

**Suspend the Rules and Pass the Bill, H. R. 2843, With an
Amendment**

**(The amendment strikes all after the enacting clause and inserts a
new text)**

114TH CONGRESS
1ST SESSION

H. R. 2843

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

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 Expan-
5 sion Act".

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

3 (1) ADMINISTRATOR.—The term “Adminis-
4 trator” means the Administrator of the Transpor-
5 tation Security Administration.

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

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

10 **SEC. 3. ENROLLMENT EXPANSION.**

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

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

23 (1) coordinate with interested parties to deploy
24 TSA-approved ready-to-market private sector solu-
25 tions that meet the TSA PreCheck application en-
26 rollment standards described in paragraph (1), make

1 available additional PreCheck enrollment capabilities,
2 ties, and offer secure online and mobile enrollment
3 opportunities;

4 (2) partner with the private sector to collect
5 biographic and biometric identification information
6 via kiosks, mobile devices, or other mobile enrollment
7 platforms to reduce the number of instances in
8 which passengers need to travel to enrollment centers;
9

10 (3) ensure that the kiosks, mobile devices, or
11 other mobile enrollment platforms referred to in
12 paragraph (3) are certified as secure and not vulnerable
13 to data breaches;

14 (4) ensure that any biometric and biographic
15 information is collected in a manner which is comparable
16 with the National Institute of Standards and
17 Technology standards and ensures privacy and data
18 security protections, including that applicants' personally
19 identifiable information is collected, retained,
20 used, and shared in a manner consistent with section
21 552a of title 5, United States Code (commonly
22 known as "Privacy Act of 1974"), and agency regulations;
23

24 (5) ensure that an individual who wants to enroll
25 in the PreCheck program and has started an ap-

1 plication with a single identification verification at
2 one location will be able to save such individual's ap-
3 plication on any kiosk, personal computer, mobile
4 device, or other mobile enrollment platform and be
5 able to return within a reasonable time to submit a
6 second identification verification; and

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

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

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

21 (A) a process, including an associated
22 timeframe, for approving private sector mar-
23 keting of 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
5 PreCheck fees collected in excess of the costs of ad-
6 ministering such program, including recommenda-
7 tions for using such amounts to support marketing
8 of such program 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 standards comparable with
19 National Institute of Standards and Technology
20 standards to facilitate enrollment in such 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 ex-
4 pedited screening at standard screening lanes during
5 times when PreCheck screening lanes are closed to
6 individuals enrolled in such program in order to
7 maintain 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
16 in a cost-effective manner to strengthen the security of
17 the PreCheck program.