 *through objective audits, covert testing, inspec-*
10 *tions, criminal investigations, and regulatory*
11 *compliance.*

12 “(H) *Civil rights, liberties, and traveler en-*
13 *gagement, including ensuring that agency em-*
14 *ployees and the traveling public are treated in a*
15 *fair and lawful manner consistent with federal*
16 *laws and regulations protecting privacy and*
17 *prohibiting discrimination and reprisal.*

18 “(I) *Legislative and public affairs, includ-*
19 *ing communication and engagement with inter-*
20 *nal and external audiences in a timely, accurate,*
21 *and transparent manner, and development and*
22 *implementation of strategies within the agency*
23 *to achieve congressional approval or authoriza-*
24 *tion of agency programs and policies.*

1 “(3) *NOTIFICATION.*—*The Administrator shall*
2 *transmit to the appropriate committees of Congress—*

3 “(A) *not later than 180 days after the date*
4 *of enactment of the TSA Modernization Act, a*
5 *list of the names of the individuals appointed*
6 *under paragraph (1); and*

7 “(B) *an update of the list not later than 5*
8 *days after any new individual is appointed*
9 *under paragraph (1).”.*

10 **SEC. 104. TRANSMITTALS TO CONGRESS.**

11 *With regard to each report, legislative proposal, or*
12 *other communication of the Executive Branch related to the*
13 *TSA and required to be submitted to Congress or the appro-*
14 *priate committees of Congress, the Administrator shall*
15 *transmit such communication directly to the appropriate*
16 *committees of Congress.*

17 **TITLE II—AVIATION SECURITY**

18 **Subtitle A—Security Technology**

19 **SEC. 201. THIRD PARTY TESTING AND EVALUATION OF**
20 **SCREENING TECHNOLOGY.**

21 “(a) *IN GENERAL.*—*In carrying out the responsibilities*
22 *under section 114(e)(1), the Administrator shall develop*
23 *and implement, not later than 1 year after the date of en-*
24 *actment of this Act, a program to enable a vendor of related*
25 *screening technology to obtain testing and verification, in-*

1 *cluding as an alternative to the TSA's test and evaluation*
2 *process, by an appropriate third party, of such technology*
3 *before acquisition or deployment.*

4 *(b) DETECTION TESTING.—*

5 *(1) IN GENERAL.—The third party testing and*
6 *verification program authorized under subsection (a)*
7 *shall include detection testing to evaluate the perform-*
8 *ance of the security technology system regarding the*
9 *probability of detection, the probability of false alarm,*
10 *and such other indicators that the system is able to*
11 *meet the TSA's mission needs.*

12 *(2) COORDINATION WITH FINAL QUALIFICATION*
13 *PROCESSES.—To the extent practicable, but without*
14 *compromising the integrity of the TSA test and eval-*
15 *uation process, the Administrator shall coordinate the*
16 *third party detection testing under paragraph (1)*
17 *with subsequent final Federal Government qualifica-*
18 *tion processes.*

19 *(3) RESULTS.—The results of the third party de-*
20 *tection testing under paragraph (1) shall be consid-*
21 *ered final if the results are approved by the Adminis-*
22 *tration in accordance with approval standards devel-*
23 *oped by the Administrator.*

1 (4) *INTERNATIONAL STANDARDS.*—*To the extent*
2 *practicable and permissible under law, the Adminis-*
3 *trator shall—*

4 (A) *share detection testing information and*
5 *standards with appropriate international part-*
6 *ners; and*

7 (B) *coordinate with the appropriate inter-*
8 *national partners to harmonize TSA testing and*
9 *evaluation with relevant international standards*
10 *to maximize the capability to detect explosives*
11 *and other threats.*

12 (c) *OPERATIONAL TESTING.*—

13 (1) *IN GENERAL.*—*Subject to paragraph (2), the*
14 *third party testing and verification program author-*
15 *ized under subsection (a) shall include operational*
16 *testing.*

17 (2) *LIMITATION.*—*Third party operational test-*
18 *ing under paragraph (1) may not exceed 1 year.*

19 (d) *ALTERNATIVE.*—*Third party testing under sub-*
20 *section (a) shall replace as an alternative, at the discretion*
21 *of the Administrator, the testing at the Transportation Sys-*
22 *tems Integration Facility, including operational testing*
23 *for—*

24 (1) *health and safety factors;*

25 (2) *operator interface;*

- 1 (3) *human factors;*
- 2 (4) *environmental factors;*
- 3 (5) *throughput; and*
- 4 (6) *baggage handling systems.*

5 (e) *TESTING AND VERIFICATION FRAMEWORK.—*

6 (1) *IN GENERAL.—The Administrator shall—*

7 (A) *establish a framework for the third*
8 *party testing and for verifying a security tech-*
9 *nology is operationally effective and able to meet*
10 *the TSA’s mission needs before it may enter or*
11 *re-enter, as applicable, the operational context at*
12 *an airport or other transportation facility; and*

13 (B) *use phased implementation to allow the*
14 *TSA and the third party to establish best prac-*
15 *tices.*

16 (2) *RECOMMENDATIONS.—The Administrator*
17 *shall request ASAC’s Security Technology Sub-*
18 *committee, in consultation with representatives of the*
19 *security manufacturers industry, to develop and sub-*
20 *mit to the Administrator recommendations for the*
21 *third party testing and verification framework.*

22 (f) *FIELD TESTING.—The Administrator shall*
23 *prioritize the field testing and evaluation of security tech-*
24 *nology and equipment at airports and on site at security*

1 *technology manufacturers whenever possible as an alter-*
2 *native to the Transportation Systems Integration Facility.*

3 **SEC. 202. RECIPROCAL RECOGNITION OF SECURITY STAND-**
4 **ARDS.**

5 (a) *IN GENERAL.*—*The Administrator, in coordination*
6 *with the European Civil Aviation Conference and Cana-*
7 *dian Air Transport Security Authority, shall develop a val-*
8 *idation process for the reciprocal recognition of security*
9 *equipment technology approvals among international secu-*
10 *rity partners or recognized certification authorities for de-*
11 *ployment.*

12 (b) *REQUIREMENT.*—*The validation process shall en-*
13 *sure that the certification process of each participating*
14 *international security partner or recognized certification*
15 *authority complies with TSA security standards.*

16 **SEC. 203. TRANSPORTATION SECURITY LABORATORY.**

17 (a) *IN GENERAL.*—*The Secretary, acting through the*
18 *Administrator, shall administer the Transportation Secu-*
19 *rity Laboratory.*

20 (b) *PERIODIC REVIEWS.*—*The Administrator shall re-*
21 *view the screening technology test and evaluation process*
22 *conducted at the Transportation Security Laboratory to*
23 *improve the coordination, collaboration, and communica-*
24 *tion between the Transportation Security Laboratory and*
25 *the Office of Acquisition Program Management at the TSA*

1 *to identify factors contributing to acquisition inefficiencies,*
2 *develop strategies to reduce acquisition inefficiencies, facili-*
3 *tate more expeditious initiation and completion of testing,*
4 *and identify how laboratory practices can better support*
5 *acquisition decisions.*

6 **SEC. 204. INNOVATION TASK FORCE.**

7 (a) *IN GENERAL.*—*The Administrator shall establish*
8 *an innovation task force—*

9 (1) *to cultivate innovations in aviation security;*

10 (2) *to develop and recommend how to prioritize*
11 *and streamline requirements for new approaches to*
12 *aviation security;*

13 (3) *to accelerate the development and introduc-*
14 *tion of new innovative aviation security technologies*
15 *and improvements to aviation security operations;*
16 *and*

17 (4) *to provide industry with access to the airport*
18 *environment during the technology development and*
19 *assessment process to demonstrate the technology and*
20 *to collect data to understand and refine technical op-*
21 *erations and human factor issues.*

22 (b) *ACTIVITIES.*—*The task force shall—*

23 (1) *conduct activities to identify and develop an*
24 *innovative technology, emerging security capability,*

1 or process designed to enhance aviation security, in-
2 cluding—

3 (A) by conducting a field demonstration of
4 such a technology, capability, or process in the
5 airport environment;

6 (B) by gathering performance data from
7 such a demonstration to inform the acquisition
8 process; and

9 (C) by enabling a small business with an
10 innovative technology or emerging security capa-
11 bility, but less than adequate resources, to par-
12 ticipate in such a demonstration;

13 (2) conduct at least quarterly collaboration meet-
14 ings with industry, including air carriers, airport op-
15 erators, and other aviation security stakeholders to
16 highlight and discuss best practices on innovative se-
17 curity operations and technology evaluation and de-
18 ployment; and

19 (3) submit to the appropriate committees of Con-
20 gress an annual report on the effectiveness of key per-
21 formance data from task force-sponsored projects and
22 checkpoint enhancements.

23 (c) COMPOSITION.—

1 (1) *APPOINTMENT.*—*The Administrator, in con-*
2 *sultation with the Chairperson of ASAC shall appoint*
3 *the members of the task force.*

4 (2) *CHAIRPERSON.*—*The task force shall be*
5 *chaired by the Administrator’s designee.*

6 (3) *REPRESENTATION.*—*The task force shall be*
7 *comprised of representatives of—*

8 (A) *the relevant offices of the TSA;*

9 (B) *if considered appropriate by the Ad-*
10 *ministrator, the Science and Technology Direc-*
11 *torate of the Department of Homeland Security;*

12 (C) *any other component of the Department*
13 *of Homeland Security that the Administrator*
14 *considers appropriate; and*

15 (D) *such industry representatives as the Ad-*
16 *ministrator considers appropriate.*

17 (d) *RULE OF CONSTRUCTION.*—*Nothing in this section*
18 *shall be construed to require the acquisition or deployment*
19 *of an innovative technology, emerging security capability,*
20 *or process identified, developed, or recommended under this*
21 *section.*

22 (e) *NONAPPLICABILITY OF FACA.*—*The Federal Advi-*
23 *sory Committee Act (5 U.S.C. App.) shall not apply to the*
24 *task force established under this section.*

1 **SEC. 205. 5-YEAR TECHNOLOGY INVESTMENT PLAN UPDATE.**

2 *Section 1611(g) of the Homeland Security Act of 2002*
3 *(6 U.S.C. 563(g)) is amended—*

4 *(1) by striking the matter preceding paragraph*
5 *(1) and inserting “The Administrator shall, in col-*
6 *laboration with relevant industry and government*
7 *stakeholders, annually submit to Congress in an ap-*
8 *pendix to the budget request and publish in an un-*
9 *classified format in the public domain—”;*

10 *(2) in paragraph (1), by striking “; and” and*
11 *inserting a semicolon;*

12 *(3) in paragraph (2), by striking the period and*
13 *inserting “; and”; and*

14 *(4) by adding at the end the following:*

15 *“(3) information about acquisitions completed*
16 *during the fiscal year preceding the fiscal year during*
17 *which the report is submitted.”.*

18 **SEC. 206. BIOMETRICS EXPANSION.**

19 *Not later than 270 days after the date of enactment*
20 *of this Act, the Administrator, in coordination with the*
21 *Commissioner of Customs and Border Protection, shall—*

22 *(1) assess the operational and security impact of*
23 *using biometric technology to identify passengers;*

24 *(2) assess the effects on privacy of the expansion*
25 *of the use of biometric technology under paragraph*
26 *(1), including methods to mitigate any risks to pri-*

1 *vacy identified by the Administrator related to the ac-*
2 *tive or passive collection of biometric data;*

3 *(3) facilitate, if appropriate, the deployment of*
4 *such biometric technology at checkpoints, screening*
5 *lanes, bag drop and boarding areas, and other areas*
6 *where such deployment would enhance security and*
7 *facilitate passenger movement;*

8 *(4) submit to the appropriate committees of Con-*
9 *gress a report on the assessments under paragraph (1)*
10 *and (2) and deployment under paragraph (3); and*

11 *(5) if practicable, publish the assessment re-*
12 *quired by paragraph (2) on a publicly accessible*
13 *Internet website of the TSA.*

14 **SEC. 207. PILOT PROGRAM FOR AUTOMATED EXIT LANE**
15 **TECHNOLOGY.**

16 *(a) IN GENERAL.—Not later than 90 days after the*
17 *date of enactment of this Act, the Administrator shall estab-*
18 *lish a pilot program to implement and evaluate the use of*
19 *automated exit lane technology at small hub airports and*
20 *nonhub airports (as those terms are defined in section*
21 *40102 of title 49, United States Code).*

22 *(b) PARTNERSHIP.—The Administrator shall carry*
23 *out the pilot program in partnership with the applicable*
24 *airport directors.*

1 (c) *COST SHARE.*—*The Federal share of the cost of the*
 2 *pilot program under this section shall not exceed 85 percent*
 3 *of the total cost of the program.*

4 (d) *AUTHORIZATION OF APPROPRIATIONS.*—*There is*
 5 *authorized to be appropriated to carry out the pilot pro-*
 6 *gram under this section \$15,000,000 for each of fiscal years*
 7 *2018 through 2020.*

8 (e) *GAO REPORT.*—*Not later than 2 years after the*
 9 *date of enactment of this Act, the Comptroller General of*
 10 *the United States shall submit to the appropriate commit-*
 11 *tees of Congress a report on the pilot program, including—*

12 (1) *the level of airport interest and participation*
 13 *in the pilot program;*

14 (2) *what return on investment, if any, was*
 15 *achieved by each program participant; and*

16 (3) *recommendations regarding whether to ex-*
 17 *pand or discontinue the pilot program.*

18 **SEC. 208. AUTHORIZATION OF APPROPRIATIONS; EXIT**

19 **LANE SECURITY.**

20 *There is authorized to be appropriated to carry out*
 21 *section 44903(n)(1) of title 49, United States Code,*
 22 *\$77,000,000 for each of fiscal years 2018 through 2020.*

23 **SEC. 209. REAL-TIME SECURITY CHECKPOINT WAIT TIMES.**

24 (a) *IN GENERAL.*—*Not later than 18 months after the*
 25 *date of enactment of this Act, the Administrator shall make*

1 *available to the public information on wait times at each*
2 *airport security checkpoint.*

3 (b) *REQUIREMENTS.*—*The information described in*
4 *subsection (a) shall be provided in real time via technology*
5 *and published—*

6 (1) *online; and*

7 (2) *in physical locations at the applicable air-*
8 *port terminal.*

9 (c) *CONSIDERATIONS.*—*The Administrator shall make*
10 *the information described in subsection (a) available to the*
11 *public in a manner that does not increase public area secu-*
12 *rity risks.*

13 (d) *DEFINITION OF WAIT TIME.*—*In this section, the*
14 *term “wait time” means the period beginning when a pas-*
15 *senger enters a queue for a screening checkpoint and ending*
16 *when the passenger has begun divestment of items requiring*
17 *screening at that checkpoint.*

18 **SEC. 210. GAO REPORT ON UNIVERSAL DEPLOYMENT OF**

19 **ADVANCED IMAGING TECHNOLOGIES.**

20 (a) *STUDY.*—*The Comptroller General of the United*
21 *States shall conduct a study of the cost to the TSA or an*
22 *airport to redesign, if necessary, airport security areas to*
23 *fully deploy advanced imaging technologies at each airport*
24 *at which security screening operations are conducted or*
25 *overseen by the TSA.*

1 (b) *COST ANALYSIS.*—As a part of the study conducted
 2 under subsection (a), the Comptroller General shall identify
 3 the costs that would be incurred by the TSA or the air-
 4 port—

5 (1) to purchase the equipment and other assets
 6 necessary to deploy advanced imaging technologies at
 7 the airport;

8 (2) to install such equipment, including any re-
 9 lated variant, and assets in the airport; and

10 (3) to maintain such equipment and assets.

11 (c) *REPORT.*—Not later than 1 year after the date of
 12 enactment of this Act, the Comptroller General shall submit
 13 to the appropriate committees of Congress a report on the
 14 findings of the study under subsection (a).

