

AMENDMENT NO. _____ Calendar No. _____

Purpose: To establish a biometric data collection pilot program.

IN THE SENATE OF THE UNITED STATES—114th Cong., 1st Sess.

S. 1318

To amend title 18, United States Code, to provide for protection of maritime navigation and prevention of nuclear terrorism, and for other purposes.

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mrs. FEINSTEIN

Viz:

1 At the end of the bill, add the following:

2 **TITLE III—BIOMETRIC DATA**
3 **COLLECTION**

4 **SEC. 301. PILOT PROGRAM FOR COLLECTION OF BIOMET-**
5 **RIC INFORMATION.**

6 (a) INITIATION.—Not later than 1 year after the date
7 of the enactment of this Act, the Secretary of Homeland
8 Security shall initiate a 12-month pilot program to estab-
9 lish a biometric-enabled Electronic System for Travel Au-
10 thorization (Bio-ESTA), in partnership with at least 2
11 Visa Waiver Program countries, that collects biometric

1 data from aliens traveling from such countries under the
2 Visa Waiver Program.

3 (b) FACTORS.—In carrying out the pilot program
4 under subsection (a), the Secretary shall consider—

5 (1) the best method for collecting biometric
6 data through a standardized and reliable process or
7 means by which a Visa Waiver Program applicant
8 can submit biometric information with relatively lim-
9 ited expense as part of the Bio-ESTA application
10 process;

11 (2) the best method for ensuring that the qual-
12 ity of biometric information data collected prior to
13 travel is adequate and usable to search against au-
14 thoritative biometric databases and anti-terrorism
15 and intelligence watch lists as part of application
16 vetting process;

17 (3) the best method for securing biometric in-
18 formation from a Bio-ESTA applicant in a manner
19 that—

20 (A) confirms the identity of the applicant;

21 and

22 (B) prevents, to the greatest extent prac-
23 ticable, the fraudulent use of a person's identity
24 prior to traveling towards the United States;

25 and

1 (4) any other elements the Secretary determines
2 are necessary to create a scalable and reliable means
3 of biometric information collection and verification
4 for the Visa Waiver Program.

5 (c) COMPLETION.—The pilot program initiated under
6 subsection (a) shall be completed not later than 2 years
7 after the date of the enactment of this Act.