

**AMENDMENT**  
**TO RULES COMMITTEE PRINT 116-54**  
**OFFERED BY MR. DEFAZIO OF OREGON**

Page 101, line 8, insert a comma after “(D)”.

Page 103, line 18, strike “and” at the end.

Page 103, line 21, strike period and the closing quotation marks.

Page 103, after line 21, insert the following:

1                   “(iv) from the amounts made avail-  
2                   able for a fiscal year for the urbanized  
3                   areas formula grants under section 5307  
4                   of title 49, the amounts allocated for a fis-  
5                   cal year for the passenger ferry grant pro-  
6                   gram under section 5307(h);

7                   “(v) from the amounts made available  
8                   for a fiscal year for the formula grants for  
9                   rural areas under section 5311 of title 49,  
10                  the amounts allocated for a fiscal year for  
11                  public transportation on Indian reserva-  
12                  tions;

13                  “(vi) from the amounts made avail-  
14                  able for a fiscal year for the public trans-

1                   portation innovation program under sec-  
2                   tion 5312 of title 49—

3                   “(I) the amounts allocated for  
4                   the zero emission vehicle component  
5                   assessment under section 5312(h) of  
6                   such title; and

7                   “(II) the amounts allocated for  
8                   the transit cooperative research pro-  
9                   gram under section 5312(i) of such  
10                  title;

11                 “(vii) from the amounts made avail-  
12                 able for a fiscal year for the technical as-  
13                 sistance and workforce development pro-  
14                 gram of section 5314 of title 49, the  
15                 amounts allocated for the national transit  
16                 institute under section 5314(c);

17                 “(viii) from the amounts made avail-  
18                 able for a fiscal year for the bus and bus  
19                 facilities program under section 5339 of  
20                 title 49, the amounts allocated for a fiscal  
21                 year for the low and zero emission grants  
22                 under section 5339(e);

23                 “(ix) the amounts made available for  
24                 growing density States under section  
25                 5340(c) of title 49; and

1                   “(x) the amounts made available for  
2                   high density states under section 5340(d)  
3                   of title 49.”;

4                   (3) in subsection (d) by inserting “and section  
5                   5324 of title 49” after “section 125”;

Page 103, line 22, strike “(3)” and insert “(4)”.

Page 104, line 3, strike “(4)” and insert “(5)”.

Page 121, strike lines 3 and 4 and insert the fol-  
lowing:

6                   “(i) notification and justification of  
7                   the deviation is provided to the Secretary  
8                   and the State; and

Page 121, line 13, strike “approve” and insert “con-  
sider”.

Page 121, line 14, strike “project, multiple project,  
or”.

Page 146, line 3, strike the opening bracket.

Page 146, line 4, strike “toll” and insert “HOV”.

Page 146, line 6, strike “toll” and insert “HOV”.

Page 146, line 7, strike the closing bracket.

Page 162, line 18, strike “travel” and insert “transportation”.

Page 163, line 15, insert a comma after “features”.

Page 163, line 16, strike the comma after “agencies”.

Page 206, strike lines 9 through 11.

Page 206, line 12, strike “(3)” and insert “(2)”.

Page 206, line 15, strike “(4)” and insert “(3)”.

Page 206, line 19, strike “(5)” and insert “(4)”.

Page 207, line 1, strike “(6)” and insert “(5)”.

Page 207, line 9, strike “(7)” and insert “(6)”.

Page 207, line 13, strike “(8)” and insert “(7)”.

Page 265, line 8, strike “the funds” and insert “any funds”.

Page 306, line 17, strike “reducing” and insert “reduce”.

Page 333, beginning on line 9, strike “an urbanized area, as designated by the Bureau of the Census, with a population of not less than 1,000,000” and insert “a Combined Statistical Area, as defined by the Office of

Management and Budget, with a population of not less than 1,300,000”.

Page 363, line 11, strike “MPOS” and insert “MPOS”.

