

113TH CONGRESS
2D SESSION

S. 2315

To expand the Global Entry Program and strengthen the Model Ports of Entry Program, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 8, 2014

Mr. SCHATZ (for himself, Mr. SCOTT, and Mr. BEGICH) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

A BILL

To expand the Global Entry Program and strengthen the Model Ports of Entry 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Improving the Nation’s
5 Visitors’ International Travel Experience Act of 2014” or
6 the “INVITE Act of 2014”.

7 **SEC. 2. PURPOSES.**

8 The purposes of this Act are—

9 (1) to create a welcoming experience at United
10 States ports of entry;

1 (2) to encourage international travelers to visit
2 the United States; and

3 (3) to support jobs and economic prosperity for
4 the Nation.

5 **SEC. 3. DEFINITIONS.**

6 In this Act:

7 (1) APPROPRIATE CONGRESSIONAL COMMIT-
8 TEES.—The term “appropriate congressional com-
9 mittees” means—

10 (A) the Committee on Commerce, Science,
11 and Transportation of the Senate;

12 (B) the Committee on Foreign Relations of
13 the Senate;

14 (C) the Committee on Homeland Security
15 and Governmental Affairs of the Senate;

16 (D) the Committee on Appropriations of
17 the Senate;

18 (E) the Committee on Energy and Com-
19 merce of the House of Representatives;

20 (F) the Committee on Foreign Affairs of
21 the House of Representatives;

22 (G) the Committee on Homeland Security
23 of the House of Representatives; and

24 (H) the Committee on Appropriations of
25 the House of Representatives.

1 (2) COMMISSIONER.—The term “Commis-
2 sioner” means the Commissioner of U.S. Customs
3 and Border Protection.

4 (3) GLOBAL ENTRY PROGRAM.—The term
5 “Global Entry Program” means the program de-
6 scribed in section 235.12 of title 8, Code of Federal
7 Regulations.

8 (4) MODEL PORTS OF ENTRY PROGRAM.—The
9 term “Model Ports of Entry Program” means the
10 program established by the Secretary of Homeland
11 Security under section 725 of the Implementing
12 Recommendations of the 9/11 Commission Act of
13 2007 (8 U.S.C. 1752a).

14 **SEC. 4. GLOBAL ENTRY PROGRAM EXPANSION.**

15 (a) COORDINATION.—The Secretary of State and the
16 Secretary of Homeland Security shall explore the feasi-
17 bility of—

18 (1)(A) coordinating the enrollment and inter-
19 view processes for individuals who—

20 (i) are nationals of countries with which
21 the United States has a reciprocal trusted trav-
22 eler program agreement; and

23 (ii) simultaneously apply for a United
24 States visa and enroll in the Global Entry Pro-
25 gram; and

1 (B) collecting a single application fee from such
2 applicants; and

3 (2) coordinating the passport application and
4 Global Entry Program enrollment processes for eligi-
5 ble United States citizens.

6 (b) REPORT.—Not later than 6 months after the date
7 of the enactment of this Act, the Secretary of State and
8 the Secretary of Homeland Security shall jointly submit,
9 to the appropriate congressional committees, a report that
10 describes—

11 (1) the status of bilateral negotiations to ex-
12 pand reciprocal trusted traveler programs such as
13 the Global Entry Program;

14 (2) barriers to the expansion of the Global
15 Entry Program;

16 (3) the number of United States citizens and
17 nationals of other countries who are enrolled in the
18 Global Entry Program, the NEXUS Program, or the
19 SENTRI Program;

20 (4) the feasibility of coordinating Global Entry
21 Program enrollment with the visa and passport ap-
22 plication processes;

23 (5) if the Secretaries determine that such co-
24 ordination is infeasible, the specific reasons for such
25 determination; and

1 (6) the resources needed and the next steps
 2 that the Department of State and the Department
 3 of Homeland Security would need to take to imple-
 4 ment the coordinated Global Entry and visa and
 5 passport application process described in subsection
 6 (a).

7 **SEC. 5. STRENGTHENING THE MODEL PORTS OF ENTRY**
 8 **PROGRAM.**

9 (a) IN GENERAL.—Section 725 of the Implementing
 10 Recommendations of the 9/11 Commission Act of 2007 (8
 11 U.S.C. 1752a) is amended—

12 (1) in subsection (a)—

13 (A) in paragraph (1), by striking “and” at
 14 the end;

15 (B) in paragraph (2), by striking the pe-
 16 riod at the end and inserting “; and”; and

17 (C) by adding at the end the following:

18 “(3) modify the program, to the extent deter-
 19 mined to be necessary by the Commissioner of U.S.
 20 Customs and Border Protection, including by ex-
 21 panding the program beyond the 20 airports at
 22 which the program was initially implemented.”;

23 (2) by redesignating subsection (c) as sub-
 24 section (e); and

1 (3) by inserting after subsection (b) the fol-
 2 lowing:

3 “(c) PROGRAM METRICS.—

4 “(1) DEVELOPMENT.—To ensure the effective-
 5 ness of the Model Ports of Entry Program (referred
 6 to in this subsection as the ‘program’), the Commis-
 7 sioner of U.S. Customs and Border Protection shall
 8 develop metrics to measure the performance of the
 9 program, including metrics to measure customer sat-
 10 isfaction among passengers using the ports of entry
 11 at the Model Ports of Entry airports.