15 **SEC. 211. TESTING AND VERIFICATION PERFORMANCE OB-**
 16 **JECTIVES.**

17 (a) *IN GENERAL.*—The Administrator shall establish
 18 performance objectives for the testing and verification of se-
 19 curity technology, including testing and verification con-
 20 ducted by third parties under section 201, to ensure that
 21 progress is made, at a minimum, toward—

22 (1) reducing time for each phase of testing while
 23 maintaining security (including testing for detection
 24 testing, operational testing, testing and verification
 25 framework, and field testing);

1 (2) *eliminating testing and verification delays;*

2 *and*

3 (3) *increasing accountability.*

4 **(b) PERFORMANCE METRICS.—**

5 (1) *IN GENERAL.—In carrying out subsection*
6 *(a), the Administrator shall establish and continually*
7 *track performance metrics for each type of security*
8 *technology submitted for testing and verification, in-*
9 *cluding testing and verification conducted by third*
10 *parties under section 201.*

11 (2) *MEASURING PROGRESS TOWARD GOALS.—*
12 *The Administrator shall use the metrics established*
13 *and tracked under paragraph (1) to generate data on*
14 *an ongoing basis and to measure progress toward the*
15 *achievement of the performance objectives established*
16 *under subsection (a).*

17 (3) *REPORT REQUIRED.—*

18 (A) *IN GENERAL.—Not later than 2 years*
19 *after the date of enactment of this Act, the Ad-*
20 *ministrator shall submit to the appropriate com-*
21 *mittees of Congress a report assessing the extent*
22 *to which the performance objectives established*
23 *under subsection (a), as measured by the per-*
24 *formance metrics established and tracked under*
25 *paragraph (1), have been met.*

1 (B) *ELEMENTS.*—*The report required by*
2 *subparagraph (A) shall include—*

3 (i) *a list of the performance metrics es-*
4 *tablished under paragraph (1), including*
5 *the length of time for each phase of testing*
6 *and verification for each type of security*
7 *technology; and*

8 (ii) *a comparison of the progress*
9 *achieved for testing and verification of secu-*
10 *rity technology conducted by the TSA and*
11 *the testing and verification of security tech-*
12 *nology conducted by third parties.*

13 (C) *PROPRIETARY INFORMATION.*—*The re-*
14 *port required by subparagraph (A) shall—*

15 (i) *not include identifying information*
16 *regarding an individual or entity or equip-*
17 *ment; and*

18 (ii) *protect proprietary information.*

19 **SEC. 212. COMPUTED TOMOGRAPHY PILOT PROGRAM.**

20 *Not later than 90 days after the date of enactment of*
21 *this Act, the Administrator shall carry out a pilot program*
22 *to test the use of screening equipment using computed to-*
23 *mography technology to screen baggage at passenger screen-*
24 *ing checkpoints at airports.*

1 ***Subtitle B—Public Area Security***

2 ***SEC. 221. THIRD PARTY CANINES.***

3 (a) *IN GENERAL.*—Not later than 120 days after the
4 date of enactment of this Act, to increase the supply of ca-
5 nine teams for use by the TSA and aviation stakeholders,
6 the Administrator shall develop and issue standards that
7 a third party explosives detection canine team must satisfy
8 to be certified for the screening of individuals and property,
9 including detection of explosive vapors among individuals
10 and articles of property, in public areas of an airport under
11 section 44901 of title 49, United States Code.

12 (b) *AGREEMENT.*—Subject to subsections (c), (d), and
13 (e), not later than 180 days after the date of enactment of
14 this Act, the Administrator shall enter into an agreement
15 with at least 1 third party entity to test and certify the
16 capabilities of canine teams in accordance with the stand-
17 ards under subsection (a).

18 (c) *EXPEDITED DEPLOYMENT.*—In entering into an
19 agreement under subsection (b), the Secretary shall use—

20 (1) *the other transaction authority under section*
21 *114(m) of title 49, United States Code; or*

22 (2) *such other authority of the Secretary as the*
23 *Secretary considers appropriate to expedite the de-*
24 *ployment of additional canine teams.*

1 (d) *PROCESS.*—*Before entering into an agreement*
2 *under subsection (b), the Administrator shall—*

3 (1) *evaluate and verify a third party entity’s*
4 *ability to effectively evaluate the capabilities of ca-*
5 *nine teams;*

6 (2) *designate at least 3 evaluation centers to*
7 *which vendors may send canine teams for testing and*
8 *certification by the third party entity; and*

9 (3) *periodically assess the program at evaluation*
10 *centers to ensure the proficiency of the canine team*
11 *beyond the initial testing and certification by the*
12 *third party entity.*

13 (e) *CONSULTATION.*—*To determine best practices for*
14 *the use of third party entities to test and certify the capa-*
15 *bilities of canine teams, the Administrator shall consult*
16 *with the following entities before entering into an agreement*
17 *under subsection (b):*

18 (1) *The Secretary of State.*

19 (2) *Non-profit organizations that train, certify,*
20 *and provide the services of canines for various pur-*
21 *poses.*

22 (3) *Institutions of higher education with research*
23 *programs related to use of canines for the screening*
24 *of individuals and property, including detection of*

1 *explosive vapors among individuals and articles of*
2 *property.*

3 (f) *OVERSIGHT.*—*The Administrator shall establish a*
4 *process to ensure appropriate oversight of the certification*
5 *program and compliance with the standards under sub-*
6 *section (a), including periodic audits of participating third*
7 *party entities.*

8 (g) *AUTHORIZATION.*—

9 (1) *TSA.*—*The Administrator shall develop and*
10 *implement a process for the TSA to procure third*
11 *party explosives detection canine teams certified*
12 *under this section.*

13 (2) *AVIATION STAKEHOLDERS.*—

14 (A) *IN GENERAL.*—*The Administrator shall*
15 *authorize an aviation stakeholder, under the*
16 *oversight of and in coordination with the Federal*
17 *Security Director at an applicable airport, to*
18 *contract with, procure or purchase, and deploy*
19 *one or more third party explosives detection ca-*
20 *nine teams certified under this section to aug-*
21 *ment public area security at that airport.*

22 (B) *APPLICABLE LARGE HUB AIRPORTS.*—
23 *Notwithstanding any law to the contrary and*
24 *subject to the other provisions of this paragraph,*
25 *an applicable large hub airport may provide a*

1 *certified canine contracted with, or procured or*
2 *purchased under subparagraph (A) on an in-*
3 *kind basis to the TSA to be deployed as a pas-*
4 *senger screening canine at that airport unless the*
5 *applicable large hub airport consents to the use*
6 *of that certified canine elsewhere.*

7 (C) *HANDLERS.*—*Not later than 30 days be-*
8 *fore an applicable large hub airport begins*
9 *training a canine under subparagraph (B), the*
10 *airport shall notify the TSA of such training*
11 *and the Administrator shall assign a TSA ca-*
12 *nine handler to participate in the training with*
13 *that canine, as appropriate.*

14 (D) *LIMITATION.*—*The Administrator may*
15 *not reduce the staffing allocation model for an*
16 *applicable large hub airport based on that air-*
17 *port's participation in canine testing and cer-*
18 *tification under this paragraph.*

19 (h) *DEFINITIONS.*—*In this section:*

20 (1) *APPLICABLE LARGE HUB AIRPORT.*—*The*
21 *term “applicable large hub airport” means a large*
22 *hub airport (as defined in section 40102 of title 49,*
23 *United States Code) that has less than 100 percent of*
24 *the allocated passenger screening canine teams staffed*
25 *by the TSA.*

1 (2) *AVIATION STAKEHOLDER.*—*The term “avia-*
2 *tion stakeholder” includes an airport, airport oper-*
3 *ator, and air carrier.*

4 **SEC. 222. TRACKING AND MONITORING OF CANINE TRAIN-**
5 **ING AND TESTING.**

6 *Not later than 180 days after the date of enactment*
7 *of this Act, the Administrator shall use, to the extent prac-*
8 *ticable, a digital monitoring system for all training, testing,*
9 *and validation or certification of public and private canine*
10 *assets utilized by the TSA to facilitate improved review,*
11 *data analysis, and record keeping of canine testing per-*
12 *formance and program administration.*

13 **SEC. 223. VIPR TEAM STATISTICS.**

14 (a) *IN GENERAL.*—*Not later than 90 days after the*
15 *date of enactment of this Act, and annually thereafter, the*
16 *Administrator shall notify the appropriate committees of*
17 *Congress of the number of VIPR teams available for deploy-*
18 *ment at transportation facilities, including—*

19 (1) *the number of VIPR team operations that in-*
20 *clude explosive detection canine teams; and*

21 (2) *the distribution of VIPR team operations de-*
22 *ployed across different modes of transportation.*

23 (b) *ANNEX.*—*The notification under subsection (a)*
24 *may contain a classified annex.*

1 (c) *DEFINITION OF VIPR TEAM.*—*In this section, the*
2 *term “VIPR” means a Visible Intermodal Prevention and*
3 *Response team authorized under section 1303 of the Na-*
4 *tional Transit Systems Security Act of 2007 (6 U.S.C.*
5 *1112).*

6 **SEC. 224. PUBLIC AREA BEST PRACTICES.**

7 (a) *IN GENERAL.*—*The Administrator shall, in accord-*
8 *ance with law and as received or developed, periodically*
9 *submit to Federal Security Directors and appropriate avia-*
10 *tion security stakeholders information on any best practices*
11 *developed by the TSA or appropriate aviation stakeholders*
12 *related to protecting aviation infrastructure from emerging*
13 *threats to public spaces of transportation venues.*

14 (b) *INFORMATION SHARING.*—*The Administrator*
15 *shall, in accordance with law—*

16 (1) *in coordination with the Office of the Direc-*
17 *tor of National Intelligence and industry partners,*
18 *implement improvements to the Air Domain Intel-*
19 *ligence and Analysis Center to encourage increased*
20 *participation from aviation stakeholders and enhance*
21 *government and industry aviation security informa-*
22 *tion sharing on aviation security threats, including*
23 *on cybersecurity threat awareness;*

24 (2) *expand and improve the City and Airport*
25 *Threat Assessment or similar program to public and*

1 private aviation stakeholders to capture, quantify,
2 communicate, and apply applicable intelligence to in-
3 form airport mitigation measures, such as—

4 (A) quantifying levels of risk by airport
5 that can be used to determine risk-based security
6 mitigation measures at each location;

7 (B) determining random and surge em-
8 ployee inspection operations based on changing
9 levels of risk; and

10 (C) targeting any high-risk employee groups
11 and specific points of risk within the airport pe-
12 rimeter for such mitigation measures as random
13 inspections;

14 (3) continue to disseminate Transportation In-
15 telligence Notes, tear-lines, and related intelligence
16 products to appropriate transportation security stake-
17 holders on a regular basis; and

18 (4) continue to conduct both regular routine and
19 threat-specific classified briefings between the TSA
20 and appropriate aviation and other transportation
21 sector stakeholders on an individual or group basis to
22 provide greater information sharing between public
23 and private sectors.

24 (c) MASS NOTIFICATION.—The Administrator shall en-
25 courage aviation security stakeholders to utilize mass notifi-

1 cation systems, including the Integrated Public Alert Warn-
2 ing System of the Federal Emergency Management Agency
3 and social media platforms, to disseminate information to
4 transportation community employees, travelers, and the
5 general public, as appropriate.

6 (d) *PUBLIC AWARENESS PROGRAMS.*—The Secretary,
7 in coordination with the Administrator, shall expand pub-
8 lic programs of the Department of Homeland Security and
9 the TSA that increase security threat awareness, education,
10 and training to include transportation network public area
11 employees, including airport and transportation vendors,
12 local hotels, cab and limousine companies, ridesharing com-
13 panies, cleaning companies, gas station attendants, cargo
14 operators, and general aviation members.

15 (e) *AVIATION EMPLOYEE VETTING.*—The Adminis-
16 trator shall allow an air carrier, airport, or airport oper-
17 ator, in addition to any background check required for ini-
18 tial employment, to utilize the Federal Bureau of Investiga-
19 tion’s Rap Back Service and other vetting tools as appro-
20 priate, including the No-Fly and Selectee lists, to get imme-
21 diate notification of any criminal activity relating to an
22 employee with access to an airport or its perimeter, regard-
23 less of whether the employee is seeking access to a public
24 or secured area of the airport.

1 **SEC. 225. LAW ENFORCEMENT OFFICER REIMBURSEMENT**
2 **PROGRAM.**

3 (a) *IN GENERAL.*—*In accordance with section*
4 *44903(c)(1) of title 49, United States Code, the Adminis-*
5 *trator shall increase the number of awards, and the total*
6 *funding amount of each award, under the Law Enforcement*
7 *Officer Reimbursement Program—*

8 (1) *to increase the presence of law enforcement*
9 *officers in the public areas of airports, including bag-*
10 *gage claim, ticket counters, and nearby roads;*

11 (2) *to increase the presence of law enforcement*
12 *officers at screening checkpoints;*

13 (3) *to reduce the response times of law enforce-*
14 *ment officers during security incidents; and*

15 (4) *to provide visible deterrents to potential ter-*
16 *rorists.*

17 (b) *COOPERATION BY ADMINISTRATOR.*—*In carrying*
18 *out subsection (a), the Administrator shall use the authority*
19 *provided to the Administrator under section 114(m) of title*
20 *49, United States Code, that is the same authority as is*
21 *provided to the Administrator of the Federal Aviation Ad-*
22 *ministration under section 106(m) of that title.*

23 (c) *ADMINISTRATIVE BURDENS.*—*The Administrator*
24 *shall review the regulations and compliance policies related*
25 *to the Law Enforcement Officer Reimbursement Program*
26 *and, if necessary, revise such regulations and policies to re-*

1 *duce any administrative burdens on applicants or recipi-*
 2 *ents of such awards.*

3 (d) *AUTHORIZATION OF APPROPRIATIONS.—There is*
 4 *authorized to be appropriated to carry out section 44901(h)*
 5 *of title 49, United States Code, \$55,000,000 for each of fis-*
 6 *cal years 2018 through 2020.*

7 ***Subtitle C—Passenger and Cargo***
 8 ***Security***

9 ***SEC. 231. PRECHECK PROGRAM.***

10 (a) *IN GENERAL.—Section 44919 is amended to read*
 11 *as follows:*

12 ***“§ 44919. PreCheck Program***

13 *“(a) IN GENERAL.—The Administrator of the Trans-*
 14 *portation Security Administration shall continue to ad-*
 15 *minister the PreCheck Program in accordance with section*
 16 *109(a)(3) of the Aviation and Transportation Security Act*
 17 *(49 U.S.C. 114 note).*

18 *“(b) EXPANSION.—Not later than 180 days after the*
 19 *date of enactment of the TSA Modernization Act, the Ad-*
 20 *ministrator shall enter into an agreement, using other*
 21 *transaction authority under section 114(m) of this title,*
 22 *with at least 2 private sector entities to increase the methods*
 23 *and capabilities available for the public to enroll in the*
 24 *PreCheck Program.*

1 “(c) *MINIMUM CAPABILITY REQUIREMENTS.*—*At least*
2 *1 agreement under subsection (b) shall include the following*
3 *capabilities:*

4 “(1) *Start-to-finish secure online or mobile en-*
5 *rollment capability.*

6 “(2) *Vetting of an applicant by means other*
7 *than biometrics, such as a risk assessment, if—*

8 “(A) *such means—*

9 “(i) *are evaluated and certified by the*
10 *Secretary of Homeland Security;*

11 “(ii) *meet the definition of a qualified*
12 *anti-terrorism technology under section 865*
13 *of the Homeland Security Act of 2002 (6*
14 *U.S.C. 444); or*

15 “(iii) *are determined by the Adminis-*
16 *trator to provide a risk assessment that is*
17 *as effective as a fingerprint-based criminal*
18 *history records check conducted through the*
19 *Federal Bureau of Investigation with re-*
20 *spect to identifying individuals who are not*
21 *qualified to participate in the PreCheck*
22 *Program due to disqualifying criminal his-*
23 *tory; and*

24 “(B) *with regard to private sector risk as-*
25 *sessments, the Secretary has certified that rea-*

1 *sonable procedures are in place with regard to*
2 *the accuracy, relevancy, and proper utilization*
3 *of information employed in such risk assess-*
4 *ments.*

5 *“(d) ADDITIONAL CAPABILITY REQUIREMENTS.—At*
6 *least 1 agreement under subsection (b) shall include the fol-*
7 *lowing capabilities:*

8 *“(1) Start-to-finish secure online or mobile en-*
9 *rollment capability.*

10 *“(2) Vetting of an applicant by means of bio-*
11 *metrics if the collection—*

12 *“(A) is comparable with the appropriate*
13 *and applicable standards developed by the Na-*
14 *tional Institute of Standards and Technology;*
15 *and*

16 *“(B) protects privacy and data security, in-*
17 *cluding that any personally identifiable informa-*
18 *tion is collected, retained, used, and shared in a*
19 *manner consistent with section 552a of title 5,*
20 *United States Code (commonly known as ‘Pri-*
21 *vacancy Act of 1974’), and with agency regulations.*

22 *“(e) TARGET ENROLLMENT.—Subject to subsections*
23 *(b), (c), and (d), the Administrator shall take actions to*
24 *expand the total number of individuals enrolled in the*
25 *PreCheck Program as follows:*

1 “(1) 7,000,000 passengers before October 1, 2018.

2 “(2) 10,000,000 passengers before October 1,
3 2019.

4 “(3) 15,000,000 passengers before October 1,
5 2020.

