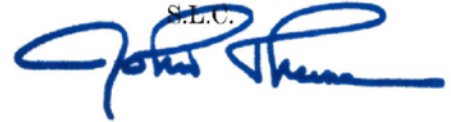


S.L.C.


AMENDMENT NO. _____ Calendar No. _____

Purpose: To require the Secretary of Homeland Security to prepare a comprehensive security assessment of the transportation security card program, and for other purposes.

IN THE SENATE OF THE UNITED STATES—114th Cong., 1st Sess.

H. R. 710

To require the Secretary of Homeland Security to prepare a comprehensive security assessment of the transportation security card program, and for other purposes.

Referred to the Committee on _____ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. THUNE

Viz:

1 Strike section 2 and insert the following:

2 **SEC. 2. COMPREHENSIVE SECURITY ASSESSMENT OF THE**

3 **TRANSPORTATION WORKER IDENTIFICATION**

4 **CREDENTIAL PROGRAM.**

5 (a) IN GENERAL.—Not later than 60 days after the

6 date of the enactment of this Act, the Secretary of Home-

7 land Security shall commission a 2-phase comprehensive

8 assessment of the effectiveness of the Transportation

9 Worker Identification Credential Program (referred to in

10 this section as the “TWIC Program” under section 70105

1 of title 46, United States Code, at enhancing security and
2 reducing security risks for facilities and vessels regulated
3 pursuant to chapter 701 of title 46, United States Code.

4 (b) LOCATION.—The assessment commissioned pur-
5 suant to subsection (a) shall be conducted by a national
6 laboratory or a university-based center within the Depart-
7 ment of Homeland Security centers of excellence network.

8 (c) CONTENTS.—The assessment commissioned pur-
9 suant to subsection (a) shall include—

10 (1) in phase 1, a review of the credentialing
11 process, including—

12 (A) the appropriateness of vetting stand-
13 ards;

14 (B) whether the fee structure adequately
15 reflects the current costs of vetting; and

16 (C) whether there is unnecessary overlap
17 between other transportation security creden-
18 tials;

19 (2) in phase 2, which shall follow the implemen-
20 tation of the TWIC reader rule—

21 (A) an evaluation of the extent to which
22 the TWIC Program, as implemented, addresses
23 known or likely security risks in the maritime
24 environment; and

1 (B) the technology, business process, and
2 operational impacts of the use of the transpor-
3 tation worker identification credentials and
4 TWIC readers in the maritime environment;

5 (3) an evaluation of the extent to which defi-
6 ciencies identified by the Comptroller General have
7 been addressed; and

8 (4) a cost-benefit analysis of the TWIC Pro-
9 gram, as implemented.

10 (d) CORRECTIVE ACTION PLAN; PROGRAM RE-
11 FORMS.—If, as part of the assessment submitted by the
12 Secretary under subsection (a), the Secretary identifies a
13 deficiency in effectiveness of the TWIC Program, the Sec-
14 retary, not later than 120 days after such submission,
15 shall submit a corrective action plan to the Committee on
16 Commerce, Science, and Transportation of the Senate, the
17 Committee on Homeland Security of the House of Rep-
18 resentatives, and the Committee on Transportation and
19 Infrastructure of the House of Representatives that—

20 (1) responds to findings of the assessment com-
21 missioned under this section;

22 (2) includes an implementation plan with
23 benchmarks;

24 (3) may include programmatic reforms, revi-
25 sions to regulations, or proposals for legislation; and

1 (4) shall be considered in any rulemaking by
2 the Department of Homeland Security relating to
3 the TWIC Program.

4 (e) INSPECTOR GENERAL REVIEW.—If a corrective
5 action plan is required under subsection (d), the Inspector
6 General of the Department of Homeland Security, not
7 later than 120 days after the submission of such plan,
8 shall—

9 (1) review the extent to which such plan imple-
10 ments—

11 (A) recommendations issued by the na-
12 tional laboratory or university-based center of
13 excellence, as applicable, in the assessment sub-
14 mitted under subsection (a); and

15 (B) recommendations issued by the Comp-
16 troller General before the date of the enactment
17 of this Act; and

18 (2) notify the Committee on Commerce,
19 Science, and Transportation of the Senate, the Com-
20 mittee on Homeland Security of the House of Rep-
21 resentatives, and the Committee on Transportation
22 and Infrastructure of the House of Representatives
23 about the responsiveness of such plan to such rec-
24 ommendations.

1 (f) TRANSPORTATION WORKER IDENTIFICATION
2 CREDENTIAL RULES.—

3 (1) IN GENERAL.—The Secretary of Homeland
4 Security may not issue additional rules relating to
5 the issuance of transportation worker identification
6 credentials or the use of TWIC readers until—

7 (A) the Inspector General of the Depart-
8 ment of Homeland Security notifies the Com-
9 mittee on Commerce, Science, and Transpor-
10 tation of the Senate, the Committee on Home-
11 land Security of the House of Representatives,
12 and the Committee on Transportation and In-
13 frastructure of the House of Representatives
14 that the submission under subsection (d) is re-
15 sponsive to the recommendations of the Inspec-
16 tor General; and

17 (B) the Secretary issues an updated list of
18 TWIC readers that are compatible with active
19 transportation worker security credentials.

20 (2) LIMITATION ON APPLICATION.—Paragraph
21 (1) shall not apply with respect to any final rule
22 issued pursuant to the notice of proposed rule-
23 making on Transportation Worker Identification
24 Credential (TWIC)-Reader Requirements published

1 by the Coast Guard on March 22, 2013 (78 Fed.
2 Reg. 17781).

3 (g) INSPECTOR GENERAL OVERSIGHT.—Not later
4 than 18 months after the date of the issuance of the cor-
5 rective action plan under subsection (d), and every 6
6 months thereafter during the 3-year period following the
7 date of the issuance of the first report under this sub-
8 section, the Inspector General shall submit a report to the
9 Committee on Commerce, Science, and Transportation of
10 the Senate, the Committee on Homeland Security of the
11 House of Representatives, and the Committee on Trans-
12 portation and Infrastructure of the House of Representa-
13 tives that describes implementation of such plan.