To direct the Secretary of Homeland Security to conduct a pilot program to evaluate the use of automated systems for the immediate prescreening of passengers on flights in foreign air transportation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. IMMEDIATE INTERNATIONAL PASSENGER PRESCREENING PILOT PROGRAM.

(a) Pilot Program.—Not later than 90 days after the date of enactment of this Act, the Secretary of Homeland Security shall initiate a pilot program to evaluate the use of automated systems for the immediate prescreening
of passengers on flights in foreign air transportation, as
defined by section 40102 of title 49, United States Code,
that are bound for the United States.

(b) REQUIREMENTS.—At a minimum, with respect to
a passenger on a flight described in subsection (a) oper-
ated by an air carrier or foreign air carrier, the automated
systems evaluated under the pilot program shall—

(1) compare the passenger’s information
against the integrated and consolidated terrorist
watchlist maintained by the Federal Government
and provide the results of the comparison to the air
carrier or foreign air carrier before the passenger is
permitted to board the flight;

(2) provide functions similar to the advanced
passenger information system established under sec-
tion 431 of the Tariff Act of 1930 (19 U.S.C. 1431); and

(3) make use of machine-readable data ele-
ments on passports and other travel and entry docu-
ments in a manner consistent with international
standards.

(c) OPERATION.—The pilot program shall be con-
ducted—

(1) in not fewer than 2 foreign airports; and
(2) in collaboration with not fewer than one air
carrier at each airport participating in the pilot pro-
gram.

(d) EVALUATION OF AUTOMATED SYSTEMS.—In con-
ducting the pilot program, the Secretary shall evaluate not
more than 3 automated systems. One or more of such sys-
tems shall be commercially available and currently in use
to prescreen passengers.

(e) PRIVACY PROTECTION.—The Secretary shall en-
sure that the passenger data is collected under the pilot
program in a manner consistent with the standards estab-
lished under section 552a of title 5, United States Code.

(f) DURATION.—The Secretary shall conduct the
pilot program for not fewer than 90 days.

(g) PASSENGER DEFINED.—In this section, the term
“passenger” includes members of the flight crew.

(h) REPORT.—Not later than 30 days after the date
of completion of the pilot program, the Secretary shall
submit to the Committee on Homeland Security of the
House of Representatives and the Committee on Com-
merce, Science, and Transportation of the Senate a report
containing the following:

(1) An assessment of the technical performance
of each of the tested systems, including the system’s
accuracy, scalability, and effectiveness with respect
to measurable factors, including, at a minimum, pas-
senger throughput, the rate of flight diversions, and
the rate of false negatives and positives.

(2) A description of the provisions of each test-
ed system to protect the civil liberties and privacy
rights of passengers, as well as a description of the
adequacy of an immediate redress or appeals process
for passengers denied authorization to travel.

(3) Cost projections for implementation of each
tested system, including—

(A) projected costs to the Department of
Homeland Security; and

(B) projected costs of compliance to air
 carriers operating flights described in sub-
section (a).

(4) A determination as to which tested system
is the best-performing and most efficient system to
ensure immediate prescreening of international pas-
sengers. Such determination shall be made after con-
sultation with individuals in the private sector hav-
ing expertise in airline industry, travel, tourism, pri-

cacy, national security, and computer security
issues.
(5) A plan to fully deploy the best-performing and most efficient system tested by not later than January 1, 2007.