6 “(f) *MARKETING OF PRECHECK PROGRAM.*—Not later
7 than 90 days after the date of enactment of the TSA Mod-
8 ernization Act, the Administrator shall—

9 “(1) enter into at least 2 agreements, using other
10 transaction authority under section 114(m) of this
11 title, to market the PreCheck Program; and

12 “(2) implement a long-term strategy for
13 partnering with the private sector to encourage enroll-
14 ment in such program.

15 “(g) *IDENTITY VERIFICATION ENHANCEMENT.*—The
16 Administrator shall—

17 “(1) coordinate with the heads of appropriate
18 components of the Department to leverage Depart-
19 ment-held data and technologies to verify the identity
20 and citizenship of individuals enrolling in the
21 PreCheck Program;

22 “(2) partner with the private sector to use bio-
23 metrics and authentication standards, such as rel-
24 evant standards developed by the National Institute of

1 *Standards and Technology, to facilitate enrollment in*
2 *the program; and*

3 “(3) *consider leveraging the existing resources*
4 *and abilities of airports to collect fingerprints for use*
5 *in background checks to expedite identity verification.*

6 “(h) *PRECHECK PROGRAM LANES OPERATION.—The*
7 *Administrator shall—*

8 “(1) *ensure that PreCheck Program screening*
9 *lanes are open and available during peak and high-*
10 *volume travel times at appropriate airports to indi-*
11 *viduals enrolled in the PreCheck Program; and*

12 “(2) *make every practicable effort to provide ex-*
13 *pedited screening at standard screening lanes during*
14 *times when PreCheck Program screening lanes are*
15 *closed to individuals enrolled in the program in order*
16 *to maintain operational efficiency.*

17 “(i) *VETTING FOR PRECHECK PROGRAM PARTICI-*
18 *PANTS.—The Administrator shall initiate an assessment to*
19 *identify any security vulnerabilities in the vetting process*
20 *for the PreCheck Program, including determining whether*
21 *subjecting PreCheck Program participants to recurrent fin-*
22 *gerprint-based criminal history records checks, in addition*
23 *to recurrent checks against the terrorist watchlist, could be*
24 *done in a cost-effective manner to strengthen the security*
25 *of the PreCheck Program.*

1 “(j) *ASSURANCE OF SEPARATE PROGRAM.*—*In car-*
 2 *rying out this section, the Administrator shall ensure that*
 3 *the PreCheck program enrollment capabilities, including*
 4 *the additional private sector application capabilities under*
 5 *subsections (b), (c), and (d), are separate from any other*
 6 *related TSA program, initiative, or procurement, including*
 7 *the Universal Enrollment Services program.*

8 “(k) *EXPENDITURE OF FUNDS.*—*Any Federal funds*
 9 *expended by the Administrator to expand PreCheck Pro-*
 10 *gram enrollment shall be expended in a manner that meets*
 11 *the requirements of this section.”.*

12 (b) *TECHNICAL AND CONFORMING AMENDMENTS.*—

13 (1) *REPEAL.*—*Subtitle A of title III of the FAA*
 14 *Extension, Safety, and Security Act of 2016 (49*
 15 *U.S.C. 44901 note) and the items relating to that sub-*
 16 *title in the table of contents of that Act are repealed.*

17 (2) *TABLE OF CONTENTS.*—*The table of contents*
 18 *of chapter 449 is amended by amending the item re-*
 19 *lating to section 44919 to read as follows:*

“44919. *PreCheck Program.*”.

20 (3) *SCREENING PASSENGERS AND PROPERTY.*—
 21 *Section 44901(a) is amended by striking “44919 or”.*

22 **SEC. 232. TRUSTED TRAVELER PROGRAMS; COLLABORA-**
 23 **TION.**

24 *Not later than 180 days after the date of enactment*
 25 *of this Act, the Administrator, in consultation with the*

1 *Commissioner of U.S. Customs and Border Protection,*
2 *shall—*

3 (1) *review each trusted traveler program admin-*
4 *istered by U.S. Customs and Border Protection and*
5 *the PreCheck Program;*

6 (2) *identify any improvements that can be made*
7 *to such programs—*

8 (A) *to streamline and integrate the require-*
9 *ments and operations of such programs to reduce*
10 *administrative burdens, including applications*
11 *for inclusion and determining whether a valid*
12 *credential can satisfy the requirements for an-*
13 *other credential;*

14 (B) *to increase information and data shar-*
15 *ing across such programs; and*

16 (C) *to allow the public to access and link to*
17 *the applications for enrollment in all of such*
18 *programs from 1 online portal;*

19 (3) *identify any law, including regulations, pol-*
20 *icy, or procedure that may unnecessarily inhibit col-*
21 *laboration among Department of Homeland Security*
22 *agencies regarding such programs or implementation*
23 *of the improvements identified under paragraph (2);*

24 (4) *recommend any legislative, administrative,*
25 *or other actions that can be taken to eliminate any*

1 *unnecessary barriers to collaboration or implementa-*
 2 *tion identified in paragraph (3); and*

3 *(5) submit to the appropriate committees of Con-*
 4 *gress a report on the review, including any unneces-*
 5 *sary barriers to collaboration or implementation*
 6 *identified under paragraph (3), and any rec-*
 7 *ommendations under paragraph (4).*

8 **SEC. 233. PASSENGER SECURITY FEE.**

9 *Section 44940(c) is amended by adding at the end the*
 10 *following:*

11 *“(3) OFFSETTING COLLECTIONS.—Beginning on*
 12 *October 1, 2025, fees collected under subsection (a)(1)*
 13 *for any fiscal year shall be credited as offsetting col-*
 14 *lections to appropriations made for aviation security*
 15 *measures carried out by the Transportation Security*
 16 *Administration, to remain available until expended.”.*

17 **SEC. 234. THIRD PARTY CANINE TEAMS FOR AIR CARGO SE-**
 18 **CURITY.**

19 *Section 1307 of the Implementing Recommendations*
 20 *of the 9/11 Commission Act of 2007 (6 U.S.C. 1116) is*
 21 *amended by adding at the end the following:*

22 *“(h) THIRD PARTY CANINE TEAMS FOR AIR CARGO*
 23 *SECURITY.—*

24 *“(1) IN GENERAL.—In order to enhance the*
 25 *screening of air cargo and ensure that third party ex-*

1 *plosives detection canine assets are leveraged for such*
2 *purpose, the Administrator shall, not later than 180*
3 *days after the date of enactment of the TSA Mod-*
4 *ernization Act—*

5 *“(A) develop and issue standards for the use*
6 *of such third party explosives detection canine*
7 *assets for the primary screening of air cargo;*

8 *“(B) develop a process to identify qualified*
9 *non-Federal entities that will certify canine as-*
10 *sets that meet the standards established by the*
11 *Administrator under subparagraph (A);*

12 *“(C) ensure that entities qualified to certify*
13 *canine assets shall be independent from entities*
14 *that will train and provide canines to end users*
15 *of such canine assets;*

16 *“(D) establish a system of Transportation*
17 *Security Administration audits of the process de-*
18 *veloped under subparagraph (B); and*

19 *“(E) provide that canines certified for the*
20 *primary screening of air cargo can be used by*
21 *air carriers, foreign air carriers, freight for-*
22 *warders, and shippers.*

23 *“(2) IMPLEMENTATION.—Beginning on the date*
24 *that the development of the process under paragraph*
25 *(1)(B) is complete, the Administrator shall—*

1 “(A) facilitate the deployment of such assets
2 that meet the certification standards of the Ad-
3 ministration, as determined by the Adminis-
4 trator;

5 “(B) make such standards available to ven-
6 dors seeking to train and deploy third party ex-
7 plosives detection canine assets; and

8 “(C) ensure that all costs for the training
9 and certification of canines, and for the use of
10 supplied canines, are borne by private industry
11 and not the Federal Government.

12 “(3) DEFINITIONS.—In this subsection:

13 “(A) AIR CARRIER.—The term ‘air carrier’
14 has the meaning given the term in section 40102
15 of title 49, United States Code.

16 “(B) FOREIGN AIR CARRIER.—The term
17 ‘foreign air carrier’ has the meaning given the
18 term in section 40102 of title 49, United States
19 Code.

20 “(C) THIRD PARTY EXPLOSIVES DETECTION
21 CANINE ASSET.—The term ‘third party explosives
22 detection canine asset’ means any explosives de-
23 tection canine or handler not owned or em-
24 ployed, respectively, by the Transportation Secu-
25 rity Administration.”.

1 **SEC. 235. KNOWN SHIPPER PROGRAM REVIEW.**

2 *The Administrator shall direct the Air Cargo Sub-*
 3 *committee of ASAC—*

4 *(1) to conduct a comprehensive review and secu-*
 5 *rity assessment of the Known Shipper Program;*

6 *(2) to recommend whether the Known Shipper*
 7 *Program should be modified or eliminated consid-*
 8 *ering the full implementation of 100 percent screening*
 9 *under section 44901(g) of title 49, United States*
 10 *Code; and*

11 *(3) to report its findings and recommendations*
 12 *to the Administrator.*

13 **SEC. 236. SCREENING PARTNERSHIP PROGRAM UPDATES.**

14 *(a) SECURITY SCREENING OPT-OUT PROGRAM.—Sec-*
 15 *tion 44920 is amended—*

16 *(1) in the heading by striking “**Security***
 17 ***screening opt-out program**” and inserting*
 18 *“**Screening partnership program**”;*

19 *(2) by amending subsection (a) to read as fol-*
 20 *lows:*

21 *“(a) IN GENERAL.—An operator of an airport, airport*
 22 *terminal, or airport security checkpoint may submit to the*
 23 *Administrator of the Transportation Security Administra-*
 24 *tion an application to carry out the screening of passengers*
 25 *and property at the airport under section 44901 by per-*
 26 *sonnel of a qualified private screening company pursuant*

1 *to a contract with the Transportation Security Administra-*
2 *tion.”;*

3 *(3) in subsection (b)—*

4 *(A) by amending paragraph (1) to read as*
5 *follows:*

6 *“(1) IN GENERAL.—Not later than 30 days after*
7 *the date of receipt of an application submitted by an*
8 *operator of an airport, airport terminal, or airport*
9 *security checkpoint under subsection (a), the Admin-*
10 *istrator shall approve or deny the application.”; and*

11 *(B) in paragraphs (2) and (3), by striking*
12 *“Under Secretary” each place it appears and in-*
13 *serting “Administrator”;*

14 *(4) in subsection (d)—*

15 *(A) in the heading, by striking “STAND-*
16 *ARDS” inserting “SELECTION OF CONTRACTS*
17 *AND STANDARDS”;*

18 *(B) by redesignating paragraph (2) as*
19 *paragraph (3);*

20 *(C) in paragraph (1)—*

21 *(i) by striking “The Under Secretary*
22 *may enter” and all that follows through*
23 *“certifies to Congress that—” and inserting*
24 *“The Administrator shall, upon approval of*
25 *the application, provide each operator of an*

1 airport, airport terminal, or airport secu-
 2 rity checkpoint with a list of qualified pri-
 3 vate screening companies.”; and

4 (ii) by inserting before subparagraphs
 5 (A) and (B) the following:

6 “(2) *CONTRACTS.*—Not later than 60 days after
 7 the selection of a qualified private screening company
 8 by the operator, the Administrator shall enter into a
 9 contract with such company for the provision of
 10 screening at the airport, airport terminal, or airport
 11 security checkpoint if—”; and

12 (D) in paragraph (2), as redesignated—

13 (i) in subparagraph (A), by striking “;
 14 and” and inserting a semicolon;

15 (ii) in subparagraph (B)—

16 (I) by striking “Under Secretary”
 17 and inserting “Administrator”; and

18 (II) by striking the period at the
 19 end and inserting “; and”; and

20 (iii) by adding at the end the fol-
 21 lowing:

22 “(C) the selected qualified private screening
 23 company offered contract price is equal to or less
 24 than the comprehensive cost to the Federal Gov-
 25 ernment to provide screening services at the air-

1 port, airport terminal, or airport security check-
2 point.”; and

3 (E) in paragraph (3), as redesignated—

4 (i) by striking “paragraph (1)(B)”
5 and inserting “paragraph (2)(B)”;

6 (ii) by striking “Under Secretary”
7 each place it appears and inserting “Ad-
8 ministrator”;

9 (5) in subsection (e)—

10 (A) in the heading, by striking
11 “SCREENED” and inserting “SCREENING”;

12 (B) by striking the period at the end and
13 inserting “; and”;

14 (C) by striking “The Under Secretary shall”
15 and inserting “The Administrator shall—”;

16 (D) by inserting “(1)” before “provide Fed-
17 eral Government” and indenting appropriately;
18 and

19 (E) by adding at the end the following:

20 “(2) undertake covert testing and remedial train-
21 ing support for employees of private screening compa-
22 nies providing screening at airports.”;

23 (6) in subsection (f)—

24 (A) in the heading, by inserting “OR SUS-
25 PENSION” after “TERMINATION”;

1 (B) by striking “terminate” and inserting
2 “suspend or terminate, as appropriate,”; and

3 (C) by striking “Under Secretary” each
4 place it appears and inserting “Administrator”;
5 and

6 (7) by striking subsection (h).

7 (b) *APPLICATIONS SUBMITTED BEFORE THE DATE OF*
8 *ENACTMENT.*—Not later than 30 days after the date of en-
9 actment of this Act, the Administrator shall approve or
10 deny, in accordance with section 44920(b) of title 49,
11 United States Code, as amended by this Act, each applica-
12 tion submitted before the date of enactment of this Act, by
13 an airport operator under subsection (a) of that section,
14 that is awaiting such a determination.

15 **SEC. 237. SCREENING PERFORMANCE ASSESSMENTS.**

16 Subject to part 1520 of title 49, Code of Federal Regu-
17 lations, the Administrator shall quarterly make available
18 to the airport director of an airport—

19 (1) an assessment of the screening performance of
20 that airport compared to the mean average perform-
21 ance of all airports in the equivalent airport category
22 for screening performance data; and

23 (2) a briefing on the results of performance data
24 reports, including—

1 (A) a scorecard of objective metrics devel-
2 oped by the Office of Security Operations to
3 measure screening performance, such as results of
4 annual proficiency reviews and covert testing, at
5 the appropriate level of classification; and

6 (B) other performance data, including—

7 (i) passenger throughput;

8 (ii) wait times; and

9 (iii) employee attrition, absenteeism,
10 injury rates, and any other human capital
11 measures collected by TSA.

12 **SEC. 238. TSA ACADEMY REVIEW.**

13 (a) *REVIEW.*—Not later than 270 days after the date
14 of enactment of this Act, the Comptroller General of the
15 United States shall—

16 (1) conduct an assessment of the efficiency and
17 effectiveness of the new-hire TSA Academy at train-
18 ing airport security personnel compared to when such
19 training of transportation security officers was con-
20 ducted at local airports; and

21 (2) submit to the appropriate committees of Con-
22 gress a report on the findings of the assessment and
23 any recommendations to maximize the efficiency and
24 effectiveness of training for airport security personnel.

