

115TH CONGRESS  
2D SESSION

# H. R. 6439

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IN THE SENATE OF THE UNITED STATES

SEPTEMBER 5, 2018

Received; read twice and referred to the Committee on Homeland Security and  
Governmental Affairs

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## AN ACT

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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Biometric Identifica-  
3 tion Transnational Migration Alert Program Authoriza-  
4 tion Act of 2018”.

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

7 (a) IN GENERAL.—Subtitle D of title IV of the  
8 Homeland Security Act of 2002 (6 U.S.C. 251 et seq.)  
9 is amended by adding at the end the following new section:  
10 **“SEC. 447. BIOMETRIC IDENTIFICATION TRANSNATIONAL**  
11 **MIGRATION ALERT PROGRAM.**

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

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

22 “(1) coordinate, in consultation with the Sec-  
23 retary of State, appropriate representatives of for-  
24 eign governments, and the heads of other Federal  
25 agencies, as appropriate, to facilitate the voluntary  
26 sharing of biometric and biographic information col-

1 lected from foreign nationals for the purpose of iden-  
2 tifying and screening such nationals to identify those  
3 nationals who may pose a terrorist threat or a threat  
4 to national security or border security;

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

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

18 “(A) the Federal Bureau of Investigation’s  
19 Terrorist Screening Database, or successor  
20 database;

21 “(B) the Federal Bureau of Investigation’s  
22 Next Generation Identification database, or suc-  
23 cessor database;

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

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

7           “(E) any other database, notice, or means  
8           that the Secretary, in consultation with the  
9           heads of other Federal departments and agen-  
10          cies responsible for such databases, notices, or  
11          means, designates; and

12          “(4) ensure biometric and biographic identifica-  
13          tion data collected pursuant to BITMAP are incor-  
14          porated into appropriate United States Government  
15          databases, in compliance with the policies and proce-  
16          dures established by the Privacy Officer appointed  
17          under section 222.

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

22          “(d) AGREEMENTS.—Before carrying out BITMAP  
23          operations in a foreign country that, as of the date of the  
24          enactment of this section, was not a partner country de-  
25          scribed in this section, the Secretary, in consultation with

1 the Secretary of State, shall enter into agreement or ar-  
2 rangement with the government of such country that out-  
3 lines such operations in such country, including related de-  
4 partmental operations. Such country shall be a partner  
5 country described in this section pursuant to and for pur-  
6 poses of such agreement or arrangement.

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

16 “(1) the identification of the foreign country  
17 with which the Secretary intends to enter into such  
18 an agreement;

19 “(2) the location at which such operations will  
20 be conducted; and

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

23 (b) REPORT.—Not later than 180 days after the date  
24 on which the Biometric Identification Transnational Mi-  
25 gration Alert Program (BITMAP) is established under

1 section 447 of the Homeland Security Act of 2002 (as  
2 added by subsection (a) of this section) and annually  
3 thereafter for the following five years, the Secretary of  
4 Homeland Security shall submit to the Committee on  
5 Homeland Security of the House of Representatives and  
6 the Committee on Homeland Security and Governmental  
7 Affairs of the Senate a report that details the effectiveness  
8 of BITMAP operations in enhancing national security,  
9 border security, and counterterrorism operations.

10 (c) CLERICAL AMENDMENT.—The table of contents  
11 in section 1(b) of the Homeland Security Act of 2002 is  
12 amended by inserting after the item relating to section  
13 446 the following new item:

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

Passed the House of Representatives September 4,  
2018.

Attest:

KAREN L. HAAS,  
*Clerk.*