Page 363, line 12, strike “METROPOLITAN” and insert “METROPOLITAN”.

Page 381, strike lines 1 through 3 and insert the following:

1                   (A) by striking “PERFORMANCE TARGET  
2                   ACHIEVEMENT” in the heading and inserting  
3                   “PERFORMANCE MANAGEMENT”;

Page 384, strike lines 6 through 8 and insert the following:

4                   (1) by striking “PERFORMANCE TARGET  
5                   ACHIEVEMENT” in the heading and inserting “PER-  
6                   FORMANCE MANAGEMENT”;

Page 458, line 2, strike “modification” and insert “modernization”.

Strike section 1626 of division B of the bill and insert such section at the end of subtitle B of title V of division D of the bill.

Page 493, line 23, strike “intersection” and insert “intersections”.

Redesignate sections 1627 and 1628 of division B as sections 1626 and 1627 of division B, respectively.

Strike section 1629 of division B of the bill and insert such section at the end of title I of division E of the bill.

Redesignate sections 1630 and 1631 of division B as sections 1628 and 1629 of division B, respectively.

Page 510, line 23, strike the closing quotation marks and the second period and insert the following:

1       “(g) LIMITATION ON FINANCIAL ASSISTANCE FOR  
2 STATE-OWNED ENTERPRISES.—

3               “(1) IN GENERAL.—Funds provided under this  
4 section may not be used in awarding a contract, sub-  
5 contract, grant, or loan to an entity that is owned  
6 or controlled by, is a subsidiary of, or is otherwise  
7 related legally or financially to a corporation based  
8 in a country that—

9               “(A) is identified as a nonmarket economy  
10 country (as defined in section 771(18) of the  
11 Tariff Act of 1930 (19 U.S.C. 1677(18))) as of  
12 the date of enactment of this Act;

1           “(B) was identified by the United States  
2           Trade Representative in the most recent report  
3           required by section 182 of the Trade Act of  
4           1974 (19 U.S.C. 2242) as a priority foreign  
5           country under subsection (a)(2) of that section;  
6           and

7           “(C) is subject to monitoring by the Trade  
8           Representative under section 306 of the Trade  
9           Act of 1974 (19 U.S.C. 2416).

10          “(2) EXCEPTION.—For purposes of subpara-  
11          graph (A), the term ‘otherwise related legally or fi-  
12          nancially’ does not include a minority relationship or  
13          investment.

14          “(3) INTERNATIONAL AGREEMENTS.—This  
15          paragraph shall be applied in a manner consistent  
16          with the obligations of the United States under  
17          international agreements.”.

Page 519, line 24, strike “request.” and insert “re-  
quest and, if a recipient of assistance under this chapter  
denies access to a private intercity or charter transpor-  
tation operator based on the reasonable access standards,  
provide, in writing, the reasons for the denial.”.

Page 532, strike line 24 and all that follows through  
page 533, line 3.

Page 533, line 4, strike “(B)” and insert “(A)”.

Page 533, line 7, strike “(C)” and insert “(B)”.

Page 533, line 10, strike “(D)” and insert “(C)”.

Page 533, line 12, strike “(E)” and insert “(D)”.

Page 534, line 3, strike “(F)” and insert “(E)”.

Page 549, strike line 17 and all that follows through line 22 on page 553.

Page 553, line 23, strike “2112” and insert “2111”.

Page 595, line 24, strike “5232(j)” and insert “5323(j)”.

Page 611, strike lines 10 through 12 and insert the following:

- 1 (6) in paragraph (8) by striking “3 fiscal
- 2 years” and inserting “4 fiscal years” and by striking
- 3 “3-fiscal-year period” and inserting “4-fiscal-year
- 4 period”; and

Page 618, line 1, strike “(6)” and insert “(7)”.

Page 618, line 19, strike “(8)” and insert “(9)”.

Page 635, line 24, strike the period and insert a semicolon.



Page 650, strike lines 3 through 5 and insert the following:

1       “(h) AWARD BASIS.—In awarding grants”.