25 (b) *CONTENTS.*—The assessment shall—

1 (1) *include a cost-benefit analysis of training*
 2 *new Transportation Security Officer and Screening*
 3 *Partnership Program contractor hires at the TSA*
 4 *Academy compared to when such training of trans-*
 5 *portation security officers was conducted at local air-*
 6 *ports;*

7 (2) *examine the impact on performance, profes-*
 8 *sionalism, and retention rates of Transportation Se-*
 9 *curity Officer and Screening Partnership Program*
 10 *contractor employees since the new training protocols*
 11 *at the TSA Academy have been put in place com-*
 12 *pared to when training was conducted at local air-*
 13 *ports; and*

14 (3) *examine whether new hire training at the*
 15 *TSA Academy has had any impact on the airports*
 16 *and companies that participate in the Screening*
 17 *Partnership Program.*

18 **SEC. 239. IMPROVEMENTS FOR SCREENING OF DISABLED**

19 **PASSENGERS.**

20 (a) *REVISED TRAINING.—*

21 (1) *IN GENERAL.—Not later than 180 days after*
 22 *the date of enactment of this Act, the Administrator,*
 23 *in consultation with nationally-recognized veterans*
 24 *and disability organizations, shall revise the training*
 25 *requirements for Transportation Security Officers re-*

1 *lated to the screening of disabled passengers, includ-*
2 *ing disabled passengers who participate in the*
3 *PreCheck program.*

4 (2) *TRAINING SPECIFICATIONS.—In revising the*
5 *training requirements under paragraph (1), the Ad-*
6 *ministrator shall address the proper screening, and*
7 *any particular sensitivities related to the screening, of*
8 *a disabled passenger traveling with—*

9 (A) *a medical device, including an indwell-*
10 *ing medical device;*

11 (B) *a prosthetic;*

12 (C) *a wheelchair, walker, scooter, or other*
13 *mobility device; or*

14 (D) *a service animal.*

15 (3) *TRAINING FREQUENCY.—The Administrator*
16 *shall implement the revised training under paragraph*
17 *(1) during initial and recurrent training of all*
18 *Transportation Security Officers.*

19 (b) *BEST PRACTICES.—The individual at the TSA re-*
20 *sponsible for civil rights, liberties, and traveler engagement*
21 *shall—*

22 (1) *record each complaint from a disabled pas-*
23 *senger regarding the screening practice of the TSA;*

24 (2) *identify the most frequent concerns raised, or*
25 *accommodations requested, in the complaints;*

1 (3) *determine the best practices for addressing*
2 *the concerns and requests identified in paragraph (2);*
3 *and*

4 (4) *recommend appropriate training based on*
5 *such best practices.*

6 (c) *SIGNAGE.—At each category X airport, the TSA*
7 *shall place signage at each security checkpoint that—*

8 (1) *specifies how to contact the appropriate TSA*
9 *employee at the airport designated to address com-*
10 *plaints of screening mistreatment based on disability;*
11 *and*

12 (2) *describes how to receive assistance from that*
13 *individual or other qualified personnel at the security*
14 *screening checkpoint.*

15 (d) *REPORTS TO CONGRESS.—Not later than Sep-*
16 *tember 30 of the first full fiscal year after the date of enact-*
17 *ment of this Act, and each fiscal year thereafter, the Admin-*
18 *istrator shall submit to the appropriate committees of Con-*
19 *gress a report on the checkpoint experiences of disabled pas-*
20 *sengers, including the following:*

21 (1) *The number and most frequent types of dis-*
22 *ability-related complaints received.*

23 (2) *The best practices recommended under sub-*
24 *section (b) to address the top areas of concern.*

1 (3) *The estimated wait times for assist requests*
2 *for disabled passengers, including disabled passengers*
3 *who participate in the PreCheck program.*

4 ***Subtitle D—Foreign Airport***
5 ***Security***

6 **SEC. 241. LAST POINT OF DEPARTURE AIRPORTS; SECURITY**

7 ***DIRECTIVES.***

8 (a) *NOTICE AND CONSULTATION.—*

9 (1) *IN GENERAL.—The Administrator shall, to*
10 *the maximum extent practicable, consult and notify*
11 *the following stakeholders prior to making changes to*
12 *security standards via security directives and emer-*
13 *gency amendments for last points of departure:*

14 (A) *Trade association representatives, for*
15 *affected air carriers and airports, who hold the*
16 *appropriate security clearances.*

17 (B) *The head of each relevant Federal de-*
18 *partment or agency, including the Administrator*
19 *of the Federal Aviation Administration.*

20 (2) *TRANSMITTAL TO CONGRESS.—Not later than*
21 *3 days after the date that the Administrator issues a*
22 *security directive or emergency amendment for a last*
23 *point of departure, the Administrator shall transmit*
24 *to the appropriate committees of Congress a descrip-*
25 *tion of the extent to which the Administrator con-*

1 *sulted and notified the stakeholders under paragraph*
2 *(1).*

3 *(b) GAO REPORT.—*

4 *(1) IN GENERAL.—Not later than 1 year after*
5 *the date of enactment of this Act, the Comptroller*
6 *General of the United States shall review the effective-*
7 *ness of the TSA process to update, consolidate, or re-*
8 *voke security directives, emergency amendments, and*
9 *other policies related to international aviation secu-*
10 *rity at last point of departure airports and submit to*
11 *the appropriate committees of Congress and the Ad-*
12 *ministrator a report on the findings and rec-*
13 *ommendations.*

14 *(2) CONTENTS.—In conducting the review under*
15 *paragraph (1), the Comptroller General shall—*

16 *(A) review current security directives, emer-*
17 *gency amendments, and any other policies re-*
18 *lated to international aviation security at last*
19 *point of departure airports;*

20 *(B) review the extent of intra-agency and*
21 *interagency coordination, stakeholder outreach,*
22 *coordination, and feedback; and*

23 *(C) recommend any updates, consolidation,*
24 *or revocation of such security directives, emer-*
25 *gency amendments, and policies.*

1 (c) *RESCREENING.*—Subject to section 44901(d)(4)(c)
 2 of title 49, United States Code, upon discovery of specific
 3 threat intelligence, the Administrator shall immediately di-
 4 rect TSA personnel to rescreen passengers and baggage ar-
 5 riving from an airport outside the United States and iden-
 6 tify enhanced measures that should be implemented at that
 7 airport.

8 (d) *NOTIFICATION TO CONGRESS.*—Not later than 1
 9 day after the date that the Administrator determines that
 10 a foreign air carrier is in violation of part 1546 of title
 11 49, Code of Federal Regulations, or any other applicable
 12 security requirement, the Administrator shall notify the ap-
 13 propriate committees of Congress.

14 **SEC. 242. TRACKING SECURITY SCREENING EQUIPMENT**
 15 **FROM LAST POINT OF DEPARTURE AIRPORTS.**

16 (a) *DONATION OF SCREENING EQUIPMENT TO PRO-*
 17 *TECT THE UNITED STATES.*—Chapter 449 is amended—

18 (1) in subchapter I, by adding at the end the fol-
 19 lowing:

20 **“§ 44929. Donation of screening equipment to protect**
 21 **the United States**

22 “(a) *IN GENERAL.*—Subject to subsection (b), the Ad-
 23 ministrator is authorized to donate security screening
 24 equipment to a foreign last point of departure airport oper-
 25 ator if such equipment can be reasonably expected to miti-

1 *gate a specific vulnerability to the security of the United*
2 *States or United States citizens.*

3 “(b) *CONDITIONS.—Before donating any security*
4 *screening equipment to a foreign last point of departure*
5 *airport operator the Administrator shall—*

6 “(1) *ensure that the screening equipment has*
7 *been restored to commercially available settings;*

8 “(2) *ensure that no TSA-specific security stand-*
9 *ards or algorithms exist on the screening equipment;*
10 *and*

11 “(3) *verify that the appropriate officials have an*
12 *adequate system—*

13 “(A) *to properly maintain and operate the*
14 *screening equipment; and*

15 “(B) *to document and track any removal or*
16 *disposal of the screening equipment to ensure the*
17 *screening equipment does not come into the pos-*
18 *session of terrorists or otherwise pose a risk to se-*
19 *curity.*

20 “(c) *REPORTS.—Not later than 30 days before any do-*
21 *nation of security screening equipment under subsection*
22 *(a), the Administrator shall provide to the Committee on*
23 *Commerce, Science, and Transportation and the Committee*
24 *on Homeland Security and Governmental Affairs of the*
25 *Senate and the Committee on Homeland Security of the*

1 *House of Representatives a detailed written explanation of*
2 *the following:*

3 “(1) *The specific vulnerability to the United*
4 *States or United States citizens that will be mitigated*
5 *by such donation.*

6 “(2) *An explanation as to why the recipient of*
7 *such donation is unable or unwilling to purchase se-*
8 *curity screening equipment to mitigate such vulner-*
9 *ability.*

10 “(3) *An evacuation plan for sensitive tech-*
11 *nologies in case of emergency or instability in the*
12 *country to which such donation is being made.*

13 “(4) *How the Administrator will ensure the secu-*
14 *rity screening equipment that is being donated is*
15 *used and maintained over the course of its life by the*
16 *recipient.*

17 “(5) *The total dollar value of such donation.*

18 “(6) *How the appropriate officials will document*
19 *and track any removal or disposal of the screening*
20 *equipment by the recipient to ensure the screening*
21 *equipment does not come into the possession of terror-*
22 *ists or otherwise pose a risk to security.”; and*

23 (2) *in the table of contents, by inserting after the*
24 *item relating to section 44928 the following:*

“44929. Donation of screening equipment to protect the United States.”.

1 (b) *TECHNICAL AND CONFORMING AMENDMENTS.*—
2 *Section 3204 of the Aviation Security Act of 2016 (49*
3 *U.S.C. 44901 note) and the item relating to that section*
4 *in the table of contents of that Act are repealed.*

5 (c) *RAISING INTERNATIONAL STANDARDS.*—*Not later*
6 *than 90 days after the date of enactment of this Act, the*
7 *Administrator shall collaborate with other aviation authori-*
8 *ties and the United States Ambassador or the Charge d’Af-*
9 *fares to the United States Mission to the International*
10 *Civil Aviation Organization, as applicable, to advance a*
11 *global standard for each international airport to document*
12 *and track the removal and disposal of any security screen-*
13 *ing equipment to ensure the screening equipment does not*
14 *come into the possession of terrorists or otherwise pose a*
15 *risk to security.*

16 **SEC. 243. INTERNATIONAL SECURITY STANDARDS.**

17 (a) *NOTIFICATION.*—*Not later than 90 days after the*
18 *date of enactment of this Act, the Administrator, in con-*
19 *sultation with the United States Ambassador to the Inter-*
20 *national Civil Aviation Organization, shall notify the Com-*
21 *mittee on Commerce, Science, and Transportation and the*
22 *Committee on Foreign Relations of the Senate, and the*
23 *Committee on Homeland Security and the Committee on*
24 *Foreign Affairs of the House of Representatives of proposed*
25 *international improvements to aviation security.*

1 **(b) SECURITY ENHANCEMENT PROPOSALS.**—*Subject to*
 2 *subsection (a), the Administrator and Ambassador shall*
 3 *take such action at the International Civil Aviation Orga-*
 4 *nization as the Administrator and Ambassador consider*
 5 *necessary to advance aviation security improvement pro-*
 6 *posals, including if practicable, introducing a resolution to*
 7 *raise minimum standards for aviation security.*

8 **(c) BRIEFINGS TO CONGRESS.**—*Beginning not later*
 9 *than 180 days after the date of enactment of this Act, and*
 10 *periodically thereafter, the Administrator, in consultation*
 11 *with the Ambassador, shall brief the Committee on Com-*
 12 *merce, Science, and Transportation and the Committee on*
 13 *Foreign Relations of the Senate, and the Committee on*
 14 *Homeland Security and the Committee on Foreign Affairs*
 15 *of the House of Representatives on the implementation of*
 16 *subsection (a).*

17 ***Subtitle E—Cockpit and Cabin***
 18 ***Security***

19 ***SEC. 251. FEDERAL AIR MARSHAL SERVICE UPDATES.***

20 **(a) STANDARDIZATION.**—*Not later than 60 days after*
 21 *the date of enactment of this Act, the Administrator shall*
 22 *develop a standard written agreement that shall be the basis*
 23 *of all negotiations and agreements that begin after the date*
 24 *of enactment of this Act between the United States and for-*
 25 *oreign governments or partners regarding the presence of Fed-*

1 *eral air marshals on flights to and from the United States,*
2 *including deployment, technical assistance, and informa-*
3 *tion sharing.*

4 **(b) WRITTEN AGREEMENTS.**—*Except as provided in*
5 *subsection (c), not later than 180 days after the date of en-*
6 *actment of this Act, all agreements between the United*
7 *States and foreign governments or partners regarding the*
8 *presence of Federal air marshals on flights to and from the*
9 *United States shall be in writing and signed by the Admin-*
10 *istrator or other authorized United States Government rep-*
11 *resentative.*

12 **(c) EXCEPTION.**—*The Administrator may schedule*
13 *Federal air marshal service on flights operating to a foreign*
14 *country with which no written agreement is in effect if the*
15 *Administrator determines that—*

16 **(1)** *such mission is necessary for aviation secu-*
17 *rity; and*

18 **(2)** *the requirements of subsection (d)(2) are met.*

19 **(d) NOTIFICATION TO CONGRESS.**—

20 **(1) WRITTEN AGREEMENTS.**—*Not later than 30*
21 *days after the date that the Administrator enters into*
22 *a written agreement under this section, the Adminis-*
23 *trator shall transmit to the appropriate committees of*
24 *Congress a copy of the agreement.*

1 (2) *NO WRITTEN AGREEMENTS.*—*The Administrator shall submit to the appropriate committees of*
2
3 *Congress—*

4 (A) *not later than 30 days after the date of*
5 *enactment of this Act, a list of each foreign gov-*
6 *ernment or partner that does not have a written*
7 *agreement under this section, including an ex-*
8 *planation for why no written agreement exists*
9 *and a justification for the determination that*
10 *such a mission is necessary for aviation security;*
11 *and*

12 (B) *not later than 30 days after the date*
13 *that the Administrator makes a determination to*
14 *schedule Federal air marshal service on flights*
15 *operating to a foreign country with which no*
16 *written agreement is in effect under subsection*
17 *(c), the name of the applicable foreign govern-*
18 *ment or partner, an explanation for why no*
19 *written agreement exists, and a justification for*
20 *the determination that such mission is necessary*
21 *for aviation security.*

22 (e) *MISSION SCHEDULING AUTOMATION.*—*The Admin-*
23 *istrator shall endeavor to acquire automated capabilities or*
24 *technologies for scheduling Federal air marshal service mis-*
25 *sions based on current risk modeling.*

1 **SEC. 252. CREW MEMBER SELF-DEFENSE TRAINING.**

2 *The Administrator, in consultation with the Adminis-*
3 *trator of the Federal Aviation Administration, shall con-*
4 *tinue to carry out and encourage increased participation*
5 *by air carrier employees in the voluntary self-defense train-*
6 *ing program under section 44918(b) of title 49, United*
7 *States Code.*

8 **SEC. 253. FLIGHT DECK SAFETY AND SECURITY.**

9 *(a) THREAT ASSESSMENT.—Not later than 90 days*
10 *after the date of enactment of this Act, the Administrator,*
11 *in consultation with the Administrator of the Federal Avia-*
12 *tion Administration, shall complete a detailed threat assess-*
13 *ment to identify any safety or security risks associated with*
14 *unauthorized access to the flight decks on commercial air-*
15 *craft and any appropriate measures that should be taken*
16 *based on the risks.*

17 *(b) RTCA REPORT.—The Administrator, in coordina-*
18 *tion with the Administrator of the Federal Aviation Admin-*
19 *istration, shall disseminate RTCA Document (DO–329)*
20 *Aircraft Secondary Barriers and Alternative Flight Deck*
21 *Security Procedure to aviation stakeholders, including air*
22 *carriers and flight crew, to convey effective methods and*
23 *best practices to protect the flight deck.*

1 **SEC. 254. CARRIAGE OF WEAPONS, EXPLOSIVES, AND IN-**
2 **CENDIARIES BY INDIVIDUALS.**

3 (a) *INTERPRETIVE RULE.*—Subject to subsections (b)
4 and (c), the Administrator shall periodically review and
5 amend, as necessary, the interpretive rule (68 Fed. Reg.
6 7444) that provides guidance to the public on the types of
7 property considered to be weapons, explosives, and incendi-
8 aries prohibited under section 1540.111 of title 49, Code
9 of Federal Regulations.

