

TRUSTED TRAVELER RECONSIDERATION AND
RESTORATION ACT OF 2019

AUGUST 30, 2019.—Committed to the Committee of the Whole House on the State
of the Union and ordered to be printed

Mr. THOMPSON of Mississippi, from the Committee on Homeland
Security, submitted the following

R E P O R T

[To accompany H.R. 3675]

[Including cost estimate of the Congressional Budget Office]

The Committee on Homeland Security, to whom was referred the
bill (H.R. 3675) to require a review of Department of Homeland Se-
curity trusted traveler programs, and for other purposes, having
considered the same, report favorably thereon without amendment
and recommend that the bill do pass.

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PURPOSE AND SUMMARY

The purpose of H.R. 3675, the “Trusted Traveler Reconsideration
and Restoration Act of 2019” is to require the Comptroller General
to review the Department of Homeland Security (DHS) trusted

traveler programs to evaluate the process for review and redress when someone is denied enrollment in a program due to incorrect information.

BACKGROUND AND NEED FOR LEGISLATION

DHS maintains a number of trusted traveler programs where travelers identified as low risk are provided expedited screening, allowing DHS to focus on those that pose a greater threat. They include the Transportation Security Administration's PreCheck program and United States Customs and Border Protection's Global Entry, Nexus, Sentri, and FAST programs. Over the years, there have been accounts of instances where individuals have been erroneously deemed to not meet the security parameters for enrollment in DHS trusted traveler programs. Misidentification or misinformation impair an agency's ability to appropriately make these determinations and limit the public's willingness to invest in trusted traveler enrollments. H.R. 3675 requires the Government Accountability Office (GAO) to undertake a close review of DHS's trusted traveler programs to identify issues with identity-matching and redress processes. Such a review will allow DHS to ensure that trusted traveler programs are working effectively and that individuals seeking to participate are subject to consistent processes that ensure fair treatment.

HEARINGS

For the purpose of section 103(i) of H. Res 6. Of the 116th Congress the following related hearings were held:

On February 27, 2018, the Committee held a hearing entitled "The Public Face of TSA: Examining the Agency's Outreach and Traveler Engagement Efforts," and on June 4, 2019, the Committee held a hearing entitled "Perspectives on TSA Policies to Prevent Unlawful Profiling."

COMMITTEE CONSIDERATION

The Committee met on July 17, 2019, with a quorum being present, to consider H.R. 3675 and ordered the measure to be reported to the House with a favorable recommendation, without amendment, by unanimous consent.

COMMITTEE VOTES

Clause 3(b) of rule XIII of the Rules of the House of Representatives requires the Committee to list the recorded votes on the motion to report legislation and amendments thereto.

No recorded votes were requested during consideration of H.R. 3675.

COMMITTEE OVERSIGHT FINDINGS

In compliance with clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee advises that the findings and recommendations of the Committee, based on oversight activities under clause 2(b)(1) of rule X of the Rules of the House of Representatives, are incorporated in the descriptive portions of this report.

CONGRESSIONAL BUDGET OFFICE ESTIMATE NEW BUDGET AUTHORITY,
ENTITLEMENT AUTHORITY, AND TAX EXPENDITURES

With respect to the requirements of clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974 and with respect to requirements of clause (3)(c)(3) of rule XIII of the Rules of the House of Representatives and section 402 of the Congressional Budget Act of 1974, The Committee adopts as its own the cost estimate prepared by the Director of the Congressional Budget Office.

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, August 6, 2019.

Hon. BENNIE G. THOMPSON,
*Chairman, Committee on Homeland Security,
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 3675, the Trusted Traveler Reconsideration and Restoration Act of 2019.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Madeleine Fox.

Sincerely,

MARK P. HADLEY
(For Phillip L. Swagel, Director).

Enclosure.

H.R. 3675, Trusted Traveler Reconsideration and Restoration Act of 2019			
As ordered reported by the House Committee on Homeland Security on July 17, 2019.			
By Fiscal Year, Millions of Dollars	2019	2019-2024	2019-2029
Direct Spending (Outlays)	0	0	0
Revenues	0	0	0
Increase or Decrease (-) in the Deficit	0	0	0
Spending Subject to Appropriation (Outlays)	0	*	*
Statutory pay-as-you-go procedures apply?	No	Mandate Effects	
Increases on-budget deficits in any of the four consecutive 10-year periods beginning in 2030?	No	Contains intergovernmental mandate?	No
		Contains private-sector mandate?	No
* = between zero and \$500,000.			

H.R. 3675 would require the Government Accountability Office (GAO) to conduct a review of the Department of Homeland Security's (DHS) trusted traveler programs, which expedites the security process at airports. Using information about the cost of other GAO studies, CBO estimates that implementing H.R. 3675 would cost less than \$500,000.

The CBO staff contact for this estimate is Madeleine Fox. The estimate was reviewed by H. Samuel Papenfuss, Deputy Assistant Director for Budget Analysis.

FEDERAL MANDATES STATEMENT

The Committee adopts as its own the cost estimate prepared by the Director of the Congressional Budget Office.

DUPLICATIVE FEDERAL PROGRAMS

Pursuant to clause 3(c) of rule XIII, the Committee finds that H.R. 3675 does not contain any provision that establishes or reauthorizes a program known to be duplicative of another Federal program.

PERFORMANCE GOALS AND OBJECTIVES

The Committee states that pursuant to clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, H.R. 3675 would require the Comptroller General to review all trusted traveler programs to ensure the public is able to apply for reconsideration and restoration of their enrollment in a program for which they were mistakenly denied enrollment.

ADVISORY ON EARMARKS

In compliance with rule XXI of the Rules of the House of Representatives, this bill, as reported, contains no congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of the rule XXI.

SECTION-BY-SECTION ANALYSIS OF THE LEGISLATION

Section 1. Short title

This section provides that this bill may be cited as the “Trusted Traveler Reconsideration and Restoration Act of 2019.”

Section 2. Comptroller general review

This section requires that within one year after enactment of this Act, the Government Accountability Office conduct a review of the Department of Homeland Security’s trusted traveler programs. This review must include (1) the extent to which the Department tracks data and monitors trends related to trusted traveler programs including root causes for identity-matching errors resulting in an individual’s enrollment being reinstated; (2) whether the Department coordinates with the heads of other relevant Federal, State, local, Tribal, or territorial entities regarding redress procedures for disqualifying offenses not covered by the Department’s redress processes but that impact enrollment in a trusted traveler program; (3) how the Department may improve access to reconsideration processes to address a disqualifying offense that requires involvement by another Federal, State, local, Tribal, or territorial entity for enrollment in a trusted traveler program; and (4) the extent to which travelers are informed about reconsideration procedures pertaining to enrollment in a trusted traveler program.

Section 3. Enrollment redress

This section requires the Secretary of Homeland Security to extend enrollment in a trusted traveler program for an individual who was revoked in error, notwithstanding any other provision of

law. The extension must be equal to the period of revocation when re-enrollment by the individual in the trusted program occurs.

