

117TH CONGRESS  
2D SESSION

# H. R. 7983

To amend the Immigration and Nationality Act to expand the requirements for the collection of biometric data, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 8, 2022

Mr. GOODEN of Texas (for himself, Mr. JACKSON, Mr. DONALDS, Mr. WEBER of Texas, Mr. ELLZEY, Mrs. MILLER of Illinois, Mr. TIFFANY, Mr. BABIN, Mr. BUCK, and Ms. FOXX) introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To amend the Immigration and Nationality Act to expand the requirements for the collection of biometric data, 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 Verification  
5       for Entry and Reconfirming Identity with Forensics Act  
6       of 2022” or the “B–VERIFY Act of 2022”.

1 **SEC. 2. COLLECTION OF BIOMETRIC INFORMATION FOR IM-**  
2 **MIGRATION BENEFITS.**

3 (a) IN GENERAL.—Title I of the Immigration and  
4 Nationality Act (8 U.S.C. 1101 et seq.) is amended by  
5 inserting after section 106 the following:

6 **“SEC. 107. COLLECTION OF BIOMETRIC INFORMATION.**

7 “(a) REQUIREMENT FOR IMMIGRATION BENEFITS.—  
8 Each individual, whether an alien (including a VAWA self-  
9 petitioner and an alien admitted or seeking admission  
10 under section 101(a)(15)(T)) or a national of the United  
11 States, who files or is the proposed beneficiary of an appli-  
12 cation or petition for an immigration benefit, shall provide  
13 biometric information to the Secretary of Homeland Secu-  
14 rity or Secretary of State, at a time and in a manner pre-  
15 scribed by the applicable Secretary.

16 “(b) COLLECTION FROM ALIENS APPREHENDED BY  
17 CBP, ICE, OR USCIS.—

18 “(1) IN GENERAL.—The Secretary of Homeland  
19 Security shall collect biometric information from  
20 each alien, including children, encountered by U.S.  
21 Customs and Border Protection, Immigration and  
22 Customs Enforcement, or U.S. Citizenship and Im-  
23 migration Services.

24 “(2) DNA TEST RESULTS.—In carrying out the  
25 collection of biometric information under paragraph  
26 (1), the Secretary shall collect DNA test results,

1       which include a partial DNA profile, for the purpose  
2       of determining the existence of a claimed genetic re-  
3       lationship. The Secretary shall use and store such  
4       DNA test results for an associated adjudication or  
5       to perform any other functions necessary for admin-  
6       istering and enforcing the immigration laws.

7       “(c) AUTHORIZED USES OF BIOMETRIC INFORMA-  
8       TION.—The Secretary shall use biometric information col-  
9       lected under this section—

10           “(1) to perform criminal history and national  
11       security background checks;

12           “(2) for identity enrollment, verification, and  
13       management in the immigration lifecycle;

14           “(3) for secure document production associated  
15       with certain immigration and naturalization benefits  
16       or actions; and

17           “(4) to administer and enforce the immigration  
18       laws.

19       “(d) LIMITATION ON ISSUANCE OF BENEFITS.—The  
20       Secretary may not provide an immigration benefit, and the  
21       Secretary of State may not issue a visa, to an alien prior  
22       to the collection of biometric information under subsection  
23       (a).”.

1 (b) CLERICAL AMENDMENT.—The table of contents  
2 of the Immigration and Nationality Act is amended by in-  
3 serting after the item related to section 106 the following:

“107. Collection of biometric information.”.

4 **SEC. 3. BIOMETRIC DEFINED.**

5 Section 101(a) of the Immigration and Nationality  
6 Act (8 U.S.C. 1101(a)) is amended by adding at the end  
7 the following:

8 “(53) The term ‘biometric’ means a measurable  
9 biological (anatomical and physiological) or behav-  
10 ioral characteristic used for identification of an indi-  
11 vidual, and includes—

12 “(A) a fingerprint;

13 “(B) a palm print;

14 “(C) a photograph (including a facial  
15 image specifically for facial recognition, as well  
16 as a photograph of a physical or anatomical  
17 feature such as a scar, skin mark, or tattoo);

18 “(D) a signature;

19 “(E) a voice print;

20 “(F) an iris image; and

21 “(G) DNA (including DNA test results,  
22 which include a partial DNA profile attesting to  
23 genetic relationship).”.

1 **SEC. 4. UNACCOMPANIED ALIEN CHILDREN.**

2 Section 235 of the William Wilberforce Trafficking  
3 Victims Protection Reauthorization Act of 2008 (8 U.S.C.  
4 1232) is amended—

5 (1) in subsection (c)—

6 (A) in paragraph (3), by inserting at the  
7 end the following:

8 “(C) BACKGROUND CHECKS OF INDIVID-  
9 UALS WITH WHOM CHILDREN ARE PLACED.—  
10 Before placing a child with an individual, the  
11 Secretary of Health and Human Services shall  
12 conduct a background check on such individual,  
13 which background check shall include each of  
14 the following:

15 “(i) A public records check.

16 “(ii) A check using the Dru Sjodin  
17 National Sex Offender Public Website.

18 “(iii) A National Criminal History  
19 Background Check, which shall be con-  
20 ducted by the Federal Bureau of Investiga-  
21 tion, based on digital fingerprints or  
22 digitized paper prints.