Page 650, line 8, strike “(A)” and insert “(1)” and move lines 8 through 19 2 ems to the left.

Page 650, line 16, strike “))” and insert “)))”.

Page 650, line 20, strike “(B)” and insert “(2)” and move lines 20 through 23 2 ems to the left.

Page 677, line 8, strike “concurrent” and insert “consulted”.

Page 696, line 11, insert “and State” after “Federal”.

Page 697, line 2, insert “, in coordination with project partners,” after “project”.

Page 697, line 5, strike “reduced” and insert “changes to”.

Page 697, strike line 7.

Page 697, line 8, strike “reduced healthcare expenditures” and insert “changes to healthcare expenditures provided by projects partners”.

Page 697, line 9, strike the period and insert “; and”.

Page 697, after line 9, insert the following:

1                   “(iii) changes to health care metrics,  
2                   including aggregate health outcomes pro-  
3                   vided by projects partners.

Page 697, line 18, strike “integrate” and insert “co-ordinate”.

Page 698, after line 8, insert the following:

4                   “(E) CONSULTATION.—In evaluating the  
5                   performance metrics described in subparagraph  
6                   (C), the Secretary shall consult with the Sec-  
7                   retary of Health and Human Services.

Page 699, line 11, insert “, as described in paragraph (1)(B)(ii),” after “partners”.

Page 700, line 4, insert “and State” after “Federal”.

Page 700, line 17, insert “preventing hospital admissions and” before “reducing”.

Page 700, line 21, insert “, in consultation with the Secretary of Health and Human Services” before the period.

Page 701, after line 9, insert the following:

1           “(I) CONSULTATION.—In evaluating the  
2 health care metrics described in subparagraph  
3 (F), the Secretary shall consult with the Sec-  
4 retary of Health and Human Services.

5           “(J) ANNUAL GRANTEE REPORT.—Each  
6 grantee shall submit a report, in coordination  
7 with the project partners of such grantee, that  
8 includes an evaluation of the outcomes of the  
9 grant awarded to such grantee, including the  
10 performance measures.

Page 701, line 18, insert “in consultation with the Secretary of Health and Human Services” before the period.

Page 819, line 11, insert “energy efficient” before “truck”.

Page 819, line 14, insert “and does not result in increased cargo capacity in weight or volume” after “vehicle”.

Page 829, line 5, insert “and use” after “construction”.

Page 837, line 10, strike “6503(e)” and insert “6503(c)”.

Page 919, line 3, strike “\$17,5000,000” and insert “\$17,500,000”.

Page 933, line 11, strike “subtitle III” and insert “subchapter I”.

Page 978, line 16, strike “related” and insert “relating”.

Page 980, strike lines 3 and 4 and insert the following:

- 1           (3) in subsection (e)—
- 2                   (A) by striking paragraph (1) and insert-
- 3           ing the following:

Page 980, line 24, add “and” at the end.

Page 980, after line 24, insert the following:

- 4           (B) in paragraph (3) by striking “para-
- 5           graph (1)(B)” and inserting “paragraph
- 6           (1)(A)”.

Page 981, line 4, strike “subsections (k), (l), (m), and (n)” and insert “subsections (l), (m), (n), and (o)”.

Page 983, line 17, insert closing quotation marks and a period at the end.

Page 995, strike line 24 and all that follows through page 996, line 8, and insert the following:

1 (b) TIMING OF NEW BOARD REQUIREMENTS.—

2 (1) IN GENERAL.—The appointment and mem-  
3 bership requirements under section 24302 of title  
4 49, United States Code (as amended by this Act),  
5 shall apply to any member of the Board appointed  
6 pursuant to subsection (a)(1)(C) of such section who  
7 is appointed on or after the date of enactment of  
8 this Act.

