

Tom Udall
S.L.C.
2-7-11 M

2:04 pm

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AMENDMENT NO. _____ Calendar No. _____

Purpose: To require that all advanced imaging technology used as a primary screening method for passengers be equipped with automatic target recognition software.

IN THE SENATE OF THE UNITED STATES—112th Cong., 1st Sess.

S. 223

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	Page(s)		

GPO: 2010 63-070 (mac)

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. UDALL of New Mexico

Viz:

1 On page 311, between lines 11 and 12, insert the fol-
2 lowing:

3 **SEC. 733. PRIVACY PROTECTIONS FOR AIRCRAFT PAS-**
4 **SENGER SCREENING WITH ADVANCED IMAG-**
5 **ING TECHNOLOGY.**

6 (a) IN GENERAL.—Section 44901 is amended by
7 adding at the end the following:

8 “(1) LIMITATIONS ON USE OF ADVANCED IMAGING
9 TECHNOLOGY FOR SCREENING PASSENGERS.—

1 “(1) IN GENERAL.—The Assistant Secretary of
2 Homeland Security (Transportation Security Admin-
3 istration) shall ensure that advanced imaging tech-
4 nology is used for the screening of passengers under
5 this section only in accordance with this subsection.

6 “(2) IMPLEMENTATION OF AUTOMATED TAR-
7 GET RECOGNITION SOFTWARE.—Beginning January
8 1, 2012, all advanced imaging technology used as a
9 primary screening method for passengers shall be
10 equipped with automatic target recognition software.

11 “(3) DEFINITIONS.—In this subsection:

12 “(A) ADVANCED IMAGING TECHNOLOGY.—
13 The term ‘advanced imaging technology’—

14 “(i) means a device that creates a vis-
15 ual image of an individual’s body and re-
16 veals other objects on the body as applica-
17 ble, including narcotics, explosives, and
18 other weapons components; and

19 “(ii) includes devices using
20 backscatter x-rays or millimeter waves and
21 devices referred to as ‘whole-body imaging
22 technology’ or ‘body scanning’.

23 “(B) AUTOMATIC TARGET RECOGNITION
24 SOFTWARE.—The term ‘automatic target rec-
25 ognition software’ means software installed on

1 an advanced imaging technology machine that
2 produces a generic image of the individual being
3 screened that is the same as the images pro-
4 duced for all other screened individuals.

5 “(C) PRIMARY SCREENING.—The term
6 ‘primary screening’ means the initial examina-
7 tion of any passenger at an airport checkpoint,
8 including using available screening technologies
9 to detect weapons, explosives, narcotics, or
10 other indications of unlawful action, in order to
11 determine whether to clear the passenger to
12 board an aircraft or to further examine the pas-
13 senger.”.

14 (b) REPORT.—

15 (1) IN GENERAL.—Not later than March 1,
16 2012, the Assistant Secretary of Homeland Security
17 (Transportation Security Administration) shall sub-
18 mit to the appropriate congressional committees a
19 report on the implementation of section 44901(l) of
20 title 49, United States Code, as added by subsection

21 (a).

22 (2) ELEMENTS.—The report required by para-
23 graph (1) shall include the following:

1 (A) A description of all matters the Assist-
2 ant Secretary considers relevant to the imple-
3 mentation of such section.

4 (B) The status of the compliance of the
5 Transportation Security Administration with
6 the provisions of such section.

7 (C) If the Administration is not in full
8 compliance with such provisions—

9 (i) the reasons for such non-compli-
10 ance; and

11 (ii) a timeline depicting when the As-
12 sistant Secretary expects the Administra-
13 tion to achieve full compliance.

14 (3) SECURITY CLASSIFICATION.—The report re-
15 quired by paragraph (1) shall be submitted, to the
16 greatest extent practicable, in an unclassified for-
17 mat, with a classified annex, if necessary.

18 (4) APPROPRIATE CONGRESSIONAL COMMIT-
19 TEES DEFINED.—In this subsection, the term “ap-
20 propriate congressional committees” means—

21 (A) the Committee on Commerce, Science,
22 and Transportation and Committee on Home-
23 land Security and Governmental Affairs of the
24 Senate; and

1 (B) the Committee on Homeland Security
2 of the House of Representatives.