

TREATING SMALL AIRPORTS WITH FAIRNESS ACT OF 2016

APRIL 13, 2016.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. McCAUL, from the Committee on Homeland Security,
submitted the following

R E P O R T

[To accompany H.R. 4549]

The Committee on Homeland Security, to whom was referred the bill (H.R. 4549) to require the Transportation Security Administration to conduct security screening at certain airports, and for other purposes, having considered the same, reports favorably thereon with an amendment and recommends that the bill as amended do pass.

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The amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Treating Small Airports with Fairness Act of 2016”.

SEC. 2. CONDUCT OF SECURITY SCREENING BY THE TRANSPORTATION SECURITY ADMINISTRATION AT CERTAIN AIRPORTS.

(a) **IN GENERAL.**—The Administrator of the Transportation Security Administration shall provide for security screening to be conducted by the Transportation Security Administration at, and provide all necessary staff and equipment to, any airport—

- (1) that lost commercial air service on or after January 1, 2013; and
- (2) the operator of which, following the loss described in paragraph (1), submits to the Administrator—

- (A) a request for security screening to be conducted at such airport by the Transportation Security Administration; and

- (B) written confirmation of a commitment from a commercial air carrier—

- (i) that such air carrier intends to resume commercial air service at such airport; and

- (ii) to resume such service not later than the date that is one year after the date of the submission of the request under subparagraph (A).

(b) **DEADLINE.**—Subject to the one-year limitation described in subsection (a)(2)(B)(ii), the Administrator of the Transportation Security Administration shall ensure that the process of implementing security screening by the Transportation Security Administration at an airport described in subsection (a) is complete not later than the later of—

- (1) the date that is 90 days after the date on which the operator of such airport submits to the Administrator a request for such screening under paragraph

- (2)(A) of such subsection; or

- (2) the date on which the commercial air carrier that is the subject of such a request intends to resume commercial air service at such airport.

(c) **EFFECTS ON OTHER AIRPORTS.**—The Administrator of the Transportation Security Administration shall carry out this section in a manner that does not negatively affect operations at airports not described in this section that are otherwise provided security screening conducted by the Transportation Security Administration.

PURPOSE AND SUMMARY

The purpose of H.R. 4549 is to require the Transportation Security Administration to conduct security screening at certain airports, and for other purposes.

BACKGROUND AND NEED FOR LEGISLATION

There are currently at least six airports that have had requests denied by the Transportation Security Administration (TSA) to return security screening and personnel airports after temporary gaps in commercial air service:

- Del Rio International Airport in Del Rio, Texas (DRT)
- Sheridan County Airport in Sheridan, Wyoming (SHR)
- Fair Child International Airport in Port Angeles, Washington (CLM)
- Salina Regional Airport in Salina, Kansas (SLN)
- Canyonlands Field Airport in Moab, Utah (CNY)
- Crater Lake Klamath Regional Airport in Klamath Falls, Oregon (LMT)

TSA has stated they have no requirement under law to return this needed service, and instead has directed the airports to allow passengers to fly unscreened to their next destination, and undergo reverse security screening there. This poses serious security issues, and would increase travel time and costs for passengers. According to local officials and the commercial airlines hoping to return service to these small airports, this is not a feasible option due to the

security concerns of 30 passengers flying unscreened to a major metropolitan area, the added travel time caused by using a shuttle bus to reach the front of the airport for screening, and other logistical challenges.

HEARINGS

No hearings were held on H.R. 4549.

COMMITTEE CONSIDERATION

The Committee met on March 23, 2016, to consider H.R. 4549, and ordered the measure to be reported to the House with a favorable recommendation, as amended, by unanimous consent. The Committee took the following actions:

The following amendments were offered:

An amendment offered by MR. THOMPSON of Mississippi (#1); was AGREED TO by unanimous consent.

In section 2, add at the end a new subsection entitled “(c) Effects on Other Airports.”

COMMITTEE VOTES

Clause 3(b) of Rule XIII of the Rules of the House of Representatives requires the Committee to list the recorded votes on the motion to report legislation and amendments thereto.

No recorded votes were requested during consideration of H.R. 4549.

