

114TH CONGRESS
2D SESSION

H. R. 5256

To enhance the overseas operations of the Department of Homeland Security aimed at preventing terrorist threats from reaching the United States, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 16, 2016

Mr. THOMPSON of Mississippi (for himself, Ms. LORETTA SANCHEZ of California, Ms. JACKSON LEE, Mr. KEATING, Mr. PAYNE, Mrs. WATSON COLEMAN, and Ms. CLARKE of New York) introduced the following bill; which was referred to the Committee on Homeland Security, and in addition to the Committees on the Judiciary, Ways and Means, and Agriculture, 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

A BILL

To enhance the overseas operations of the Department of Homeland Security aimed at preventing terrorist threats from reaching the United States, 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 “Expanding DHS Over-
5 seas Passenger Security Screening and Vetting Operations
6 Act”.

1 **SEC. 2. COMPREHENSIVE STRATEGY AND IMPLEMENTA-**
2 **TION PLAN FOR DHS OPERATIONS ABROAD.**

3 (a) STRATEGY.—

4 (1) IN GENERAL.—Not later than 180 days
5 after the date of the enactment of this Act, the Sec-
6 retary of Homeland Security shall submit to the
7 Committee on Homeland Security of the House of
8 Representatives and the Committee on Homeland
9 Security and Governmental Affairs of the Senate a
10 comprehensive five-year strategy for existing and fu-
11 ture international programs.

12 (2) CONTENTS.—The strategy required under
13 paragraph (1) shall include, at a minimum, the fol-
14 lowing:

15 (A) Specific Department of Homeland Se-
16 curity strategic risk-based priorities for imple-
17 menting international programs.

18 (B) A risk-based method for determining
19 whether to establish new international programs
20 or expand existing international programs to
21 new locations, given resource constraints.

22 (C) A mechanism to ensure alignment of
23 resource allocations on international programs
24 with the highest Department-wide and Govern-
25 ment-wide strategic priorities.

1 (D) A common reporting framework for
2 the submission of reliable, comparable cost data
3 by components of the Department on overseas
4 expenditures attributable to international pro-
5 grams.

6 (3) CONSIDERATIONS.—In developing the strat-
7 egy required under paragraph (1), the Secretary of
8 Homeland Security shall consider, at a minimum,
9 the following:

10 (A) Existing operations of international
11 programs, together with specific information on
12 the locations in which each such program oper-
13 ates.

14 (B) The number of Department personnel
15 deployed to each location at which an inter-
16 national program referred to in subparagraph
17 (A) is in operation during the current and pre-
18 ceding fiscal year.

19 (C) Analysis of the impacts of each inter-
20 national program on domestic operations of
21 U.S. Customs and Border Protection or U.S.
22 Immigration and Customs Enforcement, as the
23 case may be, including staffing levels and the
24 availability of resources.

1 (D) Analysis of opportunities and barriers
2 to a regional approach and coordination with
3 partner governments on international law en-
4 forcement efforts abroad in line with Depart-
5 ment-wide and United States Government-wide
6 priorities.

7 (E) Analysis of barriers to international
8 program expansion.

9 (F) Relevant Department strategy docu-
10 ments, including the Quadrennial Homeland Se-
11 curity Review and component strategies.

12 (b) IMPLEMENTATION PLANS.—

13 (1) IN GENERAL.—The Secretary of Homeland
14 Security shall submit to the Committee on Home-
15 land Security of the House of Representatives and
16 the Committee on Homeland Security and Govern-
17 mental Affairs of the Senate, on an annual basis, an
18 implementation plan based on the strategy required
19 under subsection (a) for the following fiscal year.
20 Each such plan shall be submitted with the Presi-
21 dent's budget request for the next fiscal year
22 through fiscal year 2022, except that the first such
23 plan may be submitted together with the President's
24 budget request for the next fiscal year or 180 days
25 after submission of the strategy, whichever is later.

1 (2) CONTENTS.—Each implementation plan re-
2 quired under paragraph (1) shall include, at a min-
3 imum, the following:

4 (A) Information, specified on a location-by-
5 location basis, on each international program,
6 including an explanation of program goals and
7 requirements.

8 (B) Information on planned deployments
9 of Department personnel for each international
10 program referred to in subparagraph (A), speci-
11 fied on a location-by-location basis, together
12 with an accounting of resource and personnel
13 allocation required per program per location.

14 (C) A plan to ensure Department per-
15 sonnel deployed at locations outside the United
16 States have appropriate oversight and support
17 to ensure performance in support of program
18 and departmental goals.

19 (D) Mechanisms for cross-component oper-
20 ations, coordination, and communication
21 abroad.

