

118TH CONGRESS  
1ST SESSION

# H. R. 1703

To direct the Administrator of the Transportation Security Administration to prohibit the use of certain identification documents at airport security checkpoints, and for other purposes.

---

## IN THE HOUSE OF REPRESENTATIVES

MARCH 22, 2023

Mr. GOODEN of Texas (for himself, Mr. ELLZEY, Mr. DESJARLAIS, Mr. VAN DREW, Mrs. BOEBERT, Mr. BABIN, Mr. GROTHMAN, Mrs. MILLER of Illinois, Mr. VAN ORDEN, and Mr. MANN) introduced the following bill; which was referred to the Committee on Homeland Security

---

## A BILL

To direct the Administrator of the Transportation Security Administration to prohibit the use of certain identification documents at airport security checkpoints, 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 “Strengthening En-  
5 forcement and Criminalizing Unlawful Records Enabling  
6 Flights Act” or the “SECURE Flights Act”.

1 **SEC. 2. PROHIBITED IDENTIFICATION DOCUMENTS AT AIR-**  
2 **PORT SECURITY CHECKPOINTS; NOTIFICA-**  
3 **TION TO IMMIGRATION AGENCIES.**

4 (a) IN GENERAL.—The Administrator may not ac-  
5 cept as valid proof of identification a prohibited identifica-  
6 tion document at an airport security checkpoint.

7 (b) NOTIFICATION TO IMMIGRATION AGENCIES.—If  
8 an individual presents a prohibited identification docu-  
9 ment to an officer of the Transportation Security Admin-  
10 istration at an airport security checkpoint, the Adminis-  
11 trator shall promptly notify the Director of U.S. Immigra-  
12 tion and Customs Enforcement, the Commissioner of U.S.  
13 Customs and Border Protection, and the head of the ap-  
14 propriate local law enforcement agency to determine  
15 whether the individual is in violation of any term of release  
16 from the custody of any such agency.

17 (c) ENTRY INTO STERILE AREAS.—

18 (1) IN GENERAL.—Except as provided in para-  
19 graph (2), if an individual is found to be in violation  
20 of any term of release under subsection (b), the Ad-  
21 ministrator shall not permit such individual to enter  
22 a sterile area.

23 (2) EXCEPTION.—An individual presenting a  
24 prohibited identification document under this section  
25 may enter a sterile area if the individual—

1 (A) is leaving the United States for the  
2 purposes of removal or deportation; or

3 (B) presents a covered identification docu-  
4 ment.

5 **SEC. 3. COLLECTION OF BIOMETRIC INFORMATION FROM**  
6 **CERTAIN INDIVIDUALS SEEKING ENTRY INTO**  
7 **THE STERILE AREA OF AN AIRPORT.**

8 (a) IN GENERAL.—Beginning not later than 120  
9 days after the date of the enactment of this Act, the Ad-  
10 ministrator shall collect biometric information from an in-  
11 dividual described in subsection (b) prior to authorizing  
12 such individual to enter into a sterile area.

13 (b) INDIVIDUAL DESCRIBED.—An individual de-  
14 scribed in this subsection is an individual who—

15 (1) is seeking entry into the sterile area of an  
16 airport;

17 (2) does not present a covered identification  
18 document; and

19 (3) the Administrator cannot verify is a na-  
20 tional of the United States.

21 (c) PARTICIPATION IN IDENT.—Beginning not later  
22 than 120 days after the date of the enactment of this Act,  
23 the Administrator, in coordination with the Secretary of  
24 Homeland Security, shall submit biometric data collected

1 under this section to the Automated Biometric Identifica-  
2 tion System (IDENT).

3 **SEC. 4. DEFINITIONS.**

4 In this Act:

5 (1) ADMINISTRATOR.—The term “Adminis-  
6 trator” means the Administrator of the Transpor-  
7 tation Security Administration.

8 (2) BIOMETRIC INFORMATION.—The term “bio-  
9 metric information” means any of the following:

10 (A) A fingerprint.

11 (B) A palm print.

12 (C) A photograph, including—

13 (i) a photograph of an individual’s  
14 face for use with facial recognition tech-  
15 nology; and

16 (ii) a photograph of any physical or  
17 anatomical feature, such as a scar, skin  
18 mark, or tattoo.

19 (D) A signature.

20 (E) A voice print.

21 (F) An iris image.

22 (3) COVERED IDENTIFICATION DOCUMENT.—  
23 The term “covered identification document” means  
24 any of the following, if the document is valid and  
25 unexpired:

1 (A) A United States passport or passport  
2 card.

3 (B) A biometrically secure card issued by  
4 a trusted or registered traveler program of the  
5 Department of Homeland Security, including—

6 (i) Global Entry;

7 (ii) NEXUS;

8 (iii) Secure Electronic Network for  
9 Travelers Rapid Inspection (SENTRI);  
10 and

11 (iv) Free and Secure Trade (FAST).

12 (C) An identification card issued by the  
13 Department of Defense, including such a card  
14 issued to a dependent.

15 (D) Any document required for admission  
16 to the United States under section 211(a) of  
17 the Immigration and Nationality Act (8 U.S.C.  
18 1181(a)).

19 (E) An enhanced driver's license issued by  
20 a State.

21 (F) A photo identification card issued by a  
22 federally recognized Indian Tribe.

23 (G) A personal identity verification creden-  
24 tial issued in accordance with Homeland Secu-  
25 rity Presidential Directive 12.

1 (H) A driver’s license issued by a province  
2 of Canada.

3 (I) A Secure Certificate of Indian Status  
4 issued by the Government of Canada.

5 (J) A Transportation Worker Identifica-  
6 tion Credential.

7 (K) An Employment Authorization Docu-  
8 ment issued by United States Citizenship and  
9 Immigration Services.

10 (L) A Merchant Mariner Credential issued  
11 by the Coast Guard.

12 (M) A Veteran Health Identification Card  
13 issued by the Department of Veterans Affairs.

14 (N) Any other document that the Adminis-  
15 trator determines, pursuant to a rule making in  
16 accordance with section 553 of title 5, United  
17 States Code, will satisfy the identity verification  
18 procedures of the Transportation Security Ad-  
19 ministration.

20 (4) PROHIBITED IDENTIFICATION DOCU-  
21 MENT.—The term “prohibited identification docu-  
22 ment” means any of the following (or any applicable  
23 successor form):

1 (A) U.S. Immigration and Customs En-  
2 forcement Form I-200, Warrant for Arrest of  
3 Alien.

4 (B) U.S. Immigration and Customs En-  
5 forcement Form I-205, Warrant of Removal/  
6 Deportation.

7 (C) U.S. Immigration and Customs En-  
8 forcement Form I-220A, Order of Release on  
9 Recognizance.

10 (D) U.S. Immigration and Customs En-  
11 forcement Form I-220B, Order of Supervision.

12 (E) Department of Homeland Security  
13 Form I-862, Notice to Appear.

14 (F) U.S. Customs and Border Protection  
15 Form I-94, Arrival/Departure Record (includ-  
16 ing a print-out of an electronic record).

17 (G) Department of Homeland Security  
18 Form I-385, Alien Booking Record.

19 (5) STERILE AREA.—The term “sterile area”  
20 has the meaning given that term in section 1540.5  
21 of title 49, Code of Federal Regulations, or any suc-  
22 cessor regulation.

○