9 (2) REAPPOINTMENT.—Any member described  
10 under paragraph (1) who is serving on such Board  
11 as of the date of enactment of this Act may be re-  
12 appointed on or after such date of enactment, sub-  
13 ject to the advice and consent of the Senate, if such  
14 member meets the requirements of such section.

15 (3) TERMINATION OF TERM.—The term of any  
16 member described under paragraph (1) who is serv-  
17 ing on such Board as of the date of enactment of  
18 this Act who is not reappointed under paragraph (2)  
19 before the date that is 60 days after the date of en-  
20 actment of this Act, shall cease on such date.

Page 969, after line 25, insert the following:

21 (o) LIMITATION ON FINANCIAL ASSISTANCE FOR  
22 STATE-OWNED ENTERPRISES.—

23 (1) IN GENERAL.—Funds provided under this  
24 section and the amendments made by this section

1       may not be used in awarding a contract, sub-  
2       contract, grant, or loan to an entity that is owned  
3       or controlled by, is a subsidiary of, or is otherwise  
4       related legally or financially to a corporation based  
5       in a country that—

6               (A) is identified as a nonmarket economy  
7               country (as defined in section 771(18) of the  
8               Tariff Act of 1930 (19 U.S.C. 1677(18))) as of  
9               the date of enactment of this Act;

10              (B) was identified by the United States  
11              Trade Representative in the most recent report  
12              required by section 182 of the Trade Act of  
13              1974 (19 U.S.C. 2242) as a priority foreign  
14              country under subsection (a)(2) of that section;  
15              and

16              (C) is subject to monitoring by the Trade  
17              Representative under section 306 of the Trade  
18              Act of 1974 (19 U.S.C. 2416).

19              (2) EXCEPTION.—For purposes of subpara-  
20              graph (A), the term “otherwise related legally or fi-  
21              nancially” does not include a minority relationship  
22              or investment.

23              (3) INTERNATIONAL AGREEMENTS.—This para-  
24              graph shall be applied in a manner consistent with

1 the obligations of the United States under inter-  
2 national agreements.

Page 1017, line 6, strike “related” and insert “relating”.

Page 1028, line 13, insert “the first place it appears” before the semicolon.

Page 1029, line 6, strike “24324” and insert “24325”.

Page 1030, line 3, insert closing quotation marks and a period after “necessary”.

Page 1030, in the material proposed to be inserted in the analysis for chapter 243 of title 49, United States Code, after line 6, strike “24324” and insert “24325”.

Page 1031, line 7, strike “24325” and insert “24326”.

Page 1032, in the material proposed to be inserted in the analysis for chapter 243 of title 49, United States Code, after line 6, strike “24325” and insert “24326”.

Page 1039, line 1, strike “subsections (d) and (e)” and insert “subsection (d)”.

Page 1039, line 16, strike “(1) CONTENTS.—” and run the text onto line 15.

Page 1039, line 1, strike “(A)” and insert “(1)” and move the text 2 ems to the left.

Page 1039, line 4, strike “(B)” and insert “(2)” and move the text 2 ems to the left.

Page 1039, line 5, strike “(i)” and insert “(A)” and move the text 2 ems to the left.

Page 1039, line 7, strike “(ii)” and insert “(B)” and move the text 2 ems to the left.

Page 1039, line 8, strike “(iii)” and insert “(C)” and move the text 2 ems to the left.

Page 1039, line 12, strike “(iv)” and insert “(D)” and move the text 2 ems to the left.

Page 1042, line 24, strike “State” and insert “States”.

Page 1072, line 8, strike “subparagraph” and insert “paragraph”.

Page 1116, line 24, strike “less” and insert “more”.

Page 1691, after line 20, insert the following:

1 **SEC. 40002. AUTHORIZATION OF APPROPRIATIONS FOR DE-**  
2 **PARTMENT OF VETERANS AFFAIRS.**

3 (a) IN GENERAL.—There is authorized to be appro-  
4 priated for the Department of Veterans Affairs



1 \$3,396,000,000 to carry out subsection (b). Amounts ap-  
2 propriated pursuant to this section shall remain available  
3 for obligation or expenditure without fiscal year limitation.