10 (b) *CONSIDERATIONS.*—Before determining whether to
11 amend the interpretive rule to include or remove an item
12 from the prohibited list, the Administrator shall—

13 (1) *research and evaluate—*

14 (A) *the impact, if any, the amendment*
15 *would have on security risks;*

16 (B) *the impact, if any, the amendment*
17 *would have on screening operations, including*
18 *effectiveness and efficiency; and*

19 (C) *whether the amendment is consistent*
20 *with international standards and guidance, in-*
21 *cluding of the International Civil Aviation Or-*
22 *ganization; and*

23 (2) *consult with appropriate aviation security*
24 *stakeholders, including ASAC.*

25 (c) *EXCEPTIONS.*—Except for plastic or round bladed
26 butter knives, the Administrator may not amend the inter-

1 *pretive rule described in subsection (a) to authorize any*
 2 *knife to be permitted in an airport sterile area or in the*
 3 *cabin of an aircraft.*

4 *(d) NOTIFICATION.—The Administrator shall—*

5 *(1) publish in the Federal Register any amend-*
 6 *ment to the interpretive rule described in subsection*
 7 *(a); and*

8 *(2) notify the appropriate committees of Con-*
 9 *gress of the amendment not later than 3 days before*
 10 *publication under paragraph (1).*

11 **SEC. 255. FEDERAL FLIGHT DECK OFFICER PROGRAM IM-**
 12 **PROVEMENTS.**

13 *(a) IMPROVED ACCESS TO TRAINING FACILITIES.—*
 14 *Section 44921(c)(2)(C)(ii) is amended—*

15 *(1) by striking “The training of” and inserting*
 16 *the following:*

17 *“(I) IN GENERAL.—The training*
 18 *of”;*

19 *(2) in subclause (I), as designated, by striking*
 20 *“approved by the Under Secretary”; and*

21 *(3) by adding at the end the following:*

22 *“(II) ACCESS TO TRAINING FA-*
 23 *CILITIES.—Not later than 180 days*
 24 *after the date of enactment of the TSA*
 25 *Modernization Act, the Administrator*

1 *shall designate additional firearms*
 2 *training facilities located in various*
 3 *regions of the United States for Federal*
 4 *flight deck officers for recurrent and re-*
 5 *qualifying training relative to the*
 6 *number of such facilities available on*
 7 *the day before such date of enact-*
 8 *ment.”.*

9 **(b) FIREARMS REQUALIFICATION.**—*Section*
 10 *44921(c)(2)(C) is amended—*

11 *(1) in clause (iii)—*

12 *(A) by striking “The Under Secretary*
 13 *shall” and inserting the following:*

14 *“(I) IN GENERAL.—The Adminis-*
 15 *trator shall”;*

16 *(B) in subclause (I), as designated by sub-*
 17 *paragraph (A), by striking “the Under Sec-*
 18 *retary” and inserting “the Administrator”;* and

19 *(C) by adding at the end the following:*

20 *“(II) USE OF FACILITIES FOR RE-*
 21 *QUALIFICATION.—The Administrator*
 22 *shall allow a Federal flight deck officer*
 23 *to requalify to carry a firearm under*
 24 *the program through training at a*
 25 *Transportation Security Administra-*

1 *tion-approved firearms training facil-*
 2 *ity utilizing a Transportation Security*
 3 *Administration-approved contractor*
 4 *and a curriculum developed and ap-*
 5 *proved by the Transportation Security*
 6 *Administration.”; and*

7 (2) *by adding at the end the following:*

8 *“(iv) PERIODIC REVIEW.—The Admin-*
 9 *istrator shall periodically review requali-*
 10 *fication training intervals and assess*
 11 *whether it is appropriate and sufficient to*
 12 *adjust the time between each requalification*
 13 *training to facilitate continued participa-*
 14 *tion in the program under this section while*
 15 *still maintaining effectiveness of the train-*
 16 *ing, and update the training requirements*
 17 *as appropriate.”.*

18 (c) *TRAINING REVIEW.—Section 44921(c)(2) is*
 19 *amended by adding at the end the following:*

20 *“(D) TRAINING REVIEW.—The Adminis-*
 21 *trator shall periodically review training require-*
 22 *ments for initial and recurrent training for Fed-*
 23 *eral flight deck officers and evaluate how train-*
 24 *ing requirements, including the length of train-*
 25 *ing, could be streamlined while maintaining the*

1 *effectiveness of the training, and update the*
2 *training requirements as appropriate.”.*

3 (d) *OTHER MEASURES TO FACILITATE TRAINING.—*

4 *Section 44921(e) is amended—*

5 (1) *by striking “Pilots participating” and in-*
6 *serting the following:*

7 “(1) *IN GENERAL.—Pilots participating*”; and

8 (2) *by adding at the end the following:*

9 “(2) *FACILITATION OF TRAINING.—An air car-*
10 *rier shall permit a pilot seeking to be deputized as a*
11 *Federal flight deck officer or a Federal flight deck offi-*
12 *cer to take a reasonable amount of leave to partici-*
13 *pate in initial, recurrent, or requalification training,*
14 *as applicable, for the program. Leave required under*
15 *this paragraph may be provided without compensa-*
16 *tion.”.*

17 (e) *INTERNATIONAL HARMONIZATION.—Section*
18 *44921(f) is amended—*

19 (1) *in paragraphs (1) and (3), by striking*
20 *“Under Secretary” and inserting “Administrator”;*
21 *and*

22 (2) *by adding at the end the following:*

23 “(4) *CONSISTENCY WITH FEDERAL AIR MARSHAL*
24 *PROGRAM.—The Administrator shall harmonize, to*
25 *the extent practicable, the policies relating to the car-*

1 *riage of firearms on flights in foreign air transpor-*
 2 *tation by Federal flight deck officers with the policies*
 3 *of the Federal air marshal program for carrying fire-*
 4 *arms on such flights and carrying out the duties of*
 5 *a Federal flight deck officer, notwithstanding Annex*
 6 *17 of the International Civil Aviation Organization.”.*

7 *(f) PHYSICAL STANDARDS.—Section 44921(d)(2) is*
 8 *amended—*

9 *(1) by redesignating subparagraphs (A), (B),*
 10 *and (C) as clauses (i), (ii), and (iii), respectively;*

11 *(2) in clause (ii), as redesignated, by striking*
 12 *“Under Secretary’s” and inserting “Administrator’s”;*

13 *(3) by striking “A pilot is” and inserting the fol-*
 14 *lowing:*

15 *“(A) IN GENERAL.—A pilot is”; and*

16 *(4) by adding at the end the following:*

17 *“(B) CONSISTENCY WITH REQUIREMENTS*
 18 *FOR CERTAIN MEDICAL CERTIFICATES.—In es-*
 19 *tablishing standards under subparagraph*
 20 *(A)(ii), the Administrator may not establish*
 21 *medical or physical standards for a pilot to be-*
 22 *come a Federal flight deck officer that are incon-*
 23 *sistent with or more stringent than the require-*
 24 *ments of the Federal Aviation Administration*
 25 *for the issuance of the required airman medical*

1 *certificate under part 67 of title 14, Code of Fed-*
2 *eral Regulations (or any corresponding similar*
3 *regulation or ruling).”.*

4 (g) *TRANSFER OF STATUS.*—Section 44921(d) is
5 amended by adding at the end the following:

6 “(5) *TRANSFER FROM INACTIVE TO ACTIVE STA-*
7 *TUS.*—In accordance with any applicable *Transportation Security Administration appeals processes, a*
8 *pilot deputized as a Federal flight deck officer who*
9 *moves to inactive status may return to active status*
10 *upon successful completion of a recurrent training*
11 *program administered within program guidelines.”.*

12 (h) *TECHNICAL CORRECTIONS.*—Section 44921, as
13 amended by this section, is further amended—

14 (1) in subsection (a), by striking “*Under Sec-*
15 *retary of Transportation for Security*” and inserting
16 “*Administrator*”;

17 (2) in subsection (b)—

18 (A) in paragraph (1), by striking “*Not later*
19 *than 3 months after the date of enactment of this*
20 *section, the Under Secretary*” and inserting “*The*
21 *Administrator*”;

22 (B) in paragraph (2), by striking “*Begin-*
23 *ning 3 months after the date of enactment of this*
24 *section, the Under Secretary shall begin the proc-*
25 *ess*”;

1 *ess of training and deputizing” and inserting*
 2 *“The Administrator shall train and deputize”;*
 3 *and*

4 (C) *in paragraph (3)(N), by striking*
 5 *“Under Secretary’s” and inserting “Administra-*
 6 *tor’s”;*

7 (3) *in subsection (d)(4)—*

8 (A) *by striking “may,” and inserting*
 9 *“may”; and*

10 (B) *by striking “Under Secretary’s” and in-*
 11 *serting “Administrator’s”;*

12 (4) *in subsection (i)(2), by striking “the Under*
 13 *Secretary may” and inserting “may”;*

14 (5) *in subsection (k)—*

15 (A) *by striking paragraphs (2) and (3); and*

16 (B) *by striking “APPLICABILITY.—” and all*
 17 *that follows through “This section” and inserting*
 18 *“APPLICABILITY.—This section”;*

19 (6) *by adding at the end the following:*

20 “(l) *DEFINITIONS.—In this section:*

21 “(1) *ADMINISTRATOR.—The term ‘Adminis-*
 22 *trator’ means the Administrator of the Transpor-*
 23 *tation Security Administration.*

24 “(2) *AIR TRANSPORTATION.—The term ‘air*
 25 *transportation’ includes all-cargo air transportation.*

1 “(3) *FIREARMS TRAINING FACILITY*.—The term
2 ‘firearms training facility’ means a private or gov-
3 ernment-owned gun range approved by the Adminis-
4 trator to provide recurrent or requalification train-
5 ing, as applicable, for the program, utilizing a Trans-
6 portation Security Administration-approved con-
7 tractor and a curriculum developed and approved by
8 the Transportation Security Administration.

9 “(4) *PILOT*.—The term ‘pilot’ means an indi-
10 vidual who has final authority and responsibility for
11 the operation and safety of the flight or any other
12 flight deck crew member.”; and

13 (7) by striking “Under Secretary” each place it
14 appears and inserting “Administrator”.

15 (i) *SENSITIVE SECURITY INFORMATION*.—Not later
16 than 180 days after the date of enactment of this Act—

17 (1) the Secretary of Transportation shall revise
18 section 15.5(b)(11) of title 49, Code of Federal Regu-
19 lations, to classify information about pilots deputized
20 as Federal flight deck officers under section 44921 of
21 title 49, United States Code, as sensitive security in-
22 formation in a manner consistent with the classifica-
23 tion of information about Federal air marshals; and

24 (2) the Administrator shall revise section
25 1520.5(b)(11) of title 49, Code of Federal Regulations,

1 *to classify information about pilots deputized as Fed-*
 2 *eral flight deck officers under section 44921 of title*
 3 *49, United States Code, as sensitive security informa-*
 4 *tion in a manner consistent with the classification of*
 5 *information about Federal air marshals.*

6 *(j) REGULATIONS.—Not later than 180 days after the*
 7 *date of enactment of this Act, the Administrator shall pre-*
 8 *scribe such regulations as may be necessary to carry out*
 9 *this section and the amendments made by this section.*

10 **TITLE III—CONFORMING AND**
 11 **MISCELLANEOUS AMENDMENTS**

12 **SEC. 301. TITLE 49 AMENDMENTS.**

13 *(a) DELETION OF DUTIES RELATED TO AVIATION SE-*
 14 *curity.—Section 106(g) is amended to read as follows:*

15 *“(g) DUTIES AND POWERS OF ADMINISTRATOR.—The*
 16 *Administrator shall carry out the following:*

17 *“(1) Duties and powers of the Secretary of*
 18 *Transportation under subsection (f) of this section re-*
 19 *lated to aviation safety (except those related to trans-*
 20 *portation, packaging, marking, or description of haz-*
 21 *ardous material) and stated in the following:*

22 *“(A) Section 308(b).*

23 *“(B) Subsections (c) and (d) of section*
 24 *1132.*

1 “(C) Sections 40101(c), 40103(b), 40106(a),
2 40108, 40109(b), 40113(a), 40113(c), 40113(d),
3 40113(e), and 40114(a).

4 “(D) Chapter 445, except sections 44501(b),
5 44502(a)(2), 44502(a)(3), 44502(a)(4), 44503,
6 44506, 44509, 44510, 44514, and 44515.

7 “(E) Chapter 447, except sections 44717,
8 44718(a), 44718(b), 44719, 44720, 44721(b),
9 44722, and 44723.

10 “(F) Chapter 451.

11 “(G) Chapter 453.

12 “(H) Section 46104.

13 “(I) Subsections (d) and (h)(2) of section
14 46301 and sections 46303(c), 46304 through
15 46308, 46310, 46311, and 46313 through 46316.

16 “(J) Chapter 465.

17 “(K) Sections 47504(b) (related to flight
18 procedures), 47508(a), and 48107.

19 “(2) Additional duties and powers prescribed by
20 the Secretary of Transportation.”.

21 (b) TRANSPORTATION SECURITY OVERSIGHT

22 BOARD.—Section 115 is amended—

23 (1) in subsection (c)(1), by striking “Under Sec-
24 retary of Transportation for security” and inserting

1 *“Administrator of the Transportation Security Ad-*
2 *ministration”*; and

3 (2) *in subsection (c)(6), by striking “Under Sec-*
4 *retary” and inserting “Administrator”.*

5 (c) *CHAPTER 401 AMENDMENTS.—Chapter 401 is*
6 *amended—*

7 (1) *in section 40109—*

8 (A) *in subsection (b), by striking “, 40119,*
9 *44901, 44903, 44906, and 44935–44937”*; and

10 (B) *in subsection (c), by striking “sections*
11 *44909 and” and inserting “sections 44909(a),*
12 *44909(b), and”*;

13 (2) *in section 40113—*

14 (A) *in subsection (a)—*

15 (i) *by striking “the Under Secretary of*
16 *Transportation for Security with respect to*
17 *security duties and powers designated to be*
18 *carried out by the Under Secretary or” and*
19 *inserting “the Administrator of the Trans-*
20 *portation Security Administration with re-*
21 *spect to security duties and powers des-*
22 *ignated to be carried out by that Adminis-*
23 *trator or”*;

1 (ii) by striking “carried out by the Ad-
2 ministrators” and inserting “carried out by
3 that Administrator”; and

4 (iii) by striking “, Under Secretary, or
5 Administrator,” and inserting “, Adminis-
6 trator of the Transportation Security Ad-
7 ministration, or Administrator of the Fed-
8 eral Aviation Administration,”; and

9 (B) in subsection (d)—

10 (i) by striking “Under Secretary of
11 Transportation for Security or the”;

12 (ii) by striking “Transportation Secu-
13 rity Administration or Federal Aviation
14 Administration, as the case may be,” and
15 inserting “Federal Aviation Administra-
16 tion”; and

17 (iii) by striking “Under Secretary or
18 Administrator, as the case may be,” and in-
19 serting “Administrator”;

20 (3) by striking section 40119; and

21 (4) in the table of contents, by striking the item
22 relating to section 40119 and inserting the following:

“40119. [Reserved].”.

23 (d) CHAPTER 449 AMENDMENTS.—Chapter 449 is
24 amended—

25 (1) in section 44901—

1 (A) in subsection (a)—

2 (i) by striking “Under Secretary of
3 Transportation for Security” and inserting
4 “Administrator of the Transportation Secu-
5 rity Administration”; and

6 (ii) by striking “, United States Code”;

7 (B) in subsection (c), by striking “but not
8 later than the 60th day following the date of en-
9 actment of the Aviation and Transportation Se-
10 curity Act”;

11 (C) in subsection (d)—

12 (i) in paragraph (1)—

13 (I) in the matter preceding sub-
14 paragraph (A), by striking “Under
15 Secretary of Transportation for Secu-
16 rity” and inserting “Administrator of
17 the Transportation Security Adminis-
18 tration”; and

19 (II) in subparagraph (A), by
20 striking “no later than December 31,
21 2002”;

22 (ii) by striking paragraphs (2) and
23 (3);

24 (iii) by redesignating paragraph (4) as
25 paragraph (2); and

1 (iv) in paragraph (2), as redesignated—
2

3 (I) in subparagraph (A), by striking
4 ing “Assistant Secretary (Transportation Security Administration)” and
5 inserting “Administrator of the Transportation Security Administration”;
6

7 (II) in subparagraph (B), by
8 striking “Assistant Secretary” and inserting “Administrator of the Transportation Security Administration”;
9
10 and
11

12 (III) in subparagraph (D)—
13

14 (aa) by striking “Assistant
15 Secretary” the first place it appears and inserting “Administrator of the Transportation Security Administration”;
16
17 and
18

19 (bb) by striking “Assistant
20 Secretary” the second place it appears and inserting “Administrator”;
21
22

23 (D) in subsection (e)—

24 (i) in that matter preceding paragraph
25 (1)—

1 (I) by striking “but not later than
2 the 60th day following the date of en-
3 actment of the Aviation and Transpor-
4 tation Security Act”; and

5 (II) by striking “Under Sec-
6 retary” and inserting “Administrator
7 of the Transportation Security Admin-
8 istration”; and

9 (ii) in paragraph (4), by striking
10 “Under Secretary” and inserting “Adminis-
11 trator”;

12 (E) in subsection (f), by striking “after the
13 date of enactment of the Aviation and Transpor-
14 tation Security Act”;

15 (F) in subsection (g)—

16 (i) in paragraph (1), by striking “Not
17 later than 3 years after the date of enact-
18 ment of the Implementing Recommenda-
19 tions of the 9/11 Commission Act of 2007,
20 the” and inserting “The”;

21 (ii) in paragraph (2), by striking “as
22 follows:” and all that follows and inserting
23 a period;

24 (iii) by amending paragraph (3) to
25 read as follows:

1 “(3) *REGULATIONS.*—*The Secretary of Home-*
2 *land Security shall issue a final rule as a permanent*
3 *regulation to implement this subsection in accordance*
4 *with the provisions of chapter 5 of title 5.”;*

5 *(iv) by striking paragraph (4); and*

6 *(v) by redesignating paragraph (5) as*
7 *paragraph (4);*

8 *(G) in subsection (h)—*

9 *(i) in paragraph (1), by striking*
10 *“Under Secretary” and inserting “Adminis-*
11 *trator of the Transportation Security Ad-*
12 *ministration”;* and

13 *(ii) in paragraph (2)—*

14 *(I) by striking “Under Secretary”*
15 *the first place it appears and inserting*
16 *“Administrator of the Transportation*
17 *Security Administration”;* and

18 *(II) by striking “Under Sec-*
19 *retary” each place it appears and in-*
20 *serting “Administrator”;*

21 *(H) in subsection (i)—*

22 *(i) in the matter preceding paragraph*
23 *(1), by striking “Under Secretary” and in-*
24 *serting “Administrator of the Transpor-*
25 *tation Security Administration”;* and

