

tegic plan the Secretary was required by subsec. (b) of this section to have issued within 90 days after Dec. 17, 2004.

ADVANCED AIRPORT CHECKPOINT SCREENING DEVICES

Pub. L. 108-458, title IV, §4014, Dec. 17, 2004, 118 Stat. 3720, directed the Assistant Secretary of Homeland Security (Transportation Security Administration), not later than Mar. 31, 2005, to develop and initiate a pilot program to deploy and test advanced airport checkpoint screening devices and technology as an integrated system at not less than 5 airports in the United States.

§ 44926. Appeal and redress process for passengers wrongly delayed or prohibited from boarding a flight

(a) IN GENERAL.—The Secretary of Homeland Security shall establish a timely and fair process for individuals who believe they have been delayed or prohibited from boarding a commercial aircraft because they were wrongly identified as a threat under the regimes utilized by the Transportation Security Administration, United States Customs and Border Protection, or any other office or component of the Department of Homeland Security.

(b) OFFICE OF APPEALS AND REDRESS.—

(1) ESTABLISHMENT.—The Secretary shall establish in the Department an Office of Appeals and Redress to implement, coordinate, and execute the process established by the Secretary pursuant to subsection (a). The Office shall include representatives from the Transportation Security Administration, United States Customs and Border Protection, and such other offices and components of the Department as the Secretary determines appropriate.

(2) RECORDS.—The process established by the Secretary pursuant to subsection (a) shall include the establishment of a method by which the Office, under the direction of the Secretary, will be able to maintain a record of air carrier passengers and other individuals who have been misidentified and have corrected erroneous information.

(3) INFORMATION.—To prevent repeated delays of a misidentified passenger or other individual, the Office shall—

(A) ensure that the records maintained under this subsection contain information determined by the Secretary to authenticate the identity of such a passenger or individual;

(B) furnish to the Transportation Security Administration, United States Customs and Border Protection, or any other appropriate office or component of the Department, upon request, such information as may be necessary to allow such office or component to assist air carriers in improving their administration of the advanced passenger prescreening system and reduce the number of false positives; and

(C) require air carriers and foreign air carriers take action to identify passengers determined, under the process established under subsection (a), to have been wrongly identified.

(4) HANDLING OF PERSONALLY IDENTIFIABLE INFORMATION.—The Secretary, in conjunction

with the Chief Privacy Officer of the Department shall—

(A) require that Federal employees of the Department handling personally identifiable information of passengers (in this paragraph referred to as “PII”) complete mandatory privacy and security training prior to being authorized to handle PII;

(B) ensure that the records maintained under this subsection are secured by encryption, one-way hashing, other data anonymization techniques, or such other equivalent security technical protections as the Secretary determines necessary;

(C) limit the information collected from misidentified passengers or other individuals to the minimum amount necessary to resolve a redress request;

(D) require that the data generated under this subsection shall be shared or transferred via a secure data network, that has been audited to ensure that the anti-hacking and other security related software functions properly and is updated as necessary;

(E) ensure that any employee of the Department receiving the data contained within the records handles the information in accordance with the section 552a of title 5, United States Code, and the Federal Information Security Management Act of 2002 (Public Law 107-296);

(F) only retain the data for as long as needed to assist the individual traveler in the redress process; and

(G) conduct and publish a privacy impact assessment of the process described within this subsection and transmit the assessment to the Committee on Homeland Security of the House of Representatives, the Committee on Commerce, Science, and Transportation of the Senate, and Committee on Homeland Security and Governmental Affairs of the Senate.

(5) INITIATION OF REDRESS PROCESS AT AIRPORTS.—The Office shall establish at each airport at which the Department has a significant presence a process to provide information to air carrier passengers to begin the redress process established pursuant to subsection (a).

(Added Pub. L. 110-53, title XVI, §1606(a), Aug. 3, 2007, 121 Stat. 482; amended Pub. L. 115-254, div. K, title I, §1991(d)(22), Oct. 5, 2018, 132 Stat. 3637.)

Editorial Notes

REFERENCES IN TEXT

The Federal Information Security Management Act of 2002, referred to in subsec. (b)(4)(E), is title X of Pub. L. 107-296, Nov. 25, 116 Stat. 2259. For complete classification of this Act to the Code, see Short Title note set out under section 101 of Title 6, Domestic Security, and Tables.

AMENDMENTS

2018—Subsec. (b)(3). Pub. L. 115-254 substituted “a misidentified passenger” for “an misidentified passenger” in introductory provisions.

§ 44927. Expedited screening for severely injured or disabled members of the Armed Forces and severely injured or disabled veterans

(a) PASSENGER SCREENING.—The Administrator of the Transportation Security Administration,

in consultation with the Secretary of Defense, the Secretary of Veterans Affairs, and organizations identified by the Secretaries of Defense and Veterans Affairs that advocate on behalf of severely injured or disabled members of the Armed Forces and severely injured or disabled veterans, shall develop and implement a process to support and facilitate the ease of travel and to the extent possible provide expedited passenger screening services for severely injured or disabled members of the Armed Forces and severely injured or disabled veterans through passenger screening. The process shall be designed to offer the individual private screening to the maximum extent practicable.

