

116TH CONGRESS }
1st Session }

SENATE

{ REPORT
116-187

VETERANS EXPEDITED TSA SCREENING SAFE
TRAVEL ACT

R E P O R T

OF THE

COMMITTEE ON COMMERCE, SCIENCE, AND
TRANSPORTATION

OF THE

UNITED STATES SENATE



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SENATE COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

ONE HUNDRED SIXTEENTH CONGRESS

FIRST SESSION

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VETERANS EXPEDITED TSA SCREENING SAFE TRAVEL ACT

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Mr. WICKER, from the Committee on Commerce, Science, and
Transportation, submitted the following

R E P O R T

[Including cost estimate of the Congressional Budget Office]

The Committee on Commerce, Science, and Transportation, to which was referred the bill (S. 1881) to provide PreCheck to certain severely injured or disabled veterans, and for other purposes, having considered the same, ordered to be reported favorably thereon without amendment and recommended that the bill do pass. The bill was discharged and passed without amendment in the Senate by unanimous consent.

PURPOSE OF THE BILL

This legislation would provide TSA PreCheck as a no cost benefit for qualified Veterans who are amputees, blind, or paralyzed.

BACKGROUND AND NEEDS

According to the Transportation Security Administration (TSA), the use of TSA PreCheck in conjunction with TSA Cares (a helpline for veterans with disabilities, medical conditions and other special circumstances) would provide the best experience for these disabled veterans. There are approximately 70,000¹ amputee veterans, 100,000² paralyzed veterans, and 130,000³ legally blind veterans in this country. Providing no-cost TSA PreCheck to selected severely disabled veterans would make it easier and less time con-

¹U.S. Department of Veterans Affairs, Veterans Health Administration Amputee Cube.

²Paralyzed Veterans of America, Frequently Asked Questions (<https://www.pva.org/about-us/frequently-asked-questions/>) (“There are an estimated 100,000 American veterans with a spinal cord injury or disease.”).

³U.S. Department of Veterans Affairs, Office of Research & Development. VA Research on Vision Loss (<https://www.research.va.gov/topics/visionloss.cfm>) (noting that “VA’s Office of Blind Rehabilitation Services estimates that there are approximately 130,000 Veterans in the United States who are legally blind”).

suming for them to clear the checkpoint. TSA has stated that available carryover funds would cover the initial enrollment fee for all covered disabled veterans (5 years) without impact to TSA PreCheck fees charged to others.⁴

TSA PreCheck involves a vetting process that assures TSA it is dealing with a trusted traveler.

SUMMARY OF PROVISIONS

S. 1881 would do the following:

- Provide certain disabled veterans with access to the PreCheck Program 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.
- Defines eligible veterans as those who “have had a loss, or loss of use, of a limb, have become paralyzed or partially paralyzed, have incurred permanent blindness; and as a result of that loss, paralyzation or partial paralyzation, or blindness, to require the use of a wheelchair, prosthetic limb, or other assistive device to aid with mobility”.
- Requires the TSA Administrator and the Secretary of Veterans Affairs to develop and implement a process for providing TSA with the data needed to validate the eligibility of a veteran for no-cost enrollment in the PreCheck Program within 180 days of enactment of the Act.

LEGISLATIVE HISTORY

S. 1881 was introduced on June 18, 2019, by Senator Young (for himself and Senator Duckworth) and was referred to the Committee on Commerce, Science, and Transportation of the Senate. Senators Tester and Braun are additional cosponsors. On July 10, 2019, the Committee met in open Executive Session and, by voice vote, ordered S. 1881 reported favorably without amendment. On September 10, 2019, the bill was discharged and passed in the Senate without amendment by unanimous consent. On September 11, 2019, S. 1881 was received in the House of Representatives.

ESTIMATED COSTS

In accordance with paragraph 11(a) of rule XXVI of the Standing Rules of the Senate and section 403 of the Congressional Budget Act of 1974, the Committee provides the following cost estimate, prepared by the Congressional Budget Office:

⁴Transportation Security Administration technical drafting assistance provided on July 25, 2019.