1 (ii) in paragraph (2), by striking
2 “Under Secretary” and inserting “Adminis-
3 trator”;

4 (I) in subsection (j)(1)—

5 (i) in the matter preceding subpara-
6 graph (A), by striking “Before January 1,
7 2008, the” and inserting “The”; and

8 (ii) in subparagraph (A), by striking
9 “the date of enactment of this subsection”
10 and inserting “August 3, 2007”;

11 (J) in subsection (k)—

12 (i) in paragraph (1), by striking “Not
13 later than one year after the date of enact-
14 ment of this subsection, the” and inserting
15 “The”;

16 (ii) in paragraph (2), by striking “Not
17 later than 6 months after the date of enact-
18 ment of this subsection, the” and inserting
19 “The”; and

20 (iii) in paragraph (3), by striking
21 “Not later than 180 days after the date of
22 enactment of this subsection, the” in para-
23 graph (3) and inserting “The”; and

24 (K) in subsection (l)—

25 (i) in paragraph (2)—

1 (I) in the matter preceding sub-
2 paragraph (A), by striking “Beginning
3 June 1, 2012, the Assistant Secretary
4 of Homeland Security (Transportation
5 Security Administration)” and insert-
6 ing “The Administrator of the Trans-
7 portation Security Administration”;
8 and

9 (II) in subparagraph (B), by
10 striking “Assistant Secretary” and in-
11 serting “Administrator”;

12 (ii) in paragraph (3)—

13 (I) in subparagraph (A)—

14 (aa) by striking “Assistant
15 Secretary” the first place it ap-
16 pears and inserting “Adminis-
17 trator of the Transportation Secu-
18 rity Administration”; and

19 (bb) by striking “Assistant
20 Secretary” the second place it ap-
21 pears and inserting “Adminis-
22 trator”; and

23 (II) in subparagraph (B), by
24 striking “Assistant Secretary” and in-
25 serting “Administrator of the Trans-

1 *portation Security Administration*”;

2 *and*

3 *(iii) in paragraph (4)—*

4 *(I) in subparagraph (A)—*

5 *(aa) by striking “60 days*
6 *after the deadline specified in*
7 *paragraph (2), and not later*
8 *than”;*

9 *(bb) by striking “Assistant*
10 *Secretary” the first place it ap-*
11 *pears and inserting “Adminis-*
12 *trator of the Transportation Secu-*
13 *rity Administration”; and*

14 *(cc) by striking “Assistant*
15 *Secretary” the second place it ap-*
16 *pears and inserting “Adminis-*
17 *trator”; and*

18 *(II) in subparagraph (B), by*
19 *striking “Assistant Secretary” each*
20 *place it appears and inserting “Ad-*
21 *ministrator of the Transportation Se-*
22 *curity Administration”;*

23 *(2) section 44902 is amended—*

24 *(A) in subsection (a), by striking “Under*
25 *Secretary of Transportation for Security” and*

1 inserting “Administrator of the Transportation
2 Security Administration”; and

3 (B) in subsection (b), by striking “Under
4 Secretary” and inserting “Administrator of the
5 Transportation Security Administration”;

6 (3) section 44903 is amended—

7 (A) in subsection (a)—

8 (i) in the heading, by striking “DEFI-
9 NITION” and inserting “DEFINITIONS”;

10 (ii) by redesignating paragraphs (1)
11 through (3) as subparagraphs (A) through
12 (C), respectively;

13 (iii) in subparagraph (B), as redesign-
14 ated, by striking “Under Secretary of
15 Transportation for Security” and inserting
16 “Administrator”;

17 (iv) in the matter preceding subpara-
18 graph (A), as redesignated, by striking “In
19 this section, ‘law enforcement personnel’
20 means individuals—” and inserting “In
21 this section:”;

22 (v) by inserting before subparagraph
23 (A), the following:

1 “(2) *LAW ENFORCEMENT PERSONNEL*.—*The term*
2 *‘law enforcement personnel’ means individuals—*”;
3 *and*

4 *(vi) by inserting before paragraph (2),*
5 *as redesignated, the following:*

6 “(1) *ADMINISTRATOR*.—*The term ‘Adminis-*
7 *trator’ means the Administrator of the Transpor-*
8 *tation Security Administration.”;*

9 *(B) in subsection (d), by striking “Sec-*
10 *retary of Transportation” and inserting “Ad-*
11 *ministrator”;*

12 *(C) in subsection (g), by striking “Under*
13 *Secretary’s” each place it appears and inserting*
14 *“Administrator’s”;*

15 *(D) in subsection (h)—*

16 *(i) in paragraph (3), by striking “Sec-*
17 *retary” and inserting “Secretary of Home-*
18 *land Security”;*

19 *(ii) in paragraph (4)—*

20 *(I) in subparagraph (A), by strik-*
21 *ing “, as soon as practicable after the*
22 *date of enactment of this subsection,”;*

23 *(II) in subparagraph (C), by*
24 *striking “section 44903(c)” and insert-*
25 *ing “subsection (c)”;* *and*

1 (III) in subparagraph (E), by
2 striking “, not later than March 31,
3 2005,”;

4 (iii) in paragraph (5), by striking
5 “Assistant Secretary of Homeland Security
6 (Transportation Security Administration)”
7 and inserting “Administrator”;

8 (iv) in paragraph (6)(A)—

9 (I) in the matter preceding clause
10 (i), by striking “Not later than 18
11 months after the date of enactment of
12 the Implementing Recommendations of
13 the 9/11 Commission Act of 2007, the”
14 and inserting “The”; and

15 (II) in clause (i), by striking “sec-
16 tion” and inserting “paragraph”; and

17 (v) in paragraph (6)(C), by striking
18 “Secretary” and inserting “Secretary of
19 Homeland Security”;

20 (E) in subsection (i)(3), by striking “, after
21 the date of enactment of this paragraph,”;

22 (F) in subsection (j)—

23 (i) by amending paragraph (1) to read
24 as follows:

1 “(1) *IN GENERAL.*—*The Administrator shall pe-*
2 *riodically recommend to airport operators commer-*
3 *cially available measures or procedures to prevent ac-*
4 *cess to secure airport areas by unauthorized persons.*”;

5 *(ii) in paragraph (2)—*

6 *(I) in the heading, by striking*
7 “*COMPUTER-ASSISTED PASSENGER*
8 *PRESCREENING SYSTEM*” *and inserting*
9 “*SECURE FLIGHT PROGRAM*”;

10 *(II) in subparagraph (A)—*

11 *(aa) by striking “Computer-*
12 *Assisted Passenger Prescreening*
13 *System” and inserting “Secure*
14 *Flight program”;*

15 *(bb) by striking “Secretary of*
16 *Transportation” and inserting*
17 “*Administrator*”; *and*

18 *(cc) by striking “system”*
19 *each place it appears and insert-*
20 *ing “program”;*

21 *(III) in subparagraph (B)—*

22 *(aa) by striking “Computer-*
23 *Assisted Passenger Prescreening*
24 *System” and inserting “Secure*
25 *Flight program”;*

1 (bb) by striking “Secretary of
2 Transportation” and inserting
3 “Administrator”; and

4 (cc) by striking “Secretary”
5 and inserting “Administrator”;

6 (IV) in subparagraph (C)—

7 (aa) in clause (i), by striking
8 “Not later than January 1, 2005,
9 the Assistant Secretary of Home-
10 land Security (Transportation Se-
11 curity Administration), or the
12 designee of the Assistant Sec-
13 retary,” and inserting “The Ad-
14 ministrators”;

15 (bb) in clause (ii), by strik-
16 ing “Not later than 180 days after
17 completion of testing under clause
18 (i), the” and inserting “The”; and

19 (cc) in clause (iv), by strik-
20 ing “Not later than 180 days
21 after” and inserting “After”;

22 (V) in subparagraph (D), by
23 striking “Assistant Secretary of Home-
24 land Security (Transportation Secu-

1 *riety Administration)*” and inserting
2 *“Administrator”*;

3 *(VI) in subparagraph (E)(i), by*
4 *striking “Not later than 90 days after*
5 *the date on which the Assistant Sec-*
6 *retary assumes the performance of the*
7 *advanced passenger prescreening func-*
8 *tion under subparagraph (C)(ii), the”*
9 *and inserting “The Administrator”*;
10 *and*

11 *(VII) by striking “Assistant Sec-*
12 *retary” each place it appears and in-*
13 *serting “Administrator”*;

14 *(G) in subsection (l), by striking “Under*
15 *Secretary for Border and Transportation Secu-*
16 *rity of the Department of Homeland Security”*
17 *and inserting “Administrator”*;

18 *(H) in subsection (m)—*

19 *(i) in paragraph (1), by striking “As-*
20 *stant Secretary of Homeland Security*
21 *(Transportation Security Administration)”*
22 *and inserting “Administrator”*; and

23 *(ii) by striking “Assistant Secretary”*
24 *each place it appears and inserting “Ad-*
25 *ministrator”*; and

1 (I) by striking “Under Secretary” each
2 place it appears and inserting “Administrator”;
3 (4) section 44904 is amended—

4 (A) in subsection (a), by striking “Under
5 Secretary of Transportation for Security” and
6 inserting “Administrator of the Transportation
7 Security Administration”;

8 (B) in subsection (c)—

9 (i) by striking “section 114(t)(3)” and
10 inserting “section 114(s)(3)”; and

11 (ii) by striking “section 114(t)” and
12 inserting “section 114(s)”;

13 (C) in subsection (d)—

14 (i) by striking “Not later than 90 days
15 after the date of the submission of the Na-
16 tional Strategy for Transportation Security
17 under section 114(t)(4)(A), the Assistant
18 Secretary of Homeland Security (Transpor-
19 tation Security Administration)” and in-
20 serting “The Administrator of the Trans-
21 portation Security Administration”; and

22 (ii) by striking “section 114(t)(1)” and
23 inserting “section 114(s)(1)”; and

1 (D) by striking “Under Secretary” each
2 place it appears and inserting “Administrator of
3 the Transportation Security Administration”;

4 (5) section 44905 is amended—

5 (A) in subsection (a)—

6 (i) by striking “Secretary of Transpor-
7 tation” and inserting “Administrator of the
8 Transportation Security Administration”;
9 and

10 (ii) by striking “Secretary.” and in-
11 serting “Administrator.”;

12 (B) in subsection (b), by striking “Under
13 Secretary of Transportation for Security” and
14 inserting “Administrator of the Transportation
15 Security Administration”; and

16 (C) in subsections (c), (d), and (f), by strik-
17 ing “Under Secretary” each place it appears and
18 inserting “Administrator of the Transportation
19 Security Administration”;

20 (6) section 44906 is amended—

21 (A) by striking “Under Secretary of Trans-
22 portation for Security” and inserting “Adminis-
23 trator of the Transportation Security Adminis-
24 tration”; and

1 (B) by striking “Under Secretary” each
2 place it appears and inserting “Administrator”;
3 (7) section 44908 is amended—

4 (A) by striking “Secretary of Transpor-
5 tation” each place it appears and inserting “Ad-
6 ministrator of the Transportation Security Ad-
7 ministration”;

8 (B) in subsection (a), by striking “safety
9 or”; and

10 (C) in subsection (c), by striking “The Sec-
11 retary” and inserting “The Administrator”;
12 (8) section 44909 is amended—

13 (A) in subsection (a)(1), by striking “Not
14 later than March 16, 1991, the” and inserting
15 “The”; and

16 (B) in subsection (c)—

17 (i) in paragraph (1), by striking “Not
18 later than 60 days after the date of enact-
19 ment of the Aviation and Transportation
20 Security Act, each” and inserting “Each”;

21 (ii) in paragraphs (2)(F) and (5), by
22 striking “Under Secretary” and inserting
23 “Administrator of the Transportation Secu-
24 rity Administration”; and

25 (iii) in paragraph (6)—

1 (I) in subparagraph (A), by strik-
2 ing “Not later than 60 days after date
3 of enactment of this paragraph, the”
4 and inserting “The”; and

5 (II) in subparagraph (B)(i)—

6 (aa) by striking “the Sec-
7 retary will” and inserting “the
8 Secretary of Homeland Security
9 will”; and

10 (bb) by striking “the Sec-
11 retary to” and inserting “the Sec-
12 retary of Homeland Security to”;

13 (9) section 44911 is amended—

14 (A) in subsection (b), by striking “Under
15 Secretary of Transportation for Security” and
16 inserting “Administrator of the Transportation
17 Security Administration”;

18 (B) in subsection (d), by striking “request
19 of the Secretary” and inserting “request of the
20 Secretary of Homeland Security”; and

21 (C) in subsection (e)—

22 (i) by striking “Secretary, and the
23 Under Secretary” and inserting “Secretary
24 of Homeland Security, and the Adminis-

1 *trator of the Transportation Security Ad-*
2 *ministration”; and*

3 *(ii) by striking “intelligence commu-*
4 *nity and the Under Secretary” and insert-*
5 *ing “intelligence community and the Ad-*
6 *ministrator of the Transportation Security*
7 *Administration”;*

8 *(10) section 44912 is amended—*

9 *(A) in subsection (a)—*

10 *(i) in paragraph (1)—*

11 *(I) by striking “Under Secretary*
12 *of Transportation for Security” and*
13 *inserting “Administrator”; and*

14 *(II) by striking “, not later than*
15 *November 16, 1993,”; and*

16 *(ii) in paragraph (4)(C), by striking*
17 *“Research, Engineering and Development*
18 *Advisory Committee” and inserting “Ad-*
19 *ministrator”;*

20 *(B) in subsection (c)—*

21 *(i) in paragraph (1), by striking “, as*
22 *a subcommittee of the Research, Engineer-*
23 *ing, and Development Advisory Com-*
24 *mittee,”; and*

1 (ii) in paragraph (4), by striking “Not
2 later than 90 days after the date of the en-
3 actment of the Aviation and Transportation
4 Security Act, and every two years there-
5 after,” and inserting “Biennially,”;

6 (C) by striking “Under Secretary” each
7 place it appears and inserting “Administrator”;
8 and

9 (D) by adding at the end the following:

10 “(d) SECURITY AND RESEARCH AND DEVELOPMENT
11 ACTIVITIES.—

12 “(1) IN GENERAL.—The Administrator shall con-
13 duct research (including behavioral research) and de-
14 velopment activities appropriate to develop, modify,
15 test, and evaluate a system, procedure, facility, or de-
16 vice to protect passengers and property against acts
17 of criminal violence, aircraft piracy, and terrorism
18 and to ensure security.