23 “(iv) A Child Abuse and Neglect (CA/  
24 N) check.

25 “(v) A State criminal history reposi-  
26 tory or local law enforcement check.

1                   “(D) INFORMATION ABOUT INDIVIDUALS  
2                   WITH WHOM CHILDREN ARE PLACED.—

3                   “(i) INFORMATION TO BE PROVIDED  
4                   TO HOMELAND SECURITY.—Before placing  
5                   a child with an individual, the Secretary of  
6                   Health and Human Services shall provide  
7                   to the Secretary of Homeland Security, re-  
8                   garding the individual with whom the child  
9                   will be placed, the following information:

10                   “(I) The name of the individual.

11                   “(II) The social security number  
12                   of the individual.

13                   “(III) The date of birth of the in-  
14                   dividual.

15                   “(IV) The location of the individ-  
16                   ual’s residence where the child will be  
17                   placed.

18                   “(V) The immigration status of  
19                   the individual, if known.

20                   “(VI) Contact information for  
21                   the individual.

22                   “(ii) SPECIAL RULE.—In the case of a  
23                   child who was apprehended on or after  
24                   June 15, 2012, and before the date of the  
25                   enactment of this subparagraph, who the

1 Secretary of Health and Human Services  
2 placed with an individual, the Secretary  
3 shall provide the information listed in  
4 clause (i) to the Secretary of Homeland  
5 Security not later than 90 days after such  
6 date of enactment.

7 “(iii) ACTIVITIES OF THE SECRETARY  
8 OF HOMELAND SECURITY.—Not later than  
9 30 days after receiving the information  
10 listed in clause (i), the Secretary of Home-  
11 land Security shall—

12 “(I) in the case that the immi-  
13 gration status of an individual with  
14 whom a child is placed is unknown,  
15 investigate the immigration status of  
16 that individual; and

17 “(II) upon determining that an  
18 individual with whom a child is placed  
19 is unlawfully present in the United  
20 States, initiate removal proceedings  
21 pursuant to chapter 4 of title II of the  
22 Immigration and Nationality Act (8  
23 U.S.C. 1221 et seq.).”; and

24 (B) in paragraph (5)—

1 (i) by inserting after “to the greatest  
2 extent practicable” the following: “(at no  
3 expense to the Government)”; and

4 (ii) by striking “have counsel to rep-  
5 resent them” and inserting “have access to  
6 counsel to represent them”; and

7 (2) by adding at the end the following:

8 “(j) SANCTIONS.—In the case of an unaccompanied  
9 alien child who arrives at any international border of, port  
10 of entry to, or place between any ports of entry to, the  
11 United States—

12 “(1) an alien parent or guardian, other than an  
13 alien admitted for lawful permanent residence, of  
14 such a child shall be—

15 “(A) permanently barred from adjusting  
16 status to that of an alien lawfully admitted for  
17 permanent residence and becoming a natural-  
18 ized citizen of the United States;

19 “(B) deemed to be inadmissible for pur-  
20 poses of section 212(a)(4) of the Immigration  
21 and Nationality Act (8 U.S.C. 1182); and

22 “(C) deemed to have committed an offense  
23 described in paragraph (1)(A) of section 274 of  
24 the Immigration and Nationality Act (8 U.S.C.  
25 1324); or



1           “(2) an alien parent or guardian, who is an  
2           alien admitted for lawful permanent residence, shall  
3           be ineligible for any Federal public benefit (as such  
4           term is defined in section 401(c) of the Personal Re-  
5           sponsibility and Work Opportunity Reconciliation  
6           Act of 1996).”.

7   **SEC. 5. COLLABORATION WITH FOREIGN GOVERNMENTS.**

8           The Secretary of Homeland Security shall improve  
9           collaboration and coordination with foreign governments  
10          and the Biometric Identification Transnational Migration  
11          Alert Program (commonly referred to as “BITMAP”) or  
12          any successor database, in order to deter and detect immi-  
13          gration and asylum fraud.

14   **SEC. 6. NOTIFICATION ABOUT FRAUDULENT POTENTIAL**  
15                   **SPONSORS OF UNACCOMPANIED ALIEN CHIL-**  
16                   **DREN.**

17          The Secretary of Health and Human Services shall  
18          notify Immigration and Customs Enforcement and any  
19          appropriate law enforcement agency, and deny the place-  
20          ment of an unaccompanied alien child (as such term is  
21          defined in section 462 of the Homeland Security Act of  
22          2002 (6 U.S.C. 279)) with a potential sponsor if the po-  
23          tential sponsor—

24               (1) claims to have familial relationship to the  
25          unaccompanied alien child, but fails a DNA test,

1       and is otherwise unable to prove such relationship  
2       beyond a reasonable doubt; or

3               (2) provides a false document to confirm the  
4       potential sponsor's identity.

5   **SEC. 7. FEDERAL AGENCIES TO NOTIFY ICE OF UNLAW-**  
6               **FULLY PRESENT ALIENS.**

7       If an alien presents a document to an officer or em-  
8   ployee of the Federal Government for purposes of identi-  
9   fication, which document indicates that the alien is unlaw-  
10   fully present in the United States, the officer or employee  
11   shall promptly notify Immigration and Customs Enforce-  
12   ment. Upon receiving a notification under this section, Im-  
13   migration and Customs Enforcement shall promptly place  
14   the alien in removal proceedings.

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