12 “(2) REPORT.—Not later than 1 year after the
 13 date of the enactment of the INVITE Act of 2014,
 14 the Commissioner of U.S. Customs and Border Pro-
 15 tection shall submit a report to the appropriate con-
 16 gressional committees that includes—

17 “(A) a list of the program airports;

18 “(B) an explanation of how the program
 19 has been implemented at each program airport;

20 “(C) an analysis of the program’s perform-
 21 ance against the metrics established under
 22 paragraph (1) to measure customer satisfaction;

23 “(D) recommendations for improving pub-
 24 lic-private collaboration between U.S. Customs
 25 and Border Protection, airports, and other in-

1 industry stakeholders to improve the user experi-
2 ence at United States ports of entry; and

3 “(E) recommendations on whether the pro-
4 gram should be expanded to more airports.

5 “(d) MODEL PORTS OF ENTRY GRANT PROGRAM.—

6 “(1) ESTABLISHMENT.—Not later than 1 year
7 after the date of the enactment of the INVITE Act
8 of 2014, the Secretary of Homeland Security shall
9 establish the Model Ports of Entry Grant Program
10 to award, on a competitive basis, up to 10 grants of
11 an amount deemed appropriate by the Commissioner
12 to airports designated by the Commissioner of U.S.
13 Customs and Border Protection to establish public-
14 private sector collaboration to improve the inter-
15 national arrival process at United States airports.

16 “(2) SOURCE OF FUNDING.—The funding for
17 the grant program established under this subsection
18 shall come from the operating budget of U.S. Cus-
19 toms and Border Protection.

20 “(3) MATCHING GRANT.—The Secretary may
21 not make a grant to an airport under this subsection
22 unless the airport agrees to match the grant funding
23 with an equal amount of non-Federal funds.

24 “(4) USE OF FUNDS.—Grants received under
25 the subsection—

“(A) shall be used to improve the grantee’s international passenger processing facility in accordance with the objectives of the Model Ports of Entry Program through activities such as—

“(i) the installation of informational television monitors;

“(ii) improvements to queue management; and

“(iii) the use of technology that will improve the entry process;

“(B) shall be used to provide a more efficient and welcoming international arrival process to facilitate and promote business and tourist travel to the United States; and

“(C) may not be used to replace funding for airport improvement projects paid for with—

“(i) passenger facility charges authorized under section 40117 of title 49, United States Code; or

“(ii) grants received through the Airport Improvement Program under subchapter I of chapter 471 of such title 49.

“(5) WORKING GROUPS.—

1 “(A) ESTABLISHMENT.—Grantees shall es-
 2 tablish public-private partnership working
 3 groups with U.S. Customs and Border Protec-
 4 tion.

5 “(B) OTHER MEMBERS.—Working groups
 6 established under this paragraph may include
 7 representatives of the travel and tourism indus-
 8 try, including—

9 “(i) the air passenger sector;

10 “(ii) the hotel sector;

11 “(iii) the theme park sector;

12 “(iv) the rental car sector

13 “(v) the tour operator sector;

14 “(vi) the travel distribution sector;

15 “(vii) the retail sector;

16 “(viii) the State tourism authority;

17 “(ix) the local convention and visitors
 18 authority;

19 “(x) local cultural interest groups;

20 and

21 “(xi) the event management sector.

22 “(C) COLLABORATION.—The working
 23 groups established under this paragraph shall—

1 “(i) support ongoing collaborative ef-
2 forts to share best practices for improving
3 the international arrivals process; and

4 “(ii) provide recommendations for
5 overall facility design enhancements and
6 the integration of public and cultural art
7 into port of entry facilities at United
8 States airports.

9 “(D) FEDERAL ADVISORY COMMITTEE
10 ACT.—The provisions of the Federal Advisory
11 Committee Act (5 U.S.C. App.) shall not apply
12 to working groups established under this para-
13 graph.

14 “(6) ADMINISTRATION AND SELECTION CRI-
15 TERIA.—The Commissioner of U.S. Customs and
16 Border Protection shall—

17 “(A) administer the Model Ports of Entry
18 Grant Program; and

19 “(B) establish the criteria for selecting
20 grantees.

