

110TH CONGRESS
2^D SESSION

H. R. 5982

IN THE SENATE OF THE UNITED STATES

JUNE 19, 2008

Received; read twice and referred to the Committee on Commerce, Science,
and Transportation

AN ACT

To direct the Secretary of Homeland Security, for purposes of transportation security, to conduct a study on how airports can transition to uniform, standards-based, and interoperable biometric identifier systems for airport workers with unescorted access to secure or sterile areas of an airport, 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Biometric Enhance-
5 ment for Airport-Risk Reduction Act of 2008”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act, the following definitions apply:

8 (1) **BIOMETRIC IDENTIFIER SYSTEM.**—The
9 term “biometric identifier system” means a system
10 that uses biometric identifier information to match
11 individuals and confirm identity for transportation
12 security and other purposes.

13 (2) **SECRETARY.**—The term “Secretary” means
14 the Secretary of Homeland Security acting through
15 the Assistant Secretary of Homeland Security
16 (Transportation Security Administration).

17 **SEC. 3. BIOMETRIC IDENTIFIER SYSTEMS.**

18 (a) **STUDY.**—

19 (1) **IN GENERAL.**—The Secretary, in consulta-
20 tion with the working group of industry stakeholders
21 to be established under subsection (c), shall conduct
22 a study on how airports can transition to uniform,
23 standards-based, and interoperable biometric identi-
24 fier systems for airport workers with unescorted ac-
25 cess to secure or sterile areas of an airport.

1 (2) PURPOSE.—The purpose of the study shall
2 be to enhance transportation security against a po-
3 tential act of terrorism by an airport worker who is
4 allowed unescorted access to secure or sterile areas
5 of an airport.

6 (3) RISK-BASED ANALYSIS.—In conducting the
7 study, the Secretary shall conduct a risk-based anal-
8 ysis of selected Category X and I airports and other
9 airports, as the Secretary determines appropriate, to
10 identify where the implementation of biometric iden-
11 tifier systems could benefit airports.

12 (4) CONSIDERATIONS.—In conducting the
13 study, the Secretary shall consider the following:

14 (A) PARALLEL SYSTEMS.—Existing par-
15 allel biometric security systems applicable to
16 workers with unescorted access to critical infra-
17 structure, including—

18 (i) transportation security cards
19 issued under section 70105 of title 46,
20 United States Code;

21 (ii) armed law enforcement travel cre-
22 dentials issued under section 44903(h)(6)
23 of title 49, United States Code; and

1 (iii) other credential programs used by
2 the Federal Government, as the Secretary
3 considers appropriate.

4 (B) EFFORTS BY TRANSPORTATION SECUR-
5 RITY ADMINISTRATION.—Any biometric pro-
6 grams or proposals developed by the Assistant
7 Secretary of Homeland Security (Transpor-
8 tation Security Administration).

9 (C) INFRASTRUCTURE AND TECHNICAL
10 REQUIREMENTS.—The architecture, modules,
11 interfaces, and transmission of data needed to
12 address risks associated with securing airports
13 by providing interoperable biometric security
14 measures and credentials for airport workers
15 with unescorted access to secure and sterile
16 areas of an airport.

17 (D) EXISTING AIRPORT SYSTEMS.—Bio-
18 metric infrastructure and systems in use in se-
19 cure and sterile areas of airports.

20 (E) INCENTIVES.—Possible incentives for
21 airports that voluntarily seek to implement uni-
22 form, standards-based, and interoperable bio-
23 metric identifier systems.

24 (F) ASSOCIATED COSTS.—The costs of im-
25 plementing uniform, standards-based, and

1 interoperable biometric identifier systems at air-
2 ports, including—

3 (i) the costs to airport operators, air-
4 port workers, air carriers, and other avia-
5 tion industry stakeholders; and

6 (ii) the costs associated with ongoing
7 operations and maintenance and modifica-
8 tions and enhancements needed to support
9 changes in physical and electronic infra-
10 structure.

11 (G) GAO RECOMMENDATIONS.—Any rec-
12 ommendations or findings developed by the
13 Government Accountability Office relating to
14 implementing biometric security for airport
15 workers with unescorted access to secure and
16 sterile areas of airports.

17 (H) INFORMATION FROM OTHER
18 SOURCES.—Recommendations, guidance, and
19 information from other sources, including gov-
20 ernment entities, organizations representing air-
21 port workers, and private individuals and orga-
22 nizations.

23 (5) REPORT.—Not later than 270 days after
24 the date of enactment of this Act, the Secretary
25 shall submit to the Committee on Homeland Secu-

1 rity of the House of Representatives and the Com-
2 mittee on Commerce, Science, and Transportation of
3 the Senate a report on the results of the study con-
4 ducted under this subsection.

5 (b) BEST PRACTICES.—

6 (1) IDENTIFICATION OF BEST PRACTICES.—The
7 Secretary, in consultation with the working group of
8 aviation industry stakeholders to be established
9 under subsection (c), shall identify best practices for
10 the administration of biometric credentials at air-
11 ports, including best practices for each of the fol-
12 lowing processes:

13 (A) Registration and enrollment.

14 (B) Eligibility vetting and risk assessment.

15 (C) Issuance.

16 (D) Verification and use.

17 (E) Expiration and revocation.

18 (F) Development of a cost structure for ac-
19 quisition of biometric credentials.

20 (G) Development of redress processes for
21 workers.

22 (2) REPORT.—Not later than one year after the
23 date of enactment of this Act, the Secretary shall—

24 (A) submit to the Committee on Homeland
25 Security of the House of Representatives and

1 the Committee on Commerce, Science, and
2 Transportation of the Senate a report that out-
3 lines the best practices identified under para-
4 graph (1); and

5 (B) make the report available to airport
6 operators.

7 (c) AVIATION AND AIRPORT SECURITY WORKING
8 GROUP.—

9 (1) IN GENERAL.—The Secretary shall convene
10 a working group to assist the Secretary with issues
11 pertaining to implementing and carrying out this
12 section.

13 (2) MEMBERSHIP.—The Secretary shall ensure
14 that the membership of the working group includes
15 aviation industry stakeholders and specifically in-
16 cludes individuals selected from among—

17 (A) the membership of the Transportation
18 Security Administration’s Aviation Security Ad-
19 visory Committee;

20 (B) individuals and organizations rep-
21 resenting airports;

22 (C) individuals and organizations rep-
23 resenting airport workers, including those air-
24 port workers with unescorted access to secure
25 and sterile areas of airports;

1 (D) individuals and organizations rep-
2 resenting the biometric technology sector; and

3 (E) any other individuals and organiza-
4 tions that the Secretary considers appropriate.

5 (3) NONAPPLICABILITY OF FACA.—The Federal
6 Advisory Committee Act (5 U.S.C. App.) shall not
7 apply to working group established under this sub-
8 section.

9 (4) SUNSET.—The working group established
10 under this subsection shall cease operations 30 days
11 after the date of submission of the report under sub-
12 section (a)(5) or 30 days after the date of submis-
13 sion of the report under subsection (b)(2), whichever
14 is later.

Passed the House of Representatives June 18, 2008.

Attest: LORRAINE C. MILLER,
Clerk.