COMMITTEE OVERSIGHT FINDINGS

Pursuant to clause 3(c)(1) of Rule XIII of the Rules of the House of Representatives, the Committee has held oversight hearings and made findings that are reflected in this report.

NEW BUDGET AUTHORITY, ENTITLEMENT AUTHORITY, AND TAX EXPENDITURES

In compliance with clause 3(c)(2) of Rule XIII of the Rules of the House of Representatives, the Committee finds that H.R. 4549, the Treating Small Airports with Fairness Act of 2016, would result in no new or increased budget authority, entitlement authority, or tax expenditures or revenues.

CONGRESSIONAL BUDGET OFFICE ESTIMATE

Pursuant to clause 3(c)(3) of Rule XIII of the Rules of the House of Representatives, a cost estimate provided by the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974 was not made available to the Committee in time for the filing of this report. The Chairman of the Committee shall cause such estimate to be printed in the Congressional Record upon its receipt by the Committee.

STATEMENT OF GENERAL PERFORMANCE GOALS AND OBJECTIVES

Pursuant to clause 3(c)(4) of Rule XIII of the Rules of the House of Representatives, H.R. 4549 contains the following general per-

formance goals and objectives, including outcome related goals and objectives authorized.

The goal of this bill is to ensure that all necessary staff and screening equipment is provided to any airport that lost commercial air service on or after January 1, 2013, and the operator of which, submits to the Transportation Security Administrator a request for screening and written confirmation of a commitment from a commercial air carrier that such carrier intends to resume commercial air service at such airport not later than the date that is one year after the date of the submission of the request to the Administrator.

DUPLICATIVE FEDERAL PROGRAMS

Pursuant to clause 3(c) of Rule XIII, the Committee finds that H.R. 4549 does not contain any provision that establishes or reauthorizes a program known to be duplicative of another Federal program.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, AND LIMITED TARIFF BENEFITS

In compliance with Rule XXI of the Rules of the House of Representatives, this bill, as reported, contains no congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(e), 9(f), or 9(g) of the Rule XXI.

FEDERAL MANDATES STATEMENT

An estimate of Federal mandates prepared by the Director of the Congressional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act was not made available to the Committee in time for the filing of this report. The Chairman of the Committee shall cause such estimate to be printed in the Congressional Record upon its receipt by the Committee.

PREEMPTION CLARIFICATION

In compliance with section 423 of the Congressional Budget Act of 1974, requiring the report of any Committee on a bill or joint resolution to include a statement on the extent to which the bill or joint resolution is intended to preempt State, local, or Tribal law, the Committee finds that H.R. 4549 does not preempt any State, local, or Tribal law.

DISCLOSURE OF DIRECTED RULE MAKINGS

The Committee estimates that H.R. 4549 would require no directed rule makings.

ADVISORY COMMITTEE STATEMENT

No advisory committees within the meaning of section 5(b) of the Federal Advisory Committee Act were created by this legislation.

APPLICABILITY TO LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or

accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act.

SECTION-BY-SECTION ANALYSIS OF THE LEGISLATION

Section 1. Short Title.

This section provides that this bill may be cited as the “Treating Small Airports with Fairness Act of 2016”.

Sect. 2. Conduct of Security Screening by the Transportation Security Administration at Certain Airports.

This section requires the Transportation Security Administration (TSA) to provide the necessary staff and screening equipment to any airport that lost commercial air service on or after January 1, 2013. Additionally, the operator must submit a request for security screening to the Administrator of the Transportation Security Administration and a written confirmation of a commitment from a commercial air carrier that such carrier intends to resume commercial air service at such airport and service will be resumed not later than one year after the date that the operator submitted a request for security screening to the Administrator.

This section also requires the Administrator to ensure that security screening is implemented by the TSA at an airport described above not later than the later of 90 days after the airport operator submits a request for such screening or the date which the commercial air carrier that is the subject of such request intends to resume commercial air service at such airport.

This section requires that the restoration of screening services by the Transportation Security Administration at airports described in this section does not negatively affect airport operations at airports not described in this section.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

As reported, H.R. 4549 makes no changes to existing law.