19 “(2) DISCLOSURE.—

20 “(A) IN GENERAL.—Notwithstanding sec-
21 tion 552 of title 5, the Administrator shall pre-
22 scribe regulations prohibiting disclosure of infor-
23 mation obtained or developed in ensuring secu-
24 rity under this title if the Secretary of Home-

1 *land Security decides disclosing the information*
2 *would—*

3 “(i) *be an unwarranted invasion of*
4 *personal privacy;*

5 “(ii) *reveal a trade secret or privileged*
6 *or confidential commercial or financial in-*
7 *formation; or*

8 “(iii) *be detrimental to transportation*
9 *safety.*

10 “(B) *INFORMATION TO CONGRESS.—Sub-*
11 *paragraph (A) does not authorize information to*
12 *be withheld from a committee of Congress au-*
13 *thorized to have the information.*

14 “(C) *RULE OF CONSTRUCTION.—Nothing in*
15 *subparagraph (A) shall be construed to authorize*
16 *the designation of information as sensitive secu-*
17 *rity information (as defined in section 15.5 of*
18 *title 49, Code of Federal Regulations)—*

19 “(i) *to conceal a violation of law, inef-*
20 *iciency, or administrative error;*

21 “(ii) *to prevent embarrassment to a*
22 *person, organization, or agency;*

23 “(iii) *to restrain competition; or*

24 “(iv) *to prevent or delay the release of*
25 *information that does not require protection*

1 *in the interest of transportation security,*
 2 *including basic scientific research informa-*
 3 *tion not clearly related to transportation se-*
 4 *curity.*

5 “(D) *PRIVACY ACT.*—*Section 552a of title 5*
 6 *shall not apply to disclosures that the Adminis-*
 7 *trator of the Transportation Security Adminis-*
 8 *tration may make from the systems of records of*
 9 *the Transportation Security Administration to*
 10 *any Federal law enforcement, intelligence, pro-*
 11 *TECTIVE SERVICE, immigration, or national security*
 12 *official in order to assist the official receiving the*
 13 *information in the performance of official duties.*

14 “(3) *TRANSFERS OF DUTIES AND POWERS PRO-*
 15 *HIBITED.*—*Except as otherwise provided by law, the*
 16 *Administrator may not transfer a duty or power*
 17 *under this section to another department, agency, or*
 18 *instrumentality of the United States Government.*

19 “(e) *DEFINITION OF ADMINISTRATOR.*—*In this section,*
 20 *the term ‘Administrator’ means the Administrator of the*
 21 *Transportation Security Administration.’;*

22 (11) *section 44913 is amended—*

23 (A) *in subsection (a)—*

24 (i) *in paragraph (1), by striking*

25 “*Under Secretary of Transportation for Se-*

1 *curity*” and inserting “*Administrator of the*
2 *Transportation Security Administration*
3 *(referred to in this section as ‘the Adminis-*
4 *trator’)*”;

5 *(ii) by striking paragraph (2);*

6 *(iii) by redesignating paragraphs (3)*
7 *and (4) as paragraphs (2) and (3), respec-*
8 *tively; and*

9 *(iv) by striking “Under Secretary”*
10 *each place it appears and inserting “Ad-*
11 *ministrato*””; and

12 *(B) in subsection (b), by striking “Secretary*
13 *of Transportation” and inserting “Adminis-*
14 *trator”;*

15 *(12) section 44914 is amended—*

16 *(A) by striking “Under Secretary of Trans-*
17 *portation for Security” and inserting “Adminis-*
18 *trator of the Transportation Security Adminis-*
19 *tration”;*

20 *(B) by striking “Under Secretary” each*
21 *place it appears and inserting “Administrator”;*
22 *and*

23 *(C) by inserting “the Department of Trans-*
24 *portation,” before “air carriers, airport authori-*
25 *ties, and others”;*

1 (13) section 44915 is amended by striking
2 “Under Secretary of Transportation for Security”
3 and inserting “Administrator of the Transportation
4 Security Administration”;

5 (14) section 44916 is amended—

6 (A) in subsection (a), by striking “Under
7 Secretary of Transportation for Security” and
8 inserting “Administrator of the Transportation
9 Security Administration”; and

10 (B) in subsection (b)—

11 (i) by striking “Under Secretary” the
12 first place it appears and inserting “Ad-
13 ministrator of the Transportation Security
14 Administration”; and

15 (ii) by striking “Under Secretary” the
16 second place it appears and inserting “Ad-
17 ministrator”;

18 (15) section 44917 is amended—

19 (A) in subsection (a)—

20 (i) in the matter preceding paragraph
21 (1), by striking “Under Secretary of Trans-
22 portation for Security” and inserting “Ad-
23 ministrator of the Transportation Security
24 Administration”; and

1 (ii) in paragraph (2), by striking “by
2 the Secretary”;

3 (B) in subsection (d)—

4 (i) in paragraph (1), by striking “As-
5 sistant Secretary for Immigration and Cus-
6 toms Enforcement of the Department of
7 Homeland Security” and inserting “Ad-
8 ministrators of the Transportation Security
9 Administration”; and

10 (ii) in paragraph (3), by striking “As-
11 sistant Secretary” each place it appears
12 and inserting “Administrators of the Trans-
13 portation Security Administration”;

14 (16) section 44918 is amended—

15 (A) in subsection (a)—

16 (i) in paragraph (2)(E), by striking
17 “Under Secretary for Border and Transpor-
18 tation Security of the Department of Home-
19 land Security” and inserting “Adminis-
20 trators of the Transportation Security Ad-
21 ministration”;

22 (ii) in paragraph (4), by striking “Not
23 later than one year after the date of enact-
24 ment of the Vision 100—Century of Avia-

1 *tion Reauthorization Act, the” and insert-*
2 *ing “The”; and*

3 *(iii) in paragraph (5), by striking “the*
4 *date of enactment of the Vision 100—Cen-*
5 *tury of Aviation Reauthorization Act” and*
6 *inserting “December 12, 2003,”;*

7 *(B) in subsection (b)—*

8 *(i) in paragraph (1), by striking “Not*
9 *later than one year after the date of enact-*
10 *ment of the Vision 100—Century of Avia-*
11 *tion Reauthorization Act, the” and insert-*
12 *ing “The”; and*

13 *(ii) in paragraph (6), by striking*
14 *“Federal Air Marshals Service” and insert-*
15 *ing “Federal Air Marshal Service”; and*

16 *(C) by striking “Under Secretary” each*
17 *place it appears and inserting “Administrator of*
18 *the Transportation Security Administration”;*

19 *(17) section 44920 is amended—*

20 *(A) in subsection (g)(1), by striking “sub-*
21 *section (a) or section 44919” and inserting “sub-*
22 *section (a)”;* and

23 *(B) by adding at the end the following:*

1 “(i) *DEFINITION OF ADMINISTRATOR.*—*In this section,*
2 *the term ‘Administrator’ means the Administrator of the*
3 *Transportation Security Administration.’*”;

4 (18) *section 44922 is amended—*

5 (A) *in the heading, by striking “Deputa-*
6 *tion” and inserting “Deputization”*;

7 (B) *in subsection (a)—*

8 (i) *in the heading, by striking “DEPU-*
9 *TATION” and inserting “DEPUTIZATION”*;

10 *and*

11 (ii) *by striking “Under Secretary of*
12 *Transportation for Security” and inserting*
13 *“Administrator of the Transportation Secu-*
14 *rity Administration”*;

15 (C) *in subsection (e), by striking “deputa-*
16 *tion” and inserting “deputization”*; *and*

17 (D) *by striking “Under Secretary” each*
18 *place it appears and inserting “Administrator of*
19 *the Transportation Security Administration”*;

20 (19) *section 44923 is amended—*

21 (A) *in subsection (a), by striking “Under*
22 *Secretary for Border and Transportation Secu-*
23 *rity of the Department of Homeland Security”*
24 *and inserting “Administrator of the Transpor-*
25 *tation Security Administration”*;

1 (B) by striking “Under Secretary” each
2 place it appears and inserting “Administrator of
3 the Transportation Security Administration”;

4 (C) in subsection (e)—

5 (i) by striking paragraph (2); and

6 (ii) by striking “(1) IN GENERAL.—”;

7 and

8 (D) by striking subsection (j);

9 (20) section 44924 is amended—

10 (A) in subsection (a)—

11 (i) by striking “Under Secretary for
12 Border and Transportation Security of the
13 Department of Homeland Security” and in-
14 serting “Administrator of the Transpor-
15 tation Security Administration”; and

16 (ii) by striking “Administrator under”
17 and inserting “Administrator of the Federal
18 Aviation Administration under”;

19 (B) in subsections (b), (c), (d), (e), and (f),
20 by striking “Administrator” and inserting “Ad-
21 ministrator of the Federal Aviation Administra-
22 tion”;

23 (C) in subsection (f), by striking “Not later
24 than 240 days after the date of enactment of this
25 section, the” and inserting “The”; and

1 (D) by striking “Under Secretary” each
2 place it appears and inserting “Administrator of
3 the Transportation Security Administration”;

4 (21) section 44925 is amended—

5 (A) in subsection (b)(1), by striking “Not
6 later than 90 days after the date of enactment of
7 this section, the Assistant Secretary of Homeland
8 Security (Transportation Security Administra-
9 tion)” and inserting “The Administrator of the
10 Transportation Security Administration”;

11 (B) in subsection (b), by striking paragraph
12 (3); and

13 (C) in subsection (d), by striking “Assistant
14 Secretary” each place it appears and inserting
15 “Administrator of the Transportation Security
16 Administration”;

17 (22) section 44926(b)(3) is amended by striking
18 “an misidentified passenger” and inserting “a
19 misidentified passenger”;

20 (23) section 44927 is amended—

21 (A) by striking “Assistant Secretary” each
22 place it appears and inserting “Administrator of
23 the Transportation Security Administration”;

24 (B) in subsection (a), by striking “Veteran
25 Affairs” and inserting “Veterans Affairs”; and

1 (C) in subsection (f)—

2 (i) in the heading, by striking “RE-
3 PORT” and inserting “REPORTS”; and

4 (ii) by striking “Not later than 1 year
5 after the date of enactment of this section,
6 and annually thereafter,” and inserting
7 “Each year.”;

8 (24) section 44933 is amended—

9 (A) in subsection (a)—

10 (i) by striking “Under Secretary of
11 Transportation for Security” and inserting
12 “Administrator of the Transportation Secu-
13 rity Administration”;

14 (ii) by striking “Federal Security
15 Manager” and inserting “Federal Security
16 Director”; and

17 (iii) by striking “Managers” each place
18 it appears and inserting “Federal Security
19 Directors”;

20 (B) in subsection (b), by striking “Man-
21 ager” and inserting “Federal Security Director”;
22 and

23 (C) by striking “Under Secretary” each
24 place it appears and inserting “Administrator of
25 the Transportation Security Administration”;

1 (25) section 44934 is amended—

2 (A) in subsection (a)—

3 (i) by striking “Under Secretary of
4 Transportation for Security” and inserting
5 “Administrator of the Transportation Secu-
6 rity Administration”;

7 (ii) by striking “airports. In coordina-
8 tion with the Secretary” and inserting “air-
9 ports. In coordination with the Secretary of
10 State”;

11 (iii) by striking “The Secretary shall
12 give high priority” and inserting “The Sec-
13 retary of State shall give high priority”;
14 and

15 (iv) by striking “Under Secretary”
16 each place it appears and inserting “Ad-
17 ministrators”; and

18 (B) in subsection (b)—

19 (i) in the matter preceding paragraph
20 (1), by striking “Under Secretary” and in-
21 serting “Administrator of the Transpor-
22 tation Security Administration”; and

23 (ii) in paragraph (1), by striking
24 “Under Secretary” and inserting “Adminis-
25 trator”; and

1 (C) in subsection (c), by striking “the Sec-
2 retary and the chief” and inserting “the Sec-
3 retary of State and the chief”;

4 (26) section 44935 is amended—

5 (A) in subsection (a), by striking “Under
6 Secretary of Transportation for Security” and
7 inserting “Administrator”;

8 (B) in subsection (e)—

9 (i) in paragraph (1), by striking
10 “Under Secretary of Transportation for Se-
11 curity” and inserting “Administrator”; and

12 (ii) in paragraph (2)(A)—

13 (I) in the matter preceding clause

14 (i)—

15 (aa) by striking “Within 30
16 days after the date of enactment
17 of the Aviation and Transpor-
18 tation Security Act, the” and in-
19 serting “The”; and

20 (bb) by inserting “other” be-
21 fore “provision of law”; and

22 (II) in clause (ii), by striking
23 “section 1102(a)(22)” and inserting
24 “section 101(a)(22)”;

1 (C) in subsection (f)(1), by inserting
2 “other” before “provision of law”;

3 (D) in subsection (g)(2), by striking “With-
4 in 60 days after the date of enactment of the
5 Aviation and Transportation Security Act, the”
6 and inserting “The”;

7 (E) by striking “(i) ACCESSIBILITY OF
8 COMPUTER-BASED TRAINING FACILITIES.—”
9 and inserting “(k) ACCESSIBILITY OF COM-
10 PUTER-BASED TRAINING FACILITIES.—”;

11 (F) by striking “Under Secretary” each
12 place it appears and inserting “Administrator”;
13 and

14 (G) by adding at the end the following:

15 “(l) DEFINITION OF ADMINISTRATOR.—In this section,
16 the term ‘Administrator’ means the Administrator of the
17 Transportation Security Administration.”;

18 (27) section 44936 is amended—

19 (A) in subsection (a)—

20 (i) by striking “Under Secretary of
21 Transportation for Security” each place it
22 appears and inserting “Administrator”;

23 (ii) in paragraph (1)—

24 (I) in subparagraph (A), by strik-
25 ing “,” and inserting a comma; and

1 (II) by striking subparagraph (C);

2 and

3 (iii) by redesignating subparagraph

4 (D) as subparagraph (C);

5 (B) in subsection (c)(1), by striking “Under
6 Secretary’s” and inserting “Administrator’s”;

7 (C) by striking “Under Secretary” each
8 place it appears and inserting “Administrator”;

9 and

10 (D) by adding at the end the following:

11 “(f) DEFINITION OF ADMINISTRATOR.—In this section,
12 the term ‘Administrator’ means the Administrator of the
13 Transportation Security Administration.”;

14 (28) section 44937 is amended by striking
15 “Under Secretary of Transportation for Security”
16 and inserting “Administrator of the Transportation
17 Security Administration”;

18 (29) section 44938 is amended—

19 (A) in subsection (a)—

20 (i) by striking “Under Secretary of
21 Transportation for Security” and inserting
22 “Administrator of the Transportation Secu-
23 rity Administration”; and

1 (ii) by striking “Secretary of Trans-
2 portation” and inserting “Secretary of
3 Homeland Security”; and

4 (B) by striking “Under Secretary” each
5 place it appears and inserting “Administrator of
6 the Transportation Security Administration”;

7 (30) section 44939(d) is amended by striking
8 “Not later than 60 days after the date of enactment
9 of this section, the Secretary” and inserting “The Sec-
10 retary of Homeland Security”;

11 (31) section 44940 is amended—

12 (A) in subsection (a)—

13 (i) in paragraph (1)—

14 (I) by striking “Under Secretary
15 of Transportation for Security” and
16 inserting “Administrator of the Trans-
17 portation Security Administration”;
18 and

19 (II) by striking the last two sen-
20 tences; and

21 (ii) by adding at the end the following:

22 “(2) DETERMINATION OF COSTS.—

23 “(A) IN GENERAL.—The amount of the costs
24 under paragraph (1) shall be determined by the
25 Administrator of the Transportation Security

1 Administration and shall not be subject to judi-
2 cial review.

3 “(B) *DEFINITION OF FEDERAL LAW EN-*
4 *FORCEMENT PERSONNEL.*—For purposes of para-
5 graph (1)(A), the term ‘Federal law enforcement
6 personnel’ includes State and local law enforce-
7 ment officers who are deputized under section
8 44922.”;

9 (B) in subsections (b), (d), (e), (g), and (h),
10 by striking “Under Secretary” each place it ap-
11 pears and inserting “Administrator of the
12 Transportation Security Administration”;

13 (C) in subsection (d)—

14 (i) in paragraph (1)—

15 (I) by striking “within 60 days of
16 the date of enactment of this Act, or”;
17 and

18 (II) by striking “thereafter”; and

19 (ii) in paragraph (2), by striking
20 “subsection (d)” each place it appears and
21 inserting “paragraph (1) of this sub-
22 section”;

23 (D) in subsection (e)(1), by striking “FEES
24 PAYABLE TO UNDER SECRETARY” in the heading

1 and inserting “*FEES PAYABLE TO ADMINIS-*
2 *TRATOR*”; and

3 (E) in subsection (i)(4)—

4 (i) by striking subparagraphs (A)
5 through (D); and

6 (ii) by redesignating subparagraphs
7 (E) through (L) as subparagraphs (A)
8 through (H), respectively;

9 (32) section 44941(a) is amended by inserting
10 “the Department of Homeland Security,” after “De-
11 partment of Transportation,”;

12 (33) section 44942 is amended—

13 (A) in subsection (a)—

14 (i) in paragraph (1)—

15 (I) in the matter preceding sub-
16 paragraph (A), by striking “Within
17 180 days after the date of enactment of
18 the Aviation and Transportation Secu-
19 rity Act, the Under Secretary for
20 Transportation Security may, in con-
21 sultation with” and inserting “The Ad-
22 ministrators of the Transportation Se-
23 curity Administration may, in con-
24 sultation with other relevant Federal
25 agencies and”; and

- 1 (II) in subparagraph (A), by
2 striking “, and” and inserting “; and”;
3 and
4 (ii) in paragraph (2), by inserting a
5 comma after “Federal Aviation Administra-
6 tion”;
7 (B) in subsection (b)—
8 (i) by striking “(1) PERFORMANCE
9 PLAN AND REPORT.—”;
10 (ii) by redesignating subparagraphs
11 (A) and (B) as paragraphs (1) and (2), re-
12 spectively;
13 (iii) in paragraph (1), as redesign-
14 ated—
15 (I) by redesignating clauses (i)
16 and (ii) as subparagraphs (A) and
17 (B), respectively;
18 (II) in subparagraph (A), as re-
19 designated, by striking “the Secretary
20 and the Under Secretary for Transpor-
21 tation Security shall agree” and in-
22 serting “the Secretary of Homeland Se-
23 curity and the Administrator of the
24 Transportation Security Administra-
25 tion shall agree”; and

1 (III) in subparagraph (B), as re-
2 designated, by striking “the Secretary,
3 the Under Secretary for Transpor-
4 tation Security” and inserting “the
5 Secretary of Homeland Security, the
6 Administrator of the Transportation
7 Security Administration,”; and

8 (iv) in paragraph (2), as redesignated,
9 by striking “Under Secretary for Transpor-
10 tation Security” and inserting “Adminis-
11 trator of the Transportation Security Ad-
12 ministration”;

13 (34) section 44943 is amended—

14 (A) in subsection (a), by striking “Under
15 Secretary for Transportation Security” and in-
16 serting “Administrator of the Transportation Se-
17 curity Administration”;

