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Amendments to H.R. 2200—Transportation Security Administration Authorization Act

H.R. 2200, the Transportation Security Administration Authorization Act (sponsored by *Rep. Jackson-Lee D-TX*), is scheduled to be considered on the House floor on Thursday, June 4, 2009, subject to a structured rule ([H.Res.474](#)), making in order the following 14 amendments. The rule waives all points of order against consideration of the bill, except for clause 9 (earmarks) and clause 10 (“pay-go” violations) of rule XXI. The rule allows one hour of debate and provides one motion to recommit with or without instructions.

AMENDMENTS MADE IN ORDER UNDER THE RULE

1. **Thompson (D-MS).** The manager’s amendment attempts to address a number of concerns raised by transit agencies and the GAO in an upcoming report.
 - Expands the foreign repair station language to also apply to domestic repair stations;
 - Amends Transit Security Grant Program (including: establishing a firm timeline for distributing grants; prohibiting cost-sharing requirements; establishing a minimum performance period of 3 years; giving the DHS Inspector General (IG) access to records of recipients);
 - Establishes a Technical Assistance Pilot Program that gives grants to transit agencies to conduct comprehensive risk assessments using approved third parties;
 - Requires the DHS IG analysis to determine if TSA needs a Deputy Assistant Secretary for Surface Transportation and expresses a sense of Congress that such an approach is desirable;
 - Requires a GAO study of DHS/DOT coordination in managing pipeline security (Bilirakis amendment);
 - Requires a study examining the feasibility of a centralized TSA training facility.

2. **Mica (R-FL)/Ehlers (R-MI)/Graves (R-MO)/Petri (R-WI).** Adds an additional section to clarify that the TSA can issue an emergency regulation and bypass the

procedures prescribed in the Administrative Procedures Act (APA) when needed "to respond to an imminent threat of finite duration"]

3. **Mica (R-FL).** The amendment requires that after six months, the Secretary is required to issue a "known air traveler credential" with biometric information to allow frequent passengers to bypass certain security requirements.
4. **Bachus (R-AL)/Moore (D-KS).** One year after enactment, the Secretary is required to produce a plan to expedite security screen procedures for active duty military personnel and accompanying families.
5. **Hastings (D-FL).** Requires a report to Congress on the complaints and claims received by TSA for loss of property with respect to baggage screenings.
6. **Lincoln Diaz-Balart (R-FL).** Would provide full reimbursement for security costs imposed on airports before August 3, 2007. Previously, the reimbursement was at 90%. According to the committee, this amendment will be withdrawn.
7. **Castor (D-FL).** Adds a provision that allows the Secretary to prohibit redundant background checks by states and political subdivisions to individuals who have been issued a transportation security card. The amendment does provide a waiver if the State or political subdivision can provide a compelling reason for an additional check.
8. **Flake (R-AZ).** The amendment requires all grants be awarded through a competitive bidding process, and prohibits any earmarking.
9. **Lynch (D-MA).** The amendment requires the Secretary to provide written guidance for TSA personnel who voluntarily wish to use protective gear (including surgical and N95 masks, gloves, and hand sanitizer) during any public health emergency.
10. **Chaffetz (R-UT)/Shea-Porter (D-NH).** Grants passengers with the option to receive a physical pat-down search in lieu of going through a Whole Body Image (WBI) machine. In addition, the amendment prohibits a WBI from being a primary screening tool at any airport and storing, transferring, or copying the images from a WBI machine.
11. **Bordallo (D-GU).** Directs the Secretary to conduct a study to provide recommendations on how airports in U.S. territories comply with TSA regulations.
12. **Hastings (R-WA)/Rogers (R-AL)/Jackson-Lee (D-TX).** Requires the number of air cargo canine inspection teams to increase by at least 100 by 2011 to comply with the 100% inspection goal.

13. Butterfield (D-NC). Requires a study to determine the feasibility of facial and iris recognition technology to rapidly identify individuals in security lines.

14. Roskam (R-IL). Requires the Secretary to collect public comments to determine the effectiveness of grant funds under the Transit Security Grant Program and recommend potential changes to the program.

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