

114TH CONGRESS  
2D SESSION

# H. R. 5820

To direct the Secretary of Homeland Security to develop and implement a fully automated electronic system for travel authorization for the Guam and Northern Mariana Islands visa waiver program, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 14, 2016

Ms. BORDALLO introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To direct the Secretary of Homeland Security to develop and implement a fully automated electronic system for travel authorization for the Guam and Northern Mariana Islands visa waiver program, 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 “Modernizing Travel  
5 to the Marianas Act of 2016”.

1 **SEC. 2. ELECTRONIC SYSTEM FOR TRAVEL AUTHORIZA-**  
2 **TION FOR GUAM AND NORTHERN MARIANA**  
3 **ISLANDS VISA WAIVER PROGRAM.**

4 Section 212(l) of the Immigration and Nationality  
5 Act (8 U.S.C. 1182(l)) is amended by adding at the end  
6 the following:

7 “(7) ELECTRONIC SYSTEM FOR TRAVEL AU-  
8 THORIZATION.—

9 “(A) SYSTEM.—The Secretary of Home-  
10 land Security, in consultation with the Sec-  
11 retary of State, shall develop and implement a  
12 fully automated electronic system for travel au-  
13 thorization (referred to in this paragraph as the  
14 ‘System’) to collect such biographical and other  
15 information as the Secretary of Homeland Se-  
16 curity determines necessary to determine, in ad-  
17 vance of travel, the eligibility of, and whether  
18 there exists a law enforcement or security risk  
19 in permitting, the alien to travel to the Guam  
20 or the Commonwealth of the Northern Mariana  
21 Islands, which is similar to the electronic sys-  
22 tem for travel authorization described in section  
23 217(h)(3).

24 “(B) ELIGIBILITY DETERMINATION UNDER  
25 THE SYSTEM.—Beginning on the date on which  
26 the System developed under subparagraph (A)

1 is fully operational, each alien traveling under  
2 the program under this subsection shall, before  
3 applying for admission to Guam or the Com-  
4 monwealth of the Northern Mariana Islands,  
5 electronically provide to the System biographi-  
6 cal information and such other information as  
7 the Secretary of Homeland Security shall deter-  
8 mine necessary to determine the eligibility of,  
9 and whether there exists a law enforcement or  
10 security risk in permitting, the alien to travel to  
11 Guam or the Commonwealth of the Northern  
12 Mariana Islands. Upon review of such bio-  
13 graphical information, the Secretary of Home-  
14 land Security shall determine whether the alien  
15 is eligible to travel to Guam or the Common-  
16 wealth of the Northern Mariana Islands under  
17 the program.

18 “(C) FEES.—

19 “(i) IN GENERAL.—Notwithstanding  
20 section 286(g), not later than 1 year after  
21 the date of enactment of the Modernizing  
22 Travel to the Marianas Act of 2016, the  
23 Secretary of Homeland Security shall es-  
24 tablish a fee for the use of the System and

1 begin assessment and collection of that fee.

2 The initial fee shall be the sum of—

3 “(I) an amount that will ensure  
4 that the ports of entry in Guam and  
5 the Commonwealth of the Northern  
6 Mariana Islands are equipped with  
7 appropriate resources and staff, as de-  
8 termined by the Secretary; and

9 “(II) an amount that will at least  
10 ensure recovery of the full costs of  
11 providing the administering the Sys-  
12 tem, as determined by the Secretary.

13 “(ii) DISPOSITION OF AMOUNTS COL-  
14 LECTED.—Notwithstanding section 286(c),  
15 amounts collected under clause (i)(I) shall  
16 be made available to the Secretary of  
17 Homeland Security for the costs associated  
18 with operating the ports of entry in Guam  
19 and the Commonwealth of the Northern  
20 Mariana Islands, and amounts collected  
21 under clause (i)(II) shall be made available  
22 to the Secretary of Homeland Security for  
23 the costs associated with administering the

1 System. Such amounts shall remain avail-  
2 able until expended.”.

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