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(Original Signature of Member)

114TH CONGRESS
1ST SESSION

H. R.

To direct the Administrator of the Transportation Security Administration to limit access to expedited airport security screening at an airport security checkpoint to participants of the PreCheck program and other known low-risk passengers, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. THOMPSON of Mississippi (for himself and Mr. KATKO) introduced the following bill; which was referred to the Committee on

A BILL

To direct the Administrator of the Transportation Security Administration to limit access to expedited airport security screening at an airport security checkpoint to participants of the PreCheck program and other known low-risk passengers, 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 “Securing Expedited
5 Screening Act”.

1 **SEC. 2. FINDINGS.**

2 Congress finds the following:

3 (1) The Aviation and Transportation Security
4 Act (Public Law 107–71) authorized the Transpor-
5 tation Security Administration to “establish require-
6 ments to implement trusted passenger programs and
7 use available technologies to expedite the security
8 screening of passengers who participate in such pro-
9 grams, thereby allowing security screening personnel
10 to focus on those passengers who should be subject
11 to more extensive screening.”.

12 (2) In October 2011, the Transportation Secu-
13 rity Administration began piloting the PreCheck
14 program in which a limited number of passengers
15 who were participants in the frequent flyer programs
16 of domestic air carriers were directed to special
17 screening lanes for expedited security screening.

18 (3) In December 2013, the Transportation Se-
19 curity Administration opened the PreCheck program
20 to eligible passengers who submit biographic and bi-
21 ometric information for a security risk assessment.

22 (4) Today, expedited security screening is pro-
23 vided to passengers who, in general, are members of
24 populations identified by the Administrator of the
25 Transportation Security Administration as pre-
26 senting a low risk to aviation security, including

1 members of populations known and vetted by the
2 Administrator or through another Department of
3 Homeland Security trusted traveler program, and to
4 passengers who are selected by expedited screening
5 on a case-by-case basis through the Transportation
6 Security Administration's Managed Inclusion process
7 and other procedures.

8 (5) According to the Transportation Security
9 Administration, the Managed Inclusion process
10 "combines the use of multiple layers of security to
11 indirectly conduct a real-time assessment of pas-
12 sengers" through the use of Passenger Screening
13 Canine teams, Behavior Detection Officers, Explo-
14 sives Trace Detection (ETD) machines, and other
15 activities.

16 (6) In December 2014, the Comptroller General
17 of the United States concluded in a report entitled
18 "Rapid Growth in Expedited Passenger Screening
19 Highlights Need to Plan Effective Security Assess-
20 ments" that "it will be important for TSA to evalu-
21 ate the security effectiveness of the Managed Inclu-
22 sion process as a whole, to ensure that it is func-
23 tioning as intended and that passengers are being
24 screened at a level commensurate with their risk".

1 (7) On March 16, 2015, the Inspector General
2 of the Department of Homeland Security released a
3 report entitled “Allegation of Granting Expedited
4 Screening through TSA PreCheck Improperly”, in
5 which the Inspector General determined that the
6 Transportation Security Administration granted ex-
7 pedited security screening at a PreCheck security
8 lane to a passenger who had served time in prison
9 for felonies committed as a member of a domestic
10 terrorist group and who was not a participant in the
11 PreCheck program.

12 **SEC. 3. LIMITATION; PRECHECK OPERATIONS MAINTAINED;**

13 **ALTERNATE METHODS.**

14 (a) IN GENERAL.—Not later than 180 days after the
15 date of the enactment of this Act, the Administrator of
16 the Transportation Security Administration shall direct
17 that access to expedited airport security screening at an
18 airport security checkpoint be limited to only the fol-
19 lowing:

20 (1) A passenger who voluntarily submits bio-
21 graphic and biometric information for a security risk
22 assessment and whose application for the PreCheck
23 program has been approved, or a passenger who is
24 a participant in another trusted traveler program of
25 the Department of Homeland Security.

1 (2) A passenger traveling pursuant to section
2 44903 of title 49, United States Code (as estab-
3 lished under the Risk-Based Security for Members
4 of the Armed Forces Act (Public Law 112–86)), sec-
5 tion 44927 of such title (as established under the
6 Helping Heroes Fly Act (Public Law 113–27)), or
7 section 44928 of such title (as established under the
8 Honor Flight Act (Public Law 113–221)).

9 (3) A passenger who did not voluntarily submit
10 biographic and biometric information for a security
11 risk assessment but is a member of a population
12 designated by the Administrator of the Transpor-
13 tation Security Administration as known and low-
14 risk and who may be issued a unique, known trav-
15 eler number by the Administrator determining that
16 such passenger is a member of a category of trav-
17 elers designated by the Administrator as known and
18 low-risk.

19 (4) A passenger who is—

20 (A) 75 years old or older; or

21 (B) 12 years old or under and is traveling
22 with a parent or guardian who is a participant
23 in the PreCheck program.

24 (b) PRECHECK OPERATIONS MAINTAINED.—In car-
25 rying out subsection (a), the Administrator of the Trans-

1 portation Security Administration shall ensure that expedited airport security screening remains available to passengers at or above the level that exists on the day before the date of the enactment of this Act.

5 (c) ALTERNATE METHODS.—The Administrator of the Transportation Security Administration may provide access to expedited airport security screening to additional passengers pursuant to an alternate method upon the submission to the Committee on Homeland Security of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate of an independent assessment of the security effectiveness of such alternate method that is conducted by an independent entity that determines that such alternate method is designed to—

16 (1) reliably and effectively identify passengers who likely pose a low risk to the United States aviation system;

19 (2) mitigate the likelihood that a passenger who may pose a security threat to the United States aviation system is selected for expedited security screening; and

23 (3) address known and evolving security risks to the United States aviation system.

1 (d) INFORMATION SHARING.—The Administrator of
2 the Transportation Security Administration shall provide
3 to the entity conducting the independent assessment under
4 subsection (c) effectiveness testing results that are con-
5 sistent with established evaluation design practices, as
6 identified by the Comptroller General of the United
7 States.

8 **SEC. 4. REPORTING.**

9 Not later than three months after the date of the en-
10 actment of this Act and annually thereafter, the Adminis-
11 trator of the Transportation Security Administration shall
12 report to the Committee on Homeland Security of the
13 House of Representatives and the Committee on Com-
14 merce, Science, and Transportation of the Senate on the
15 percentage of all passengers who are provided expedited
16 security screening, and of such passengers so provided, the
17 percentage who are participants in the PreCheck program
18 (who have voluntarily submitted biographic and biometric
19 information for security risk assessments), the percentage
20 who are participants in another trusted traveler program
21 of the Department of Homeland Security, the percentage
22 who are participants in the PreCheck program due to the
23 Administrator's issuance of known traveler numbers, and
24 for the remaining percentage of passengers granted access
25 to expedited security screening in PreCheck security lanes,

1 information on the percentages attributable to each alter-
2 native method utilized by the Transportation Security Ad-
3 ministration to direct passengers to expedited airport se-
4 curity screening at PreCheck security lanes.

5 **SEC. 5. RULE OF CONSTRUCTION.**

6 Nothing in this Act may be construed to—

7 (1) authorize or direct the Administrator of the
8 Transportation Administration to reduce or limit the
9 availability of expedited security screening at an air-
10 port; or

11 (2) limit the authority of the Administrator to
12 use technologies and systems, including passenger
13 screening canines and explosives trace detection, as
14 a part of security screening operations.