

114TH CONGRESS  
1ST SESSION

# H. R. 2843

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IN THE SENATE OF THE UNITED STATES

JULY 28, 2015

Received; read twice and referred to the Committee on Commerce, Science,  
and Transportation

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## AN ACT

To require certain improvements in the Transportation Security Administration's PreCheck expedited screening program, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “TSA PreCheck Expan-  
3 sion Act”.

4 **SEC. 2. DEFINITIONS.**

5 In this Act:

6 (1) ADMINISTRATOR.—The term “Adminis-  
7 trator” means the Administrator of the Transpor-  
8 tation Security Administration.

9 (2) DEPARTMENT.—The term “Department”  
10 means the Department of Homeland Security.

11 (3) TSA.—The term “TSA” means the Trans-  
12 portation Security Administration.

13 **SEC. 3. ENROLLMENT EXPANSION.**

14 (a) IN GENERAL.—Not later than 90 days after the  
15 date of the enactment of this Act, the Administrator shall  
16 publish PreCheck application enrollment standards to add  
17 multiple private sector application capabilities for the TSA  
18 PreCheck program to increase the public’s enrollment ac-  
19 cess to such program, including standards that allow the  
20 use of secure technologies, including online enrollment, ki-  
21 osks, tablets, or staffed laptop stations at which individ-  
22 uals can apply for entry into such program.

23 (b) REQUIREMENTS.—Upon publication of the  
24 PreCheck program application enrollment standards pur-  
25 suant to subsection (a), the Administrator shall—

1           (1) coordinate with interested parties to deploy  
2           TSA-approved ready-to-market private sector solu-  
3           tions that meet the TSA PreCheck application en-  
4           rollment standards described in paragraph (1), make  
5           available additional PreCheck enrollment capabili-  
6           ties, and offer secure online and mobile enrollment  
7           opportunities;

8           (2) partner with the private sector to collect  
9           biographic and biometric identification information  
10          via kiosks, mobile devices, or other mobile enroll-  
11          ment platforms to reduce the number of instances in  
12          which passengers need to travel to enrollment cen-  
13          ters;

14          (3) ensure that the kiosks, mobile devices, or  
15          other mobile enrollment platforms referred to in  
16          paragraph (3) are certified as secure and not vulner-  
17          able to data breaches;

18          (4) ensure that any biometric and biographic  
19          information is collected in a manner which is com-  
20          parable with the National Institute of Standards and  
21          Technology standards and ensures privacy and data  
22          security protections, including that applicants' per-  
23          sonally identifiable information is collected, retained,  
24          used, and shared in a manner consistent with sec-  
25          tion 552a of title 5, United States Code (commonly

1 known as “Privacy Act of 1974”), and agency regu-  
2 lations;

3 (5) ensure that an individual who wants to en-  
4 roll in the PreCheck program and has started an ap-  
5 plication with a single identification verification at  
6 one location will be able to save such individual’s ap-  
7 plication on any kiosk, personal computer, mobile  
8 device, or other mobile enrollment platform and be  
9 able to return within a reasonable time to submit a  
10 second identification verification; and

11 (6) ensure that any enrollment expansion using  
12 a private sector risk assessment instead of a finger-  
13 print-based criminal history records check is deter-  
14 mined, by the Secretary of Homeland Security, to be  
15 equivalent to a fingerprint-based criminal history  
16 records check conducted through the Federal Bu-  
17 reau of Investigation.

18 (c) **MARKETING OF PRECHECK PROGRAM.**—Upon  
19 publication of PreCheck program application enrollment  
20 standards pursuant to subsection (a), the Administrator  
21 shall—

22 (1) in accordance with the standards described  
23 in paragraph (1) of subsection (a), develop and im-  
24 plement—

1 (A) a process, including an associated  
2 timeframe, for approving private sector mar-  
3 keting of the TSA PreCheck program; and

4 (B) a strategy for partnering with the pri-  
5 vate sector to encourage enrollment in such pro-  
6 gram; and

7 (2) submit to Congress a report on any  
8 PreCheck fees collected in excess of the costs of ad-  
9 ministering such program, including recommenda-  
10 tions for using such amounts to support marketing  
11 of such program under this subsection.

12 (d) IDENTITY VERIFICATION ENHANCEMENT.—Not  
13 later than 90 days after the date of the enactment of this  
14 Act, the Administrator shall—

15 (1) coordinate with the heads of appropriate  
16 components of the Department to leverage Depart-  
17 ment-held data and technologies to verify the citizen-  
18 ship of individuals enrolling in the TSA PreCheck  
19 program; and

20 (2) partner with the private sector to use ad-  
21 vanced biometrics and standards comparable with  
22 National Institute of Standards and Technology  
23 standards to facilitate enrollment in such program.

24 (e) PRECHECK LANE OPERATION.—The Adminis-  
25 trator shall—

1           (1) ensure that TSA PreCheck screening lanes  
2           are open and available during peak and high-volume  
3           travel times at airports to individuals enrolled in the  
4           PreCheck program; and

5           (2) make every practicable effort to provide ex-  
6           pedited screening at standard screening lanes during  
7           times when PreCheck screening lanes are closed to  
8           individuals enrolled in such program in order to  
9           maintain operational efficiency.

10          (f) VETTING FOR PRECHECK PARTICIPANTS.—Not  
11          later than 90 days after the date of the enactment of this  
12          Act, the Administrator shall initiate an assessment of the  
13          security vulnerabilities in the vetting process for the  
14          PreCheck program that includes an evaluation of whether  
15          subjecting PreCheck participants to recurrent fingerprint-  
16          based criminal history records checks, in addition to recur-  
17          rent checks against the terrorist watchlist, could be done  
18          in a cost-effective manner to strengthen the security of  
19          the PreCheck program.

Passed the House of Representatives July 27, 2015.

Attest:

KAREN L. HAAS,

*Clerk.*