4 (b) USE OF AMOUNTS.—The amount authorized to  
5 be appropriated under subsection (a) shall be used by the  
6 Secretary of Veterans Affairs as follows:

7 (1) \$750,000,000 for minor construction.

8 (2) \$750,000,000 for non-recurring mainte-  
9 nance.

10 (3) \$1,350,000,000 for major construction  
11 projects that are partially funded for fiscal year  
12 2021.

13 (4) \$546,000,000 for grants under subchapter  
14 III of chapter 81 of title 38, United States Code.

15 (c) CONTRACTING GOALS.—The contracting goals  
16 under section 15(g)(1) and (2) of the Small Business Act  
17 (15 U.S.C. 644) shall apply to a contract entered into  
18 using amounts authorized to be appropriated under this  
19 section and used pursuant to subsection (b)(1) and (2).

Page 1742, beginning on line 15, strike “the Inter-  
national Green Construction Code” and insert “a nation-  
ally-recognized, consensus-based standard”.

Page 1973, after line 2, insert the following:

1                   **Subtitle E—Long Bridge**

2   **SEC. 82501. AUTHORIZATION OF NATIONAL PARK SERVICE**

3                   **CONVEYANCES.**

4           (a) On request of the State of Virginia or the District  
5 of Columbia, as applicable, the Secretary of the Interior  
6 (acting through the Director of the National Park Service)  
7 (referred to in this section as the “Secretary”) may, sub-  
8 ject to any terms and conditions that the Secretary deter-  
9 mines to be necessary, convey to the State of Virginia or  
10 the District of Columbia, as applicable, any Federal land  
11 or interest in Federal land under the jurisdiction of the  
12 Secretary that is identified by the State of Virginia or the  
13 District of Columbia, as applicable, as necessary for the  
14 Long Bridge Project, which is a project consisting of im-  
15 provements to the Long Bridge and related railroad infra-  
16 structure between Rosslyn (RO) Interlocking in Arlington,  
17 Virginia, and L’Enfant (LE) Interlocking near 10th  
18 Street SW in Washington, DC, the purpose of which is  
19 to expand commuter and regional passenger rail service  
20 and provide bicycle and pedestrian access crossings over  
21 the Potomac River.

22           (b) If any portion of the Federal land or interest in  
23 Federal land conveyed under subsection (a) is no longer  
24 being used for railroad purposes or recreational use, the  
25 portion of the Federal land or interest in the portion of

1 the land shall revert to the Secretary, on a determination  
2 by the Secretary that the portion of the Federal land has  
3 been remediated and restored to a condition determined  
4 to be satisfactory by the Secretary.

5 (c) The Secretary may permit the temporary use of  
6 any Federal land under the jurisdiction of the Secretary  
7 that is identified by the State of Virginia or the District  
8 of Columbia, as applicable, as necessary for the construc-  
9 tion of the project described in subsection (a), subject to  
10 any terms and conditions determined to be necessary by  
11 the Secretary.

12 (d) Notwithstanding any other provision of law, the  
13 Secretary may recover from the State of Virginia or the  
14 District of Columbia, as applicable, all costs incurred by  
15 the Secretary in providing or procuring necessary services  
16 associated with a conveyance under subsection (a) or use  
17 authorized under subsection (c), with such amounts to re-  
18 main available to the Secretary until expended, without  
19 further appropriation.