21 “(7) METRICS.—The Commissioner of U.S.
22 Customs and Border Protection shall establish
23 metrics to determine the effectiveness of the Model
24 Ports of Entry Grant Program.”.

1 (b) REPORT.—Not later than 2 years after the date
2 of the enactment of this Act, the Commissioner shall sub-
3 mit a report to the appropriate congressional committees
4 that includes—

5 (1) a description of the status of the Model
6 Ports of Entry Grant Program;

7 (2) a description of the metrics U.S. Customs
8 and Border Protection will use to measure the effec-
9 tiveness of the Model Ports of Entry Grant Pro-
10 gram;

11 (3) an analysis comparing the results of the
12 Model Ports of Entry Grant Program with the
13 metrics established pursuant to section 725(d)(6) of
14 the Implementing Recommendations of the 9/11
15 Commission Act of 2007, as added by subsection
16 (a)(3);

17 (4) recommendations on whether the Model
18 Ports of Entry Grant Program should be made
19 available on a competitive basis to additional air-
20 ports; and

21 (5) a description of the improvements the Com-
22 missioner intends to make to the Model Ports of
23 Entry Grant Program.

1 **SEC. 6. U.S. CUSTOMS AND BORDER PROTECTION WAIT**
2 **TIME METRICS.**

3 (a) ANNUAL REPORT.—Not later than 1 year after
4 the date of the enactment of this Act, and annually there-
5 after, the Commissioner shall submit a report to the ap-
6 propriate congressional committees that—

7 (1) includes data on average passenger wait
8 times and peak wait times for each month at each
9 port of entry;

10 (2) provides an analysis of the performance of
11 U.S. Customs and Border Protection against the
12 metrics developed pursuant to section 571(a) of the
13 Department of Homeland Security Appropriations
14 Act, 2014 (division F of Public Law 113–76); and

15 (3) provides an update on the development and
16 implementation of operational work plans that sup-
17 port the goal of reducing passenger processing times
18 at air, land, and sea ports of entry in accordance
19 with section 571(b) of such Act.

20 (b) PUBLIC DISSEMINATION OF WAIT TIMES.—The
21 Commissioner shall—

22 (1) prominently post the latest information on
23 wait times for processing arriving international pas-
24 sengers at United States airports and land ports of
25 entry on the U.S. Customs and Border Protection

1 website so that such information is easily accessible
2 to website visitors; and

3 (2) continuously update the information de-
4 scribed in paragraph (1) during the hours in which
5 the air and land ports are open and receiving cus-
6 tomers.

7 **SEC. 7. REPORT ON EFFORTS TO LEVERAGE TECHNOLOGY**
8 **IN THE INTERNATIONAL ARRIVALS PROCESS.**

9 Not later than 1 year after date of the enactment
10 of this Act, the Commissioner shall submit a report to
11 Congress that—

12 (1) describes efforts to develop new technologies
13 and procedures to improve the passenger screening
14 process at United States ports of entry;

15 (2) lists the Department of Homeland Security
16 components for which each technology is being devel-
17 oped; and

18 (3) identifies methods for more effectively proc-
19 essing inbound international travelers to the United
20 States while strengthening security.

21 **SEC. 8. INCREASING THE TRANSPARENCY OF DEPARTMENT**
22 **OF HOMELAND SECURITY CUSTOMER SERV-**
23 **ICE ENHANCEMENTS.**

24 (a) IN GENERAL.—The Secretary of Homeland Secu-
25 rity shall collect and analyze traveler feedback—

- 1 (1) to develop customer service best practices
2 across all relevant component agencies;
3 (2) to ensure a welcoming environment; and
4 (3) to improve the image of the United States
5 around the world.

6 (b) USE OF TRAVELER FEEDBACK.—The Secretary
7 of Homeland Security shall—

- 8 (1) coordinate the collection of all traveler feed-
9 back across all relevant component agencies to im-
10 prove the transparency of customer service enhance-
11 ments;

- 12 (2) publicly report the feedback described in
13 paragraph (1) on a quarterly basis; and

- 14 (3) analyze and utilize such feedback to develop
15 customer service best practices throughout the De-
16 partment of Homeland Security, which shall include
17 cultural sensitivity and diversity training.

18 (c) MONTHLY REPORT.—The Secretary of Homeland
19 Security shall report all U.S. Customs and Border Protec-
20 tion traveler feedback to the Department of Transpor-
21 tation for publication in its monthly Air Travel Consumer
22 Report.

23 (d) INFO CENTER STAFFING.—The Commissioner
24 shall ensure that the U.S. Customs and Border Protection

- 1 INFO Center is adequately staffed in order to limit caller
- 2 wait times to shorter than 10 minutes.