18 (B) in subsection (b)—

19 (i) in paragraph (1)—

20 (I) by striking “Secretary and
21 Under Secretary of Transportation for
22 Security” and inserting “Secretary of
23 Homeland Security and Administrator
24 of the Transportation Security Admin-
25 istration”; and

1 (II) by striking “Under Sec-
2 retary” and inserting “Administrator
3 of the Transportation Security Admin-
4 istration”; and

5 (ii) in paragraph (2)—

6 (I) by striking “Under Secretary”
7 the first place it appears and inserting
8 “Administrator of the Transportation
9 Security Administration”; and

10 (II) by striking “Under Secretary
11 shall” each place it appears and in-
12 serting “Administrator shall”; and

13 (C) in subsection (c), by striking “Aviation
14 Security Act, the Under Secretary for Transpor-
15 tation Security” and inserting “Aviation and
16 Transportation Security Act (Public Law 107-
17 71; 115 Stat. 597), the Administrator of the
18 Transportation Security Administration”;

19 (35) section 44944 is amended—

20 (A) in subsection (a)—

21 (i) in paragraph (1), by striking
22 “Under Secretary of Transportation for
23 Transportation Security” and inserting
24 “Administrator of the Transportation Secu-
25 rity Administration”; and

1 (ii) in paragraph (4), by inserting
2 “the Administrator of the Federal Aviation
3 Administration,” after “consult with”; and
4 (B) by striking “Under Secretary” each
5 place it appears and inserting “Administrator of
6 the Transportation Security Administration”;

7 (36) section 44945(b) is amended by striking
8 “Assistant Secretary” each place it appears and in-
9 serting “Administrator of the Transportation Secu-
10 rity Administration”; and

11 (37) section 44946 is amended—

12 (A) in subsection (g)—

13 (i) by striking paragraph (2);

14 (ii) by redesignating paragraph (1) as
15 paragraph (2); and

16 (iii) by inserting before paragraph (2),
17 as redesignated, the following:

18 “(1) ADMINISTRATOR.—The term ‘Adminis-
19 trator’ means the Administrator of the Transpor-
20 tation Security Administration.”;

21 (B) by striking “Assistant Secretary” each
22 place it appears and inserting “Administrator”;

23 (C) in subsection (b)(4)—

1 (i) by striking “the Secretary receives”
2 and inserting “the Administrator receives”;
3 and

4 (ii) by striking “the Secretary shall”
5 and inserting “the Administrator shall”;
6 and

7 (D) in subsection (c)(1)(A), by striking
8 “Not later than 180 days after the date of enact-
9 ment of the Aviation Security Stakeholder Par-
10 ticipation Act of 2014, the” and inserting “The”.

11 (e) CHAPTER 451 AMENDMENTS.—Section 45107 is
12 amended—

13 (1) in subsection (a), by striking “Under Sec-
14 retary of Transportation for Security” and inserting
15 “Administrator of the Transportation Security Ad-
16 ministration”; and

17 (2) in subsection (b), by striking “Under Sec-
18 retary of Transportation for Security, the Transpor-
19 tation Security Administration,” and inserting “Ad-
20 ministrator of the Transportation Security Adminis-
21 tration”.

22 (f) CHAPTER 461 AMENDMENTS.—Chapter 461 is
23 amended—

24 (1) in each of sections 46101(a)(1), 46102(a),
25 46103(a), 46104(a), 46105(a), 46106, 46107(b), and

1 46110(a) by striking “Under Secretary of Transpor-
2 tation for Security with respect to security duties and
3 powers designated to be carried out by the Under Sec-
4 retary” and inserting “Administrator of the Trans-
5 portation Security Administration with respect to se-
6 curity duties and powers designated to be carried out
7 by the Administrator of the Transportation Security
8 Administration”;

9 (2) in each of sections 46101, 46102(c), 46103,
10 46104, 46105, 46107, and 46110 by striking “or Ad-
11 ministrator” each place it appears and inserting “or
12 Administrator of the Federal Aviation Administra-
13 tion”;

14 (3) in each of sections 46101(a)(1), 46102(a)
15 46103(a), 46104(a), 46105(a), 46106, 46107(b), and
16 46110(a) by striking “by the Administrator)” and in-
17 serting “by the Administrator of the Federal Aviation
18 Administration)”;

19 (4) in each of sections 46101, 46102, 46103,
20 46104, 46105, 46107, and 46110 by striking “Under
21 Secretary,” each place it appears and inserting “Ad-
22 ministrator of the Transportation Security Adminis-
23 tration,”;

24 (5) in section 46102—

1 (A) in subsection (b), by striking “the Ad-
2 ministrators” each place it appears and inserting
3 “the Administrator of the Federal Aviation Ad-
4 ministration”;

5 (B) in subsection (c), by striking “and Ad-
6 ministrators” each place it appears and inserting
7 “and Administrator of the Federal Aviation Ad-
8 ministration”; and

9 (C) in subsection (d), by striking “the Ad-
10 ministrators, or an officer or employee of the Ad-
11 ministration” in subsection (d) and inserting
12 “the Administrator of the Federal Aviation Ad-
13 ministration, or an officer or employee of the
14 Federal Aviation Administration”;

15 (6) in section 46104—

16 (A) by striking “subpena” each place it ap-
17 pears and inserting “subpoena”; and

18 (B) in subsection (b)—

19 (i) in the heading, by striking “SUB-
20 PENAS” and inserting “SUBPOENAS”; and

21 (ii) by striking “the Administrator,
22 or” and inserting “the Administrator of the
23 Federal Aviation Administration, or”;

1 (7) in section 46105(c), by striking “When the
2 Administrator” and inserting “When the Adminis-
3 trator of the Federal Aviation Administration”;

4 (8) in section 46109, by inserting “(or the Ad-
5 ministrator of the Transportation Security Adminis-
6 tration with respect to security duties and powers
7 designated to be carried out by the Administrator of
8 the Transportation Security Administration or the
9 Administrator of the Federal Aviation Administra-
10 tion with respect to aviation safety duties and powers
11 designated to be carried out by the Administrator)”
12 after “Secretary of Transportation”; and

13 (9) in section 46111—

14 (A) in subsection (a)—

15 (i) by inserting “the” before “Federal
16 Aviation Administration”;

17 (ii) by striking “Administrator is”
18 and inserting “Administrator of the Federal
19 Aviation Administration is”; and

20 (iii) by striking “Under Secretary for
21 Border and Transportation Security of the
22 Department of Homeland Security” and in-
23 serting “Administrator of the Transpor-
24 tation Security Administration”;

1 (B) in subsections (b), (c), (e), and (g), by
2 striking “Administrator” each place it appears
3 and inserting “Administrator of the Federal
4 Aviation Administration”;

5 (C) in subsection (g)(2)(A), by striking “(18
6 U.S.C. App.)” and inserting “(18 U.S.C.
7 App.)”; and

8 (D) by striking “Under Secretary” each
9 place it appears and inserting “Administrator of
10 the Transportation Security Administration”.

11 (g) CHAPTER 463 AMENDMENTS.—Chapter 463 is
12 amended—

13 (1) in section 46301—

14 (A) in subsection (a)(5)—

15 (i) in subparagraph (A)(i), by striking
16 “or chapter 451” and inserting “chapter
17 451”; and

18 (ii) in subparagraph (D), by inserting
19 “of Transportation” after “Secretary”;

20 (B) in subsection (d)—

21 (i) in paragraph (2)—

22 (I) by striking “defined by the
23 Secretary” and inserting “defined by
24 the Secretary of Transportation”; and

1 (ii) by striking “Administrator
2 shall” and inserting “Administrator of
3 the Federal Aviation Administration
4 shall”;

5 (i) in paragraphs (3), (4), (5), (6),
6 (7), and (8), by striking “Administrator”
7 each place it appears and inserting “Ad-
8 ministrator of the Federal Aviation Admin-
9 istration”; and

10 (iii) in paragraph (8), by striking
11 “Under Secretary” and inserting “Adminis-
12 trator of the Transportation Security Ad-
13 ministration”;

14 (C) in subsection (e), by inserting “of
15 Transportation” after “Secretary”;

16 (D) in subsection (g), by striking “Adminis-
17 trator” and inserting “Administrator of the Fed-
18 eral Aviation Administration”; and

19 (E) in subsection (h)(2)—

20 (i) by striking “Under Secretary of
21 Transportation for Security with respect to
22 security duties and powers designated to be
23 carried out by the Under Secretary” and
24 inserting “Administrator of the Transpor-
25 tation Security Administration with respect

1 to security duties and powers designated to
2 be carried out by the Administrator of the
3 Transportation Security Administration”;
4 and

5 (ii) by striking “or the Administrator
6 with respect to aviation safety duties and
7 powers designated to be carried out by the
8 Administrator” and inserting “or the Ad-
9 ministrator of the Federal Aviation Admin-
10 istration with respect to aviation safety du-
11 ties and powers designated to be carried out
12 by the Administrator of the Federal Avia-
13 tion Administration”;

14 (2) in section 46304(b), by striking “or the Ad-
15 ministrator of the Federal Aviation Administration
16 with respect to aviation safety duties and powers des-
17 ignated to be carried out by the Administrator” and
18 inserting “or the Administrator of the Federal Avia-
19 tion Administration with respect to aviation safety
20 duties and powers designated to be carried out by the
21 Administrator of the Federal Aviation Administra-
22 tion”;

23 (3) in section 46311—

24 (A) in subsection (a)—

1 (i) in the matter preceding paragraph

2 (1)—

3 (I) by striking “Under Secretary
4 of Transportation for Security with re-
5 spect to security duties and powers des-
6 ignated to be carried out by the Under
7 Secretary” and inserting “Adminis-
8 trator of the Transportation Security
9 Administration with respect to security
10 duties and powers designated to be car-
11 ried out by the Administrator of the
12 Transportation Security Administra-
13 tion”;

14 (II) by striking “the Adminis-
15 trator of the Federal Aviation Admin-
16 istration with respect to aviation safe-
17 ty duties and powers designated to be
18 carried out by the Administrator” and
19 inserting “or the Administrator of the
20 Federal Aviation Administration with
21 respect to aviation safety duties and
22 powers designated to be carried out by
23 the Administrator of the Federal Avia-
24 tion Administration”;

1 (III) by striking “Administrator
2 shall” and inserting “Administrator of
3 the Federal Aviation Administration
4 shall”; and

5 (IV) by striking “Administrator,”
6 and inserting “Administrator of the
7 Federal Aviation Administration,”;
8 and

9 (ii) in paragraph (1), by striking “Ad-
10 ministrators” and inserting “Administrator
11 of the Federal Aviation Administration”;

12 (B) in subsections (b) and (c), by striking
13 “Administrator” each place it appears and in-
14 serting “Administrator of the Federal Aviation
15 Administration”; and

16 (C) by striking “Under Secretary” each
17 place it appears and inserting “Administrator of
18 the Transportation Security Administration”;

19 (4) in section 46313—

20 (A) by striking “Under Secretary of Trans-
21 portation for Security with respect to security
22 duties and powers designated to be carried out
23 by the Under Secretary” and inserting “Admin-
24 istrator of the Transportation Security Adminis-
25 tration with respect to security duties and pow-

1 *ers designated to be carried out by the Adminis-*
2 *trator of the Transportation Security Adminis-*
3 *tration”;*

4 *(B) by striking “or the Administrator of the*
5 *Federal Aviation Administration with respect to*
6 *aviation safety duties and powers designated to*
7 *be carried out by the Administrator” and insert-*
8 *ing “or the Administrator of the Federal Avia-*
9 *tion Administration with respect to aviation*
10 *safety duties and powers designated to be carried*
11 *out by the Administrator of the Federal Aviation*
12 *Administration”;* and

13 *(C) by striking “subpena” and inserting*
14 *“subpoena”;* and

15 *(5) in section 46316(a)—*

16 *(A) by striking “Under Secretary of Trans-*
17 *portation for Security with respect to security*
18 *duties and powers designated to be carried out*
19 *by the Under Secretary” and inserting “Admin-*
20 *istrator of the Transportation Security Adminis-*
21 *tration with respect to security duties and pow-*
22 *ers designated to be carried out by the Adminis-*
23 *trator of the Transportation Security Adminis-*
24 *tration”;* and

1 (B) by striking “or the Administrator of the
 2 Federal Aviation Administration with respect to
 3 aviation safety duties and powers designated to
 4 be carried out by the Administrator” and insert-
 5 ing “or the Administrator of the Federal Avia-
 6 tion Administration with respect to aviation
 7 safety duties and powers designated to be carried
 8 out by the Administrator of the Federal Aviation
 9 Administration”.

10 (h) CHAPTER 465 AMENDMENTS.—Chapter 465 is
 11 amended—

12 (1) in section 46505(d)(2), by striking “Under
 13 Secretary of Transportation for Security” and insert-
 14 ing “Administrator of the Transportation Security
 15 Administration”; and

16 (2) in the table of contents for chapter 465 of
 17 subtitle VII, by striking the following:

“46503. Repealed.”.

18 (i) CHAPTER 483 REPEAL.—

19 (1) IN GENERAL.—Chapter 483 is repealed.

20 (2) CONFORMING AMENDMENT.—The table of
 21 contents for subtitle VII is amended by striking the
 22 following:

“483. Aviation security funding 48301”.

23 (j) AUTHORITY TO EXEMPT.—

1 (1) *IN GENERAL.*—Subchapter II of chapter 449
2 is amended by inserting before section 44933 the fol-
3 lowing:

4 **“§44931. Authority to exempt**

5 *“The Secretary of Homeland Security may grant an*
6 *exemption from a regulation prescribed in carrying out sec-*
7 *tions 44901, 44903, 44906, 44909(c), and 44935–44937 of*
8 *this title when the Secretary decides the exemption is in*
9 *the public interest.*

10 **“§44932. Administrative**

11 *“(a) GENERAL AUTHORITY.*—The Secretary of Home-
12 *land Security may take action the Secretary considers nec-*
13 *essary to carry out this chapter and chapters 461, 463, and*
14 *465 of this title, including conducting investigations, pre-*
15 *scribing regulations, standards, and procedures, and*
16 *issuing orders.*

17 *“(b) INDEMNIFICATION.*—The Secretary of Homeland
18 *Security may indemnify an officer or employee of the*
19 *Transportation Security Administration against a claim or*
20 *judgment arising out of an act that the Secretary decides*
21 *was committed within the scope of the official duties of the*
22 *officer or employee.”.*

23 (2) *TABLE OF CONTENTS.*—The table of contents
24 of chapter 449 is amended by inserting before the
25 item relating to section 44933 the following:

“44931. Authority to exempt.

“44932. Administrative.”.

1 **SEC. 302. TABLE OF CONTENTS OF CHAPTER 449.**

2 *The table of contents of chapter 449 is amended—*

3 *(1) in the item relating to section 44922, by*
 4 *striking “Deputation” and inserting “Deputization”;*
 5 *and*

6 *(2) by inserting after section 44941 the fol-*
 7 *lowing:*

“44942. Performance goals and objectives.

“44943. Performance management system.”.

8 **SEC. 303. OTHER LAWS; INTELLIGENCE REFORM AND TER-**
 9 **RORISM PREVENTION ACT OF 2004.**

10 *Section 4016(c) of the Intelligence Reform and Ter-*
 11 *rorism Prevention Act of 2004 (49 U.S.C. 44917 note) is*
 12 *amended—*

13 *(1) in paragraph (1), by striking “Assistant Sec-*
 14 *retary for Immigration and Customs Enforcement”*
 15 *and inserting “Administrator of the Transportation*
 16 *Security Administration”; and*

17 *(2) in paragraph (2), by striking “Assistant Sec-*
 18 *retary for Immigration and Customs Enforcement*
 19 *and the Director of Federal Air Marshal Service of*
 20 *the Department of Homeland Security, in coordina-*
 21 *tion with the Assistant Secretary of Homeland Secu-*
 22 *rity (Transportation Security Administration),” and*
 23 *inserting “Administrator of the Transportation Secu-*

1 *riety Administration and the Director of Federal Air*
2 *Marshal Service of the Department of Homeland Se-*
3 *curity”.*

4 **SEC. 304. SAVINGS PROVISIONS.**

5 *References relating to the Under Secretary of Trans-*
6 *portation for Security in statutes, Executive orders, rules,*
7 *regulations, directives, or delegations of authority that pre-*
8 *cede the effective date of this Act shall be deemed to refer,*
9 *as appropriate, to the Administrator of the Transportation*
10 *Security Administration.*

Calendar No. 444

115TH CONGRESS
2D SESSION

S. 1872

[Report No. 115-266]

A BILL

To authorize the programs of the Transportation Security Administration relating to transportation security, and for other purposes.

JUNE 6, 2018

Reported with an amendment