

Union Calendar No. 167

114TH CONGRESS
1ST SESSION

H. R. 2843

[Report No. 114-221]

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

IN THE HOUSE OF REPRESENTATIVES

JUNE 19, 2015

Mr. KATKO (for himself, Mr. McCAUL, and Mr. ROGERS of Alabama) introduced the following bill; which was referred to the Committee on Homeland Security

JULY 22, 2015

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italic*]

[For text of introduced bill, see copy of bill as introduced on June 19, 2015]

A BILL

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,*

3 **SECTION 1. SHORT TITLE.**

4 *This Act may be cited as the “TSA PreCheck Expans-*
5 *ion Act”.*

6 **SEC. 2. DEFINITIONS.**

7 *In this Act:*

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

11 (2) *DEPARTMENT.*—*The term “Department”*
12 *means the Department of Homeland Security.*

13 (3) *TSA.*—*The term “TSA” means the Trans-*
14 *portation Security Administration.*

15 **SEC. 3. ENROLLMENT EXPANSION.**

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

1 (b) *REQUIREMENTS.*—Upon publication of the
2 *PreCheck* program application enrollment standards pursu-
3 ant to subsection (a), the Administrator shall—

4 (1) *coordinate with interested parties to deploy*
5 *TSA-approved ready-to-market private sector solu-*
6 *tions that meet the TSA PreCheck application enroll-*
7 *ment standards described in paragraph (1), make*
8 *available additional PreCheck enrollment capabilities,*
9 *and offer secure online and mobile enrollment oppor-*
10 *tunities;*

11 (2) *partner with the private sector to collect bio-*
12 *graphic and biometric identification information via*
13 *kiosks, mobile devices, or other mobile enrollment*
14 *platforms to reduce the number of instances in which*
15 *passengers need to travel to enrollment centers;*

16 (3) *ensure that the kiosks, mobile devices, or*
17 *other mobile enrollment platforms referred to in para-*
18 *graph (3) are certified as secure and not vulnerable*
19 *to data breaches;*

20 (4) *ensure that any biometric and biographic in-*
21 *formation is collected in a manner which ensures pri-*
22 *vacancy and data security protections, including that*
23 *applicants' personally identifiable information is*
24 *handled only by individuals who have been properly*
25 *vettted;*

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

9 (6) ensure that any enrollment expansion using
10 a private sector risk assessment instead of a finger-
11 print-based criminal history records check is be deter-
12 mined, by the Administrator, to be equivalent to a
13 fingerprint-based criminal history records check con-
14 ducted through the Federal Bureau of Investigation.

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

19 (1) in accordance with the standards described
20 in paragraph (1) of subsection (a), develop and im-
21 plement—

22 (A) a process, including an associated time-
23 frame, for approving private sector marketing of
24 the TSA PreCheck program; and

1 (B) a strategy for partnering with the pri-
2 vate sector to encourage enrollment in such pro-
3 gram; and

4 (2) submit to Congress a report on any PreCheck
5 fees collected in excess of the costs of administering
6 such program, including recommendations for using
7 such amounts to support marketing of such program
8 under this subsection.

9 (d) *IDENTITY VERIFICATION ENHANCEMENT.*—Not
10 later than 90 days after the date of the enactment of this
11 Act, the Administrator shall—

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

17 (2) partner with the private sector to use ad-
18 vanced biometrics and NIST 800–63–2 identity
19 proofing standards to facilitate enrollment in such
20 program.

21 (e) *PRECHECK LANE OPERATION.*—The Adminis-
22 trator shall—

23 (1) ensure that TSA PreCheck screening lanes
24 are open and available during peak and high-volume

1 *travel times at airports to individuals enrolled in the*
2 *PreCheck program; and*

3 *(2) make every practicable effort to provide expedited*
4 *screening at standard screening lanes during*
5 *times when PreCheck screening lanes are closed to in-*
6 *dividuals enrolled in such program in order to main-*
7 *tain operational efficiency.*

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

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