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(Original Signature of Member)

119TH CONGRESS
2D SESSION

H. R. _____

To amend the Homeland Security Act of 2002 to prohibit the Secretary of Homeland Security from accessing or utilizing certain information to carry out certain functions of U.S. Customs and Border Protection or U.S. Immigration and Customs Enforcement and from carrying out certain actions regarding Trusted Traveler programs, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Ms. TLAIB introduced the following bill; which was referred to the Committee
on _____

A BILL

To amend the Homeland Security Act of 2002 to prohibit the Secretary of Homeland Security from accessing or utilizing certain information to carry out certain functions of U.S. Customs and Border Protection or U.S. Immigration and Customs Enforcement and from carrying out certain actions regarding Trusted Traveler programs, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “No TSA Data for ICE
3 Act”.

4 **SEC. 2. PROHIBITIONS REGARDING INFORMATION SHAR-**
5 **ING AND TRUSTED TRAVELER PROGRAMS.**

6 (a) IN GENERAL.—Title VII of the Homeland Secu-
7 rity Act of 2002 (6 U.S.C. 341 et seq.) is amended by
8 adding at the end the following new section:

9 **“SEC. 714. PROHIBITIONS REGARDING INFORMATION**
10 **SHARING AND TRUSTED TRAVELER PRO-**
11 **GRAMS.**

12 “(a) INFORMATION SHARING.—The Secretary may
13 neither access nor utilize, whether through direct means
14 or indirect means, such as Mobile Fortify or another simi-
15 lar application, specified information to carry out a func-
16 tion of any of the following:

17 “(1) U.S. Customs and Border Protection.

18 “(2) U.S. Immigration and Customs Enforce-
19 ment.

20 “(b) TRUSTED TRAVELER PROGRAMS.—

21 “(1) IN GENERAL.—The Secretary may not
22 deny, suspend, or early terminate an individual’s en-
23 rollment in a program specified in paragraph (2) on
24 the basis of such individual’s participation in an ac-
25 tivity protected by the First Amendment to the Con-
26 stitution of the United States.

1 “(2) PROGRAMS SPECIFIED.—A program speci-
2 fied in this paragraph is any of the following:

3 “(A) The PreCheck Program under section
4 44919 of title 49, United States Code.

5 “(B) The Global Entry, SENTRI, and
6 FAST programs under subsection (k) of section
7 7208 of the Intelligence Reform and Terrorism
8 Prevention Act of 2004 (8 U.S.C. 1365b).

9 “(C) The NEXUS program under section
10 404 of the Enhanced Border Security and Visa
11 Entry Reform Act of 2002 (8 U.S.C. 1753).

12 “(D) The Asia-Pacific Economic Coopera-
13 tion Business Travel Card program under sec-
14 tion 418.

15 “(c) SPECIFIED INFORMATION DEFINED.—In this
16 section, the term ‘specified information’ means any of the
17 following:

18 “(1) Information from the Transportation Se-
19 curity Administration.

20 “(2) Data that satisfies the following require-
21 ments:

22 “(A) Includes personally identifiable infor-
23 mation of a flight passenger.

24 “(B) Is from a private sector entity that
25 brokers such data.”.

1 (b) CLERICAL AMENDMENT.—The table of contents
2 in section 1(b) of the Homeland Security Act of 2002 is
3 amended by inserting after the item relating to section
4 713 the following new item:

“Sec. 714. Prohibitions regarding information sharing and Trusted Traveler
programs.”.