(b) OPERATIONS CENTER.—As part of the process under subsection (a), the Administrator of the Transportation Security Administration shall maintain an operations center to provide support and facilitate the movement of severely injured or disabled members of the Armed Forces and severely injured or disabled veterans through passenger screening prior to boarding a passenger aircraft operated by an air carrier or foreign air carrier in air transportation or intrastate air transportation.

(c) PROTOCOLS.—The Administrator of the Transportation Security Administration shall—

(1) establish and publish protocols, in consultation with the Secretary of Defense, the Secretary of Veterans Affairs, and the organizations identified under subsection (a), under which a severely injured or disabled member of the Armed Forces or severely injured or disabled veteran, or the family member or other representative of such member or veteran, may contact the operations center maintained under subsection (b) and request the expedited passenger screening services described in subsection (a) for that member or veteran; and

(2) upon receipt of a request under paragraph (1), require the operations center to notify the appropriate Federal Security Director of the request for expedited passenger screening services, as described in subsection (a), for that member or veteran.

(d) TRAINING.—The Administrator of the Transportation Security Administration shall integrate training on the protocols established under subsection (c) into the training provided to all employees who will regularly provide the passenger screening services described in subsection (a).

(e) RULE OF CONSTRUCTION.—Nothing in this section shall affect the authority of the Administrator of the Transportation Security Administration to require additional screening of a severely injured or disabled member of the Armed Forces, a severely injured or disabled veteran, or their accompanying family members or nonmedical attendants, if intelligence, law enforcement, or other information indicates that additional screening is necessary.

(f) REPORTS.—Each year, the Administrator of the Transportation Security Administration shall submit to Congress a report on the implementation of this section. Each report shall include each of the following:

(1) Information on the training provided under subsection (d).

(2) Information on the consultations between the Administrator of the Transpor-

tation Security Administration and the organizations identified under subsection (a).

(3) The number of people who accessed the operations center during the period covered by the report.

(4) Such other information as the Administrator of the Transportation Security Administration determines is appropriate.

(g) AVAILABILITY OF PRECHECK PROGRAM TO CERTAIN SEVERELY INJURED OR DISABLED VETERANS.—

(1) IN GENERAL.—A veteran described in paragraph (2) is eligible for security screening under the PreCheck Program under section 44919 at no cost to the veteran if the veteran is able to meet the background check and other security requirements for participation in the Program.

(2) VETERANS DESCRIBED.—A veteran described in this paragraph is a veteran who—

(A) is enrolled in the patient enrollment system of the Department of Veterans Affairs established and operated under section 1705 of title 38, United States Code;

(B) has been determined by the Secretary of Veterans Affairs to have a service-connected disability under section 1110 or 1131 of such title, as the case may be, and such disability has been determined by such Secretary to have resulted in—

- (i) loss, or loss use¹ of, an extremity;
- (ii) paralysis or partial paralysis; or
- (iii) permanent blindness; and

(C) as a result of a loss, paralysis or partial paralysis, or blindness described in subparagraph (B), requires the use of a wheelchair, prosthetic limb, or other assistive device to aid with mobility.

(3) LIMITATION.—The Administrator of the Transportation Security Administration shall carry out this subsection subject to the availability of appropriations and may not increase fees for enrollment in the PreCheck Program for such purpose.

(Added Pub. L. 113-27, §2(a), Aug. 9, 2013, 127 Stat. 503; amended Pub. L. 115-254, div. K, title I, §1991(d)(23), Oct. 5, 2018, 132 Stat. 3637; Pub. L. 118-238, §2(a), Jan. 4, 2025, 138 Stat. 2923.)

Editorial Notes

AMENDMENTS

2025—Subsec. (g). Pub. L. 118-238 added subsec. (g).

2018—Pub. L. 115-254, §1991(d)(23)(A), substituted “Administrator of the Transportation Security Administration” for “Assistant Secretary” wherever appearing.

Subsec. (a). Pub. L. 115-254, §1991(d)(23)(B), substituted “Veterans Affairs that” for “Veteran Affairs that”.

Subsec. (f). Pub. L. 115-254, §1991(d)(23)(C), substituted “Reports” for “Report” in heading and “Each year,” for “Not later than 1 year after the date of enactment of this section, and annually thereafter,” in introductory provisions.

Statutory Notes and Related Subsidiaries

COORDINATION ON IMPLEMENTATION

Pub. L. 118-238, §2(b), Jan. 4, 2025, 138 Stat. 2923, provided that: “The Administrator of the Transportation

¹ So in original. Probably should be “loss of use”.