S. 1881, VETS Safe Travel Act			
As passed by the Senate on September 10, 2019.			
By Fiscal Year, Millions of Dollars	2020	2020-2024	2020-2029
Direct Spending (Outlays)	0	0	0
Revenues	0	0	0
Increase or Decrease (-) in the Deficit	0	0	0
Spending Subject to Appropriation (Outlays)	*	5	Not estimated
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			

S. 1881 would waive the \$85 fee for disabled veterans, as defined in the act, who wish to enroll in the PreCheck program operated by the Transportation Security Administration (TSA). PreCheck expedites the security screening process for commercial airline travelers. Those veterans also would need to meet the applicable security requirements for participating in PreCheck. About 7 million people (or 3 percent of the adult population) are enrolled in PreCheck. The \$85 fee covers all of TSA's costs to enroll a person in the program.

Using information from the Department of Veterans Affairs (VA), CBO estimates that around 300,000 veterans would meet the qualifications for the fee waiver. CBO expects that some of the veterans who would qualify for the fee waiver would probably take advantage of the fee waiver to reenroll over the next five years while other veterans would enroll in PreCheck for the first time.

CBO has no specific data on disabled veterans enrolled in PreCheck, but we assume that disabled veterans are enrolled at about the same rate as the population as a whole. On that basis, CBO estimates that around 3 percent of disabled veterans (or about 9,000 veterans) are already enrolled in the program and would reenroll at no cost over the next five years. CBO estimates another 60,000 eligible veterans would enroll for the first time over the next five years. The cost to conduct background checks would not change, but more appropriated funds would be required to compensate TSA for the loss of the fee income under the legislation. Thus, CBO estimates that assuming availability of appropriated funds, implementing the legislation would cost about \$5 million over the 2020–2024 period.

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

REGULATORY IMPACT STATEMENT

In accordance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee provides the following evaluation of the regulatory impact of the legislation, as reported:

NUMBER OF PERSONS COVERED

S. 1881, as reported, would not create any new programs and thus will have no additional regulatory impact. It also would not generate additional reporting requirements and have no further effect on the number or types of individuals and businesses regulated.

ECONOMIC IMPACT

S. 1881, as reported, would have no further effect on the economic impact of such regulation.

PRIVACY

S. 1881, as reported, would have no further effect on the personal privacy of affected individuals.

PAPERWORK

S. 1881, as reported, would have no further effect on the paperwork required from individuals and businesses. It would require the TSA Administrator and Secretary of Veterans Affairs to develop and implement a new process for providing TSA with the data needed to validate the eligibility of applying veterans.

CONGRESSIONALLY DIRECTED SPENDING

In compliance with paragraph 4(b) of rule XLIV of the Standing Rules of the Senate, the Committee provides that no provisions contained in the bill, as reported, meet the definition of congressionally directed spending items under the rule.

SECTION-BY-SECTION ANALYSIS

Section 1. Short title

This section would provide that the bill may be cited as the “Veterans Expedited TSA Screening Safe Travel Act” or the “VETS Safe Travel Act”.

Section 2. Availability of PreCheck Program to certain severely injured or disabled veterans

This section would make certain severely injured or disabled veterans eligible for access to the PreCheck Program 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. The section also would define eligible veterans as those who “have had a loss, or loss of use, of a limb, have become paralyzed or partially paralyzed, have incurred permanent blindness; and as a result of that loss, paralyzation or partial paralyzation, or blindness, to require the use of a wheelchair, prosthetic limb, or other assistive device to aid with mobility”. Finally, the section would require the TSA Administrator and the Secretary of Veterans Affairs, within 180 days of the date of enactment of the Act, to develop and implement a process for providing TSA with the data needed to validate the eligibility of a veteran for no-cost enrollment in the PreCheck Program.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new material is printed in italic, existing law in which no change is proposed is shown in roman):

TITLE 49—TRANSPORTATION

SUBTITLE VII—AVIATION PROGRAMS

PART A—AIR COMMERCE AND SAFETY

SUBPART III—SAFETY

CHAPTER 449—SECURITY

SUBCHAPTER I—REQUIREMENTS

§ 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 Transportation 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 determined by the Secretary of Veterans Affairs—

(A)(i) to have had a loss, or loss of use, of a limb;
(ii) to have become paralyzed or partially paralyzed; or
(iii) to have incurred permanent blindness; and

(B) as a result of that loss, paralyzation or partial paralyzation, or blindness, to require the use of a wheelchair, prosthetic limb, or other assistive device to aid with mobility.