



MEMORANDUM

TO: Government Affairs Steering Group
Government Affairs Committee

FROM: ACI-NA Government Affairs

DATE: June 18, 2008

SUBJECT: 1) Homeland Security Appropriations Update
2) Airport-Related Security Bills are approved by the house

GA MEMO: 2008-54

1) Homeland Security Appropriations Update

House

The Full Appropriations Committee markup of the DHS FY09 Appropriations bill was postponed in the House today. House appropriators have postponed marking up all bills at the Full Committee level as they focus on the passage of the War Supplemental. House Majority Leader Steny H. Hoyer (D-MD) has said that he aims to have the supplemental war spending bill on the floor by this Thursday. Although the Appropriations markups have not yet been rescheduled, it is expected that they will resume at the Full Committee level in the coming weeks. Meanwhile, Subcommittee markups such as DOT this Friday will continue as scheduled. It is possible that the House could consider the DHS Appropriations bill prior to Summer Recess.

Senate

Today in the Senate, the Appropriations Homeland Security Subcommittee marked up their version of the DHS FY09 Appropriations bill. The Full Committee is scheduled to

consider the bill tomorrow afternoon and floor action could occur before the Summer Recess.

Opening Statement

In his opening statement, Chairman Robert Byrd (D-WV) noted that is has been five years since the Department of Homeland Security was established and that he has consistently urged the President and the Congress to “provide the Department with the resources that it needs to fulfill its critical mission.” The Chairman also remarked that the funding levels included in the bill are intended to enable the Department to continue the implementation of the 9/11 Act. To that end, he stated that the “bill provides \$250 million above the request for the procurement of explosives detection systems at airports, for security at airport checkpoints, and for additional rail inspectors.

In addition, the Senate mark included:

- \$4.277 billion for the Transportation Security Administration (TSA)
- \$294 million for the purchase and installation of EDS for checked baggage
- \$72.3 million above the \$127.7 million request for checkpoint screening technologies
- \$2.692 billion to support 45,643 TSA screeners at approximately 450 airports nationwide
- \$122.8 million for air cargo security
- \$82.2 million for Secure Flight
- U.S. Customs and Border Protection (CBP) – The mark increases funding for CBP by \$381 million over the fiscal year 2008 level and approximately \$254 million above the President’s budget request. It also recommends a total of 682 new CBP officers (an increase of 143 positions above the request.

ACI-NA Government Affairs staff will continue to provide updates on the progress of appropriations bills in both the House and the Senate as action occurs.

2) Airport-Related Security Bills are Approved by the House

Also today, the House passed several homeland security bills that involve airports. They are as follows:

H.R. 5982, Biometric Enhancement for Airport-Risk Reduction Act of 2008

H.R. 5982, the “Biometric Enhancement and Airport Vulnerability Reduction Act of 2008” was considered on the full House Floor today and passed under a suspension of the rules. This bill would direct the Secretary of Homeland Security, for purposes of transportation security, to conduct a study on how airports can transition to uniform, standards-based, interoperable biometric identifier systems for airport workers with unescorted access to secure or sterile areas of an airport

As you know, ACI-NA has worked closely with the House Homeland Security Committee since November of last year to ensure that the airport perspective was represented during the drafting process of this piece of legislation. Many of you were involved in the airport tours that we arranged for Committee staff. In addition, ACI-NA Government Affairs staff provided detailed policy recommendations and worked aggressively to ensure that any legislation introduced would be in the best interests of not only the airport industry, but also the overall security at your facilities.

Introduced by House Homeland Security Committee Chairman Bennie Thompson in May, H.R. 5982 directs two studies to be undertaken by the Secretary of Homeland Security, acting through the Administrator of the Transportation Security Administration (TSA). The first study, to be completed within 270 days of enactment of this Act, will examine 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.” The purpose of the second study, to be completed within one year of enactment of this Act, is to “identify best practices for the administration of biometric credentials at airports, including best practices for each of the following practices:

- (A) Registration and enrollment.
- (B) Eligibility vetting and risk assessment.
- (C) Issuance.
- (D) Verification and use.
- (E) Expiration and revocation.
- (F) Development of a cost structure for acquisition of biometric credentials.
- (G) Development of redress processes for workers.

Each of these studies is to be completed in conjunction with an “Aviation and Airport Security Working Group” that would include aviation industry stakeholders, including individuals and organizations representing airports. ACI-NA applauds the inclusion of the aviation industry in this process and strongly believes that airports should be involved from the onset in this initiative by recommending best practices and identifying feasibility concerns.

Although the Senate has not indicated that it intends to take up this piece of legislation, ACI-NA will continue to work to ensure that this legislation does not eventually turn in to a single biometric mandate for the Nation’s airports. We have been steadfast with our message that the unique traits of airports, both collectively and individually, call for a thorough examination of all considerations before a single biometric control solution for airport workers is decided upon.

H.R. 4179

This bill would amend the Homeland Security Act of 2002 to establish an appeal and redress process for individuals wrongly delayed or prohibited from boarding a flight. The bill is named the “Fair, Accurate, Secure and Timely Redress Act of 2007” (FAST Redress Act of 2007).

H.R. 5909

This legislation would amend the Aviation and Transportation Security Act to prohibit advance notice to certain individuals, including security screeners, of covert testing of security screening procedures for the purpose of enhancing transportation security at airports.

H.R. 4749

This bill would amend the Homeland Security Act of 2002 to establish the Office for Bombing Prevention, to address terrorist explosive threats, and for other purposes. It is named the “National Bombing Prevention Act of 2008.”