

RESOLUTION OF INQUIRY DIRECTING THE SECRETARY OF HOMELAND SECURITY TO TRANSMIT TO THE HOUSE OF REPRESENTATIVES A COPY OF THE TRANSPORTATION SECURITY ADMINISTRATION'S AVIATION SECURITY SCREENING MANAGEMENT STANDARD OPERATING PROCEDURES MANUAL IN EFFECT ON DECEMBER 5, 2009, AND ANY SUBSEQUENT REVISIONS OF SUCH MANUAL IN EFFECT PRIOR TO THE ADOPTION OF THIS RESOLUTION

JANUARY 27, 2010.—Referred to the House Calendar and ordered to be printed

Mr. THOMPSON of Mississippi, from the Committee on Homeland Security, submitted the following

ADVERSE REPORT

[To accompany H. Res. 980]

The Committee on Homeland Security, to whom was referred the resolution (H. Res. 980) of inquiry directing the Secretary of Homeland Security to transmit to the House of Representatives a copy of the Transportation Security Administration's Aviation Security Screening Management Standard Operating Procedures manual in effect on December 5, 2009, and any subsequent revisions of such manual in effect prior to the adoption of this resolution, having considered the same, report unfavorably thereon without amendment and recommend that the resolution not be agreed to.

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PURPOSE AND SUMMARY

The purpose of H. Res. 980 is to direct the Secretary of Homeland Security to transmit to the House of Representatives a copy of the Transportation Security Administration's Aviation Security Screening Management Standard Operating Procedures manual in effect on December 5, 2009, and any subsequent revisions of such manual in effect prior to the adoption of this resolution.

BACKGROUND AND NEED FOR LEGISLATION

On or about December 5, 2009, an internal Transportation Security Administration (TSA) document setting forth screening procedures at U.S. airports, that included Security Sensitive Information (SSI), was posted on the Internet. This resolution was introduced by Representative Charlie Dent (R-PA) for the purposes of obtaining a copy of the version of the document—TSA's Aviation Security Screening Management Standard Operating Procedures manual (SOP)—in effect on December 5, 2009 and any subsequent revisions of the document from TSA. The need for this resolution was obviated by TSA's delivery of these materials to the Committee on Homeland Security on January 26, 2010. TSA provided a copy of the current SOP to the Committee, after it was requested by the leadership of the Committee, in accordance with Title 49 Section 114(r)(2) of the United States Code which states that TSA is not authorized to withhold sensitive security information from a committee of Congress authorized to have the information.

HEARINGS

The Committee held no hearings on H. Res. 980.

COMMITTEE CONSIDERATION

The Committee on Homeland Security considered H. Res. 980 on January 20, 2010, and ordered the resolution to be reported to the House, adversely, by a recorded vote of 24 yeas and 0 nays (Roll Call Vote No. 22). The Committee did not adopt the resolution by voice vote.

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.

The Committee ordered H. Res. 980, to be reported to the House, adversely, by a recorded vote of 24 yeas and 0 nays. The vote was as follows:

YEAS

MR. THOMPSON
 MS. SANCHEZ
 MS. NORTON
 MS. JACKSON-LEE
 MR. CUELLAR
 MR. CARNEY
 MS. RICHARDSON
 MRS. KIRKPATRICK
 MR. LUJÁN
 MR. OWENS
 MR. PASCRELL
 MR. CLEAVER
 MR. HIMES
 MS. KILROY
 MR. MASSA
 MS. TITUS
 MR. KING
 MR. SOUDER
 MR. LUNGREN
 MR. ROGERS
 MR. DENT
 MR. BROUN
 MRS. MILLER
 MR. AUSTRIA

NAYS

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

Clause 3(c)(2) of rule XIII of the Rules of the House of Representatives does not apply, as H. Res. 980 does not provide new budgetary authority or increased tax expenditures.

CONGRESSIONAL BUDGET OFFICE ESTIMATE

Clause 3(c)(3) of rule XIII of the Rules of the House of Representatives, and Section 402 of the Congressional Budget Act of 1974 do not apply, as H. Res. 980 is not a bill or joint resolution.

STATEMENT OF GENERAL PERFORMANCE GOALS AND OBJECTIVES

Clause 3(c)(4) of rule XIII of the Rules of the House of Representatives does not apply, as H. Res. 980 does not authorize funding.

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

H. Res. 980 provides no Federal mandates.

ADVISORY COMMITTEE STATEMENT

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

CONSTITUTIONAL AUTHORITY STATEMENT

Clause 3(d)(1) of rule XIII of the Rules of the House of Representatives does not apply, as H. Res. 980 is not a bill or joint resolution.

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

The Resolution of Inquiry requests the Secretary of Homeland Security to transmit to the United States House of Representatives a copy of the Transportation Security Administration's (TSA) Aviation Security Screening Management Standard Operating Procedures manual in effect on December 5, 2009 and any subsequent revisions of such manual in effect prior to the adoption of this resolution.

The Resolution requires, by passage, that it is the sense of the House of Representatives that the Department of Homeland Security, within 14 days of passage, deliver the TSA Aviation Security Screening Management Standard Operating Procedures manual in effect on December 5, 2009, and any subsequent revisions to the House of Representatives.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

H. Res. 980 makes no changes to existing law.