Page 2309, after line 24, insert the following:

1 **DIVISION N—RIGHTS FOR**  
2 **TRANSPORTATION SECURITY**  
3 **OFFICERS**

4 **SEC. 91001. SHORT TITLE.**

5 This division may be cited as the “Rights for Trans-  
6 portation Security Officers Act of 2020”.

7 **SEC. 91002. DEFINITIONS.**

8 For purposes of this division—

9 (1) the term “adjusted basic pay” means—

10 (A) the rate of pay fixed by law or admin-  
11 istrative action for the position held by a cov-  
12 ered employee before any deductions; and

13 (B) any regular, fixed supplemental pay-  
14 ment for non-overtime hours of work creditable  
15 as basic pay for retirement purposes, including  
16 any applicable locality payment and any special  
17 rate supplement;

18 (2) the term “Administrator” means the Ad-  
19 ministrator of the Transportation Security Adminis-  
20 tration;

21 (3) the term “covered employee” means an em-  
22 ployee who holds a covered position;

23 (4) the term “covered position” means a posi-  
24 tion within the Transportation Security Administra-  
25 tion;

1 (5) the term “conversion date” means the date  
2 as of which paragraphs (1) through (4) of section  
3 91003(c) take effect;

4 (6) the term “2019 Determination” means the  
5 publication, entitled “Determination on Transpor-  
6 tation Security Officers and Collective Bargaining”,  
7 issued on July 13, 2019, by Administrator David P.  
8 Pecoske;

9 (7) the term “employee” has the meaning given  
10 such term by section 2105 of title 5, United States  
11 Code;

12 (8) the term “Secretary” means the Secretary  
13 of Homeland Security; and

14 (9) the term “TSA personnel management sys-  
15 tem” means any personnel management system es-  
16 tablished or modified under—

17 (A) section 111(d) of the Aviation and  
18 Transportation Security Act (49 U.S.C. 44935  
19 note); or

20 (B) section 114(n) of title 49, United  
21 States Code.

22 **SEC. 91003. CONVERSION OF TSA PERSONNEL.**

23 (a) RESTRICTIONS ON CERTAIN PERSONNEL AU-  
24 THORITIES.—Notwithstanding any other provision of law,  
25 effective as of the date of the enactment of this division—

1           (1) any TSA personnel management system in  
2 use for covered employees and covered positions on  
3 the day before such date of enactment, and any TSA  
4 personnel management policy, letters, guideline, or  
5 directive in effect on such day may not be modified;

6           (2) no TSA personnel management policy, let-  
7 ter, guideline, or directive that was not established  
8 before such date issued pursuant to section 111(d)  
9 of the Aviation and Transportation Security Act (49  
10 U.S.C. 44935 note) or section 114(n) of title 49,  
11 United States Code, may be established; and

12           (3) any authority to establish or adjust a  
13 human resources management system under chapter  
14 97 of title 5, United States Code, shall terminate  
15 with respect to covered employees and covered posi-  
16 tions.

17           (b) PERSONNEL AUTHORITIES DURING TRANSITION  
18 PERIOD.—Any TSA personnel management system in use  
19 for covered employees and covered positions on the day  
20 before the date of enactment of this division and any TSA  
21 personnel management policy, letter, guideline, or direc-  
22 tive in effect on the day before the date of enactment of  
23 this division shall remain in effect until the effective date  
24 under subsection (c).

1           (c) TRANSITION TO GENERAL PERSONNEL MANAGE-  
2   MENT SYSTEM APPLICABLE TO CIVIL SERVICE EMPLOY-  
3   EES.—Effective as of the date determined by the Sec-  
4   retary, but in no event later than 180 days after the date  
5   of the enactment of this division—

6           (1) each provision of law cited in section  
7   91002(9) is repealed;

8           (2) any TSA personnel management policy, let-  
9   ter, guideline, and directive, including the 2019 De-  
10   termination, shall cease to be effective;

11          (3) any human resources management system  
12   established or adjusted under chapter 97 of title 5,  
13   United States Code, with respect to covered employ-  
14   ees or covered positions shall cease to be effective;  
15   and

16          (4) covered employees and covered positions  
17   shall be subject to the provisions of title 5, United  
18   States Code.

