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(Original Signature of Member)

119TH CONGRESS
2D SESSION

H. R.

To evaluate U.S. Customs and Border Protection’s implementation of an integrated biometric entry and exit data system in the United States, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

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

A BILL

To evaluate U.S. Customs and Border Protection’s implementation of an integrated biometric entry and exit data system in the United States, 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 “Reform Immigration
5 Through Biometrics Act”.

1 **SEC. 2. EVALUATION OF CBP'S IMPLEMENTATION OF AN IN-**
2 **TEGRATED BIOMETRIC ENTRY AND EXIT**
3 **DATA SYSTEM.**

4 (a) EVALUATION.—

5 (1) IN GENERAL.—Not later than 180 days
6 after the date of the enactment of this section, the
7 Secretary of Homeland Security shall submit to the
8 Committee on Homeland Security and the Com-
9 mittee on the Judiciary of the House of Representa-
10 tives and the Committee on Homeland Security and
11 Governmental Affairs and the Committee on the Ju-
12 diciary of the Senate a report on the status of ef-
13 forts to implement an integrated entry and exit data
14 system in accordance with section 110 of the Illegal
15 Immigration Reform and Immigrant Responsibility
16 Act of 1996 (8 U.S.C. 1365a; in this section re-
17 ferred to as the “System”).

18 (2) CONTENTS.—The report required under
19 paragraph (1) shall include information relating to
20 the following with respect to the System:

21 (A) The impact on arrival and departure
22 wait times.

23 (B) An evaluation of audits conducted on
24 devices procured by the private sector.

25 (C) An evaluation of prior and ongoing
26 consultation with the private sector.

1 (D) Milestones and metrics of success that
2 have occurred already, and whether such mile-
3 stones and metrics should be updated to suc-
4 cessfully carry out the congressional directive to
5 establish the System.

6 (E) Risks and mitigation strategies to ad-
7 dress such risks.

8 (F) The effects of the System on the fol-
9 lowing:

10 (i) Legitimate travel and trade.

11 (ii) Combating terrorism.

12 (iii) Identifying visa holders who vio-
13 late the terms of their visas.

14 (3) REQUIREMENT.—The Secretary of Home-
15 land Security shall ensure that the collection of bio-
16 metric data under the System shall cause the least
17 possible disruption to the movement of people or
18 cargo in air, sea, or land transportation while ful-
19 filling the goals of improving counterterrorism ef-
20 forts and identifying visa holders who violate the
21 terms of their visas.

22 (b) DATA MATCHING ASSESSMENT.—

23 (1) IN GENERAL.—Not later than 180 days
24 after the date of the enactment of this section, the
25 Secretary of Homeland Security shall submit to the

1 Committee on Homeland Security and the Com-
2 mittee on the Judiciary of the House of Representa-
3 tives and the Committee on Homeland Security and
4 Governmental Affairs and the Committee on the Ju-
5 diciary of the Senate a report on how the System is
6 currently matching biometric information for an in-
7 dividual, regardless of nationality, citizenship, or im-
8 migration status, who is departing the United States
9 against biometric data previously provided to the
10 United States Government by such individual for the
11 purposes of international travel.

12 (2) PROHIBITION.—The report required under
13 paragraph (1) shall not include any information re-
14 lating to citizens of the United States, except to de-
15 scribe the privacy protections for such citizens with
16 regard to facial recognition.

17 (c) FURTHER EVALUATIONS.—Not later than 180
18 days after the date of the enactment of this section, the
19 Secretary of Homeland Security shall submit to the Com-
20 mittee on Homeland Security and the Committee on the
21 Judiciary of the House of Representatives and the Com-
22 mittee on Homeland Security and Governmental Affairs
23 and the Committee on the Judiciary of the Senate a report
24 on whether the sharing of biographic data provided to the
25 Department of Homeland Security by the Canadian Bor-

1 der Services Agency pursuant to the 2011 Beyond the
2 Border agreement has occurred, and the impacts of such
3 data sharing agreement.

4 (d) OTHER BIOMETRIC INITIATIVES.—Nothing in
5 this section may be construed as limiting the authority of
6 the Secretary of Homeland Security to collect biometric
7 information in circumstances other than as specified in
8 this section.

9 (e) SAVINGS CLAUSE.—Nothing in this section may
10 prohibit the collection of user fees permitted by section
11 13031 of the Consolidated Omnibus Budget Reconciliation
12 Act of 1985 (19 U.S.C. 58c).