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(Original Signature of Member)

115TH CONGRESS
2D SESSION

H. R. 6439

To amend the Homeland Security Act of 2002 to establish in the Department of Homeland Security the Biometric Identification Transnational Migration Alert Program, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. McCAUL introduced the following bill; which was referred to the Committee on _____

A BILL

To amend the Homeland Security Act of 2002 to establish in the Department of Homeland Security the Biometric Identification Transnational Migration Alert 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 “Biometric Identifica-
5 tion Transnational Migration Alert Program Authoriza-
6 tion Act of 2018”.

1 **SEC. 2. BIOMETRIC IDENTIFICATION TRANSNATIONAL MI-**
2 **GRATION ALERT PROGRAM.**

3 (a) IN GENERAL.—Subtitle D of title IV of the
4 Homeland Security Act of 2002 (6 U.S.C. 251 et seq.)
5 is amended by adding at the end the following new section:

6 **“SEC. 447. BIOMETRIC IDENTIFICATION TRANSNATIONAL**
7 **MIGRATION ALERT PROGRAM.**

8 “(a) ESTABLISHMENT.—There is established in the
9 Department a program to be known as the Biometric
10 Identification Transnational Migration Alert Program (re-
11 ferred to in this section as ‘BITMAP’) to address and re-
12 duce national security, border security, and terrorist
13 threats before such threats reach the international border
14 of the United States.

15 “(b) DUTIES.—In carrying out BITMAP operations,
16 the Secretary, acting through the Director of U.S. Immi-
17 gration and Customs Enforcement, shall—

18 “(1) coordinate, in consultation with the Sec-
19 retary of State, appropriate representatives of for-
20 eign governments, and the heads of other Federal
21 agencies, as appropriate, to facilitate the voluntary
22 sharing of biometric and biographic information col-
23 lected from foreign nationals for the purpose of iden-
24 tifying and screening such nationals to identify those
25 nationals who may pose a terrorist threat or a threat
26 to national security or border security;

1 “(2) provide capabilities, including training and
2 equipment, to partner countries to voluntarily collect
3 biometric and biographic identification data from in-
4 dividuals to identify, prevent, detect, and interdict
5 high risk individuals identified as national security,
6 border security, or terrorist threats who may at-
7 tempt to enter the United States utilizing illicit
8 pathways;

9 “(3) provide capabilities, including training and
10 equipment, to partner countries to compare foreign
11 data against appropriate United States national se-
12 curity, border security, terrorist, immigration, and
13 counter-terrorism data, including—

14 “(A) the Federal Bureau of Investigation’s
15 Terrorist Screening Database, or successor
16 database;

17 “(B) the Federal Bureau of Investigation’s
18 Next Generation Identification database, or suc-
19 cessor database;

20 “(C) the Department of Defense Auto-
21 mated Biometric Identification System (com-
22 monly known as ‘ABIS’), or successor database;

23 “(D) the Department’s Automated Biomet-
24 ric Identification System (commonly known as
25 ‘IDENT’), or successor database; and

1 “(E) any other database, notice, or means
2 that the Secretary, in consultation with the
3 heads of other Federal departments and agen-
4 cies responsible for such databases, notices, or
5 means, designates; and

6 “(4) ensure biometric and biographic identifica-
7 tion data collected pursuant to BITMAP are incor-
8 porated into appropriate United States Government
9 databases, in compliance with the policies and proce-
10 dures established by the Privacy Officer appointed
11 under section 222.

12 “(c) COLLABORATION.—The Secretary shall ensure
13 that BITMAP operations include participation from rel-
14 evant components of the Department, and request partici-
15 pation from other Federal agencies, as appropriate.

16 “(d) AGREEMENTS.—Before carrying out BITMAP
17 operations in a foreign country that, as of the date of the
18 enactment of this section, was not a partner country de-
19 scribed in this section, the Secretary, in consultation with
20 the Secretary of State, shall enter into agreement or ar-
21 rangement with the government of such country that out-
22 lines such operations in such country, including related de-
23 partmental operations. Such country shall be a partner
24 country described in this section pursuant to and for pur-
25 poses of such agreement or arrangement.

1 “(e) NOTIFICATION TO CONGRESS.—Not later than
2 60 days before an agreement with the government of a
3 foreign country to carry out BITMAP operations in such
4 foreign country enters into force, the Secretary shall pro-
5 vide the Committee on Homeland Security of the House
6 of Representatives and the Committee on Homeland Secu-
7 rity and Governmental Affairs of the Senate with a copy
8 of the agreement to establish such operations, which shall
9 include—

10 “(1) the identification of the foreign country
11 with which the Secretary intends to enter into such
12 an agreement;

13 “(2) the location at which such operations will
14 be conducted; and

15 “(3) the terms and conditions for Department
16 personnel operating at such location.”.

17 (b) REPORT.—Not later than 180 days after the date
18 on which the Biometric Identification Transnational Mi-
19 gration Alert Program (BITMAP) is established under
20 section 447 of the Homeland Security Act of 2002 (as
21 added by subsection (a) of this section) and annually
22 thereafter for the following five years, the Secretary of
23 Homeland Security shall submit to the Committee on
24 Homeland Security of the House of Representatives and
25 the Committee on Homeland Security and Governmental

1 Affairs of the Senate a report that details the effectiveness
2 of BITMAP operations in enhancing national security,
3 border security, and counterterrorism operations.

4 (c) CLERICAL AMENDMENT.—The table of contents
5 in section 1(b) of the Homeland Security Act of 2002 is
6 amended by inserting after the item relating to section
7 446 the following new item:

“Sec. 447. Biometric Identification Transnational Migration Alert Program.”.