19          (d) SAFEGUARDS ON GRIEVANCES.—In carrying out  
20   this division, the Secretary shall take such actions as are  
21   necessary to provide an opportunity to each covered em-  
22   ployee with a grievance or disciplinary action (including  
23   an adverse action) pending within TSA on the date of en-  
24   actment of this division or at any time during the transi-  
25   tion period described in subsection (c) to have such griev-

1 ance removed to proceedings pursuant to title 5, United  
2 States Code, or continued within TSA.

3 **SEC. 91004. TRANSITION RULES.**

4 (a) NONREDUCTION IN PAY AND COMPENSATION.—  
5 Under pay conversion rules as the Secretary may prescribe  
6 to carry out this division, a covered employee converted  
7 from a TSA personnel management system to the provi-  
8 sions of title 5, United States Code, pursuant to section  
9 91002(c)(4) shall not be subject to any reduction in the  
10 rate of adjusted basic pay payable, or total compensation  
11 provided, to such covered employee.

12 (b) PRESERVATION OF OTHER RIGHTS.—In the case  
13 of each covered employee as of the conversion date, the  
14 Secretary shall take any actions necessary to ensure  
15 that—

16 (1) any annual leave, sick leave, or other paid  
17 leave accrued, accumulated, or otherwise available to  
18 a covered employee immediately before the conver-  
19 sion date shall remain available to the employee  
20 until used; and

21 (2) the Government share of any premiums or  
22 other periodic charges under chapter 89 of title 5,  
23 United States Code, governing group health insur-  
24 ance shall remain at least the same as was the case  
25 immediately before the conversion date.



1           (c) GAO STUDY ON TSA PAY RATES.—Not later  
2 than the date that is 9 months after the date of enactment  
3 of this division, the Comptroller General shall submit a  
4 report to Congress on the differences in rates of pay, clas-  
5 sified by pay system, between Transportation Security Ad-  
6 ministration employees—

7           (1) with duty stations in the contiguous 48  
8 States; and

9           (2) with duty stations outside of such States,  
10 including those employees located in any territory or  
11 possession of the United States.

12          (d) RULE OF CONSTRUCTION.—During the transition  
13 period and after the conversion date, the Secretary shall  
14 ensure that the Transportation Security Administration  
15 continues to prevent the hiring of individuals who have  
16 been convicted of a sex crime, an offense involving a  
17 minor, a crime of violence, or terrorism.

18 **SEC. 91005. CONSULTATION REQUIREMENT.**

19          (a) EXCLUSIVE REPRESENTATIVE.—The labor orga-  
20 nization certified by the Federal Labor Relations Author-  
21 ity on June 29, 2011, or successor labor organization shall  
22 be treated as the exclusive representative of full- and part-  
23 time non-supervisory TSA personnel carrying out screen-  
24 ing functions under section 44901 of title 49, United  
25 States Code, and shall be the exclusive representative for

1 such personnel under chapter 71 of title 5, United States  
2 Code, with full rights under such chapter. Any collective  
3 bargaining agreement covering such personnel on the date  
4 of enactment of this division shall remain in effect, con-  
5 sistent with subsection (d).

6 (b) CONSULTATION RIGHTS.—Not later than 7 days  
7 after the date of the enactment of this division, the Sec-  
8 retary shall consult with the exclusive representative for  
9 the personnel described in subsection (a) under chapter  
10 71 of title 5, United States Code, on the formulation of  
11 plans and deadlines to carry out the conversion of covered  
12 employees and covered positions under this division. Prior  
13 to the conversion date, the Secretary shall provide (in writ-  
14 ing) to such exclusive representative the plans for how the  
15 Secretary intends to carry out the conversion of covered  
16 employees and covered positions under this division, in-  
17 cluding with respect to such matters as—

- 18 (1) the anticipated conversion date; and  
19 (2) measures to ensure compliance with sections  
20 91003 and 91004.

21 (c) REQUIRED AGENCY RESPONSE.—If any views or  
22 recommendations are presented under subsection (b) by  
23 the exclusive representative, the Secretary shall consider  
24 the views or recommendations before taking final action  
25 on any matter with respect to which the views or rec-

1 ommendations are presented and provide the exclusive  
2 representative a written statement of the reasons for the  
3 final actions to be taken.