Security Administration and the Secretary of Veterans Affairs shall jointly—

“(1) implement a process under which a veteran described in paragraph (2) of subsection (g) of section 44927 of title 49, United States Code, as added by subsection (a), can receive the benefits under such subsection by not later than one year after the date of enactment of this Act [Jan. 4, 2025]; and

“(2) provide to the Committee on Homeland Security and the Committee on Veterans’ Affairs of the House of Representatives and the Committee on Homeland Security and Governmental Affairs and the Committee on Veterans’ Affairs of the Senate a briefing on the status of implementing the process required by paragraph (1) by not later than one year after the date of the enactment of this Act.”

OUTREACH FOR DISABLED VETERANS ON AVAILABILITY OF TRANSPORTATION SECURITY ADMINISTRATION PROGRAMS

Pub. L. 118–238, §2(c), Jan. 4, 2025, 138 Stat. 2924, provided that:

“(1) **COORDINATION.**—The Secretary of Veterans Affairs and the Administrator of the Transportation Security Administration shall implement a process under which such Secretary provides to disabled veterans effective outreach regarding Transportation Security Administration programs designed to improve the screening process for passengers with disabilities.

“(2) **FURTHER ENHANCEMENTS TO EASE AIR TRAVEL FOR WOUNDED WARRIORS AND OTHER DISABLED VETERANS.**—Notwithstanding subchapter I of chapter 35 of title 44, United States Code (commonly referred to as the ‘Paperwork Reduction Act’), or any other provision of law, the Secretary of Veterans Affairs, in coordination with the Administrator of the Transportation Security Administration, shall—

“(A) engage appropriate veterans service organizations and other relevant organizations, as appropriate, to assess the awareness of veterans of relevant Transportation Security Administration programs; and

“(B) examine the need and feasibility of other measures to improve travel security procedures for disabled veterans.

“(3) **BRIEFING REQUIREMENT.**—Not later than 180 days after the date of the enactment of this Act [Jan. 4, 2025], the Secretary of Veterans Affairs and the Administrator of the Transportation Security Administration shall jointly provide to the Committee on Homeland Security and the Committee on Veterans’ Affairs of the House of Representatives and the Committee on Homeland Security and Governmental Affairs and the Committee on Veterans’ Affairs of the Senate a briefing on the status of the implementation of paragraphs (1) and (2).”

§ 44928. Honor Flight program

The Administrator of the Transportation Security Administration shall establish, in collaboration with the Honor Flight Network or other not-for-profit organization that honors veterans, a process for providing expedited and dignified passenger screening services for veterans traveling on an Honor Flight Network private charter, or such other not-for-profit organization that honors veterans, to visit war memorials built and dedicated to honor the service of such veterans.

(Added Pub. L. 113–221, §2(a), Dec. 16, 2014, 128 Stat. 2094.)

§ 44929. Donation of screening equipment to protect the United States

(a) **IN GENERAL.**—Subject to subsection (b), the Administrator is authorized to donate security

screening equipment to a foreign last point of departure airport operator if such equipment can be reasonably expected to mitigate a specific vulnerability to the security of the United States or United States citizens.

(b) **CONDITIONS.**—Before donating any security screening equipment to a foreign last point of departure airport operator the Administrator shall—

(1) ensure that the screening equipment has been restored to commercially available settings;

(2) ensure that no TSA-specific security standards or algorithms exist on the screening equipment; and

(3) verify that the appropriate officials have an adequate system—

(A) to properly maintain and operate the screening equipment; and

(B) to document and track any removal or disposal of the screening equipment to ensure the screening equipment does not come into the possession of terrorists or otherwise pose a risk to security.

(c) **REPORTS.**—Not later than 30 days before any donation of security screening equipment under subsection (a), the Administrator shall provide to the Committee on Commerce, Science, and Transportation and the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives a detailed written explanation of the following:

(1) The specific vulnerability to the United States or United States citizens that will be mitigated by such donation.

(2) An explanation as to why the recipient of such donation is unable or unwilling to purchase security screening equipment to mitigate such vulnerability.

(3) An evacuation plan for sensitive technologies in case of emergency or instability in the country to which such donation is being made.

(4) How the Administrator will ensure the security screening equipment that is being donated is used and maintained over the course of its life by the recipient.

(5) The total dollar value of such donation.

(6) How the appropriate officials will document and track any removal or disposal of the screening equipment by the recipient to ensure the screening equipment does not come into the possession of terrorists or otherwise pose a risk to security.

(Added Pub. L. 115–254, div. K, title I, §1955(a)(1), Oct. 5, 2018, 132 Stat. 3595.)

SUBCHAPTER II—ADMINISTRATION AND PERSONNEL

§ 44931. Authority to exempt

The Secretary of Homeland Security may grant an exemption from a regulation prescribed in carrying out sections 44901, 44903, 44906, 44909(c), and 44935–44937 of this title when the Secretary decides the exemption is in the public interest.

(Added Pub. L. 115–254, div. K, title I, §1991(j)(1), Oct. 5, 2018, 132 Stat. 3645.)