4 (d) SUNSET PROVISION.—The provisions of this sec-  
5 tion shall cease to be effective as of the conversion date.

6 **SEC. 91006. NO RIGHT TO STRIKE.**

7 Nothing in this division shall be considered—

8 (1) to repeal or otherwise affect—

9 (A) section 1918 of title 18, United States  
10 Code (relating to disloyalty and asserting the  
11 right to strike against the Government); or

12 (B) section 7311 of title 5, United States  
13 Code (relating to loyalty and striking); or

14 (2) to otherwise authorize any activity which is  
15 not permitted under either provision of law cited in  
16 paragraph (1).

17 **SEC. 91007. RULE OF CONSTRUCTION WITH RESPECT TO**  
18 **CERTAIN CRIMES RELATING TO TERRORISM.**

19 Nothing in this division may be construed to con-  
20 tradict chapter 113B of title 18, United States Code, in-  
21 cluding with respect to—

22 (1) section 2332b (relating to acts of terrorism  
23 transcending national boundaries);

24 (2) section 2339 (relating to harboring or con-  
25 cealing terrorists); and

1 (3) section 2339A (relating to providing mate-  
2 rial support to terrorists).

3 **SEC. 91008. REPORT BY GAO REGARDING TSA RECRUIT-**  
4 **MENT.**

5 Not later than 1 year after the date of the enactment  
6 of this division, the Comptroller General of the United  
7 States shall submit to Congress a report on the efforts  
8 of the Transportation Security Administration regarding  
9 recruitment, including recruitment efforts relating to vet-  
10 erans and the dependents of veterans and members of the  
11 Armed Forces and the dependents of such members. Such  
12 report shall also include recommendations regarding how  
13 the Administration may improve such recruitment efforts.

14 **SEC. 91009. SENSE OF CONGRESS.**

15 It is the sense of Congress that the Transportation  
16 Security Administration's personnel system provides in-  
17 sufficient benefits and workplace protections to the work-  
18 force that secures the nation's transportation systems and  
19 that the Transportation Security Administration's work-  
20 force should be provided protections and benefits under  
21 title 5, United States Code.

22 **SEC. 91010. ASSISTANCE FOR FEDERAL AIR MARSHAL**  
23 **SERVICE.**

24 The Administrator of the Transportation Security  
25 Administration shall engage and consult with public and

1 private entities associated with the Federal Air Marshal  
2 Service to address concerns regarding Federal Air Mar-  
3 shals related to the following:

4 (1) Mental health.

5 (2) Suicide rates.

6 (3) Morale and recruitment.

7 (4) Any other personnel issues the Adminis-  
8 trator determines appropriate.

9 **SEC. 91011. PROHIBITION ON CERTAIN SOCIAL MEDIA AP-**  
10 **PLICATION.**

11 Beginning on the date of the enactment of this divi-  
12 sion, covered employees may not use or have installed on  
13 United States Government-issued mobile devices the social  
14 media video application known as “TikTok” or any suc-  
15 cessor application.

16 **SEC. 91012. VETERANS HIRING.**

17 The Secretary shall prioritize the hiring of veterans,  
18 including disabled veterans, and other preference eligible  
19 individuals, including widows and widowers of veterans, as  
20 defined in section 2108 of title 5, United States Code, for  
21 covered positions.

22 **SEC. 91013. PREVENTION AND PROTECTION AGAINST CER-**  
23 **TAIN ILLNESS.**

24 The Administrator of the Transportation Security  
25 Administration, in coordination with the Director of Cen-

1 ters for Disease Control and Prevention and the Director  
2 of the National Institute of Allergy and Infectious Dis-  
3 eases, shall ensure that covered employees are provided  
4 proper guidance regarding prevention and protections  
5 against coronavirus, including appropriate resources.