22 (3) FORMAT.—The implementation plan re-
23 quired under paragraph (1) shall be submitted in
24 unclassified form but may contain a classified annex

1 if the Secretary of Homeland Security determines
2 that such is appropriate.

3 **SEC. 3. U.S. CUSTOMS AND BORDER PROTECTION STAFF-**
4 **ING EXPANSION.**

5 (a) IN GENERAL.—The Commissioner of U.S. Cus-
6 toms and Border Protection shall—

7 (1) by not later than September 30, 2017, in-
8 crease by 1,000 the number of U.S. Customs and
9 Border Protection officers and 300 the number of
10 U.S. Customs and Border Protection Agriculture
11 Specialists over the number of such officers and
12 Specialists, respectively, for fiscal year 2016; and

13 (2) by not later than September 30, 2018, in-
14 crease by 1,000 the number of U.S. Customs and
15 Border Protection officers and 300 the number of
16 U.S. Customs and Border Protection Agriculture
17 Specialists over the number of such officers and
18 Specialists, respectively, for fiscal year 2017.

19 (b) PERIODIC REPORTING.—The Secretary of Home-
20 land Security, acting through the Commissioner of U.S.
21 Customs and Border Protection, shall provide to the Com-
22 mittee on Homeland Security of the House of Representa-
23 tives or the Committee on Homeland Security and Govern-
24 mental Affairs of the Senate, upon request by either of
25 such committees, information on the status of efforts to

1 implement the requirements of subsection (a), including
2 information on any impediments to such implementation.

3 **SEC. 4. VISA SECURITY PROGRAM EXPANSION.**

4 (a) DEPLOYMENT PLAN.—Not later than 180 days
5 after the date of the enactment of this Act, the Secretary
6 of Homeland Security shall submit to the Committee on
7 Homeland Security of the House of Representatives and
8 the Committee on Homeland Security and Governmental
9 Affairs of the Senate a plan for expanding, by not later
10 than five years after the date of the enactment of this Act,
11 the Visa Security Program in a risk-based manner to not
12 fewer than 50 United States diplomatic and consular posts
13 that issue visas. Such a plan shall include a prioritized
14 list of such visa issuing posts based on the following:

15 (1) Risk and volume.

16 (2) The number of personnel necessary to oper-
17 ate each such post.

18 (3) The expected costs of establishing and oper-
19 ating each such post.

20 (4) Any potential security concerns regarding
21 each such post.

22 (b) PERIODIC REPORTING.—The Secretary of Home-
23 land Security shall provide to the Committee on Homeland
24 Security of the House of Representatives or the Com-
25 mittee on Homeland Security and Governmental Affairs

1 of the Senate, upon request by either of such committees,
2 information on the status of efforts to implement the re-
3 quirements of subsection (a), including information on any
4 impediments to such implementation.

5 **SEC. 5. PRE-ADJUDICATED THREAT RECOGNITION AND IN-**
6 **TELLIGENCE OPERATIONS TEAM (PATRIOT)**
7 **PROGRAM EXPANSION.**

8 (a) DEPLOYMENT PLAN.—Not later than 60 days
9 after the date of the enactment of this Act, the Secretary
10 of Homeland Security shall submit to the Committee on
11 Homeland Security of the House of Representatives and
12 the Committee on Homeland Security and Governmental
13 Affairs of the Senate a plan for deploying the Department
14 of Homeland Security’s Pre-Adjudicated Threat Recogni-
15 tion and Intelligence Operations Team (PATRIOT) pro-
16 gram to not fewer than 50 United States diplomatic and
17 consular posts that issue visas, based on risk and volume,
18 the minimum number of personnel necessary to operate
19 each such post, the estimated costs of establishing and op-
20 erating each such post, any potential security concerns for
21 each such post, and anticipated timelines for deployment.
22 Such plan shall include, at a minimum, the locations of
23 visa issuing posts to be covered, an accounting of the tech-
24 nology, infrastructure, and personnel necessary to carry
25 out deployment and operation of the PATRIOT program

1 at such posts, and the estimated costs to deploy and oper-
2 ate such program.

3 (b) IMPLEMENTATION.—The Secretary of Homeland
4 Security shall implement the plan required under sub-
5 section (a) to ensure the PATRIOT program referred to
6 in such subsection is being utilized to vet all visa applica-
7 tions, to the maximum extent practicable, at each United
8 States diplomatic and consular post that issues visas to
9 which such program has been expanded.

10 (c) PERIODIC REPORTING.—The Secretary of Home-
11 land Security shall provide to the Committee on Homeland
12 Security of the House of Representatives or the Com-
13 mittee on Homeland Security and Governmental Affairs
14 of the Senate, upon request by either of such committees,
15 information on the status of efforts to implement the re-
16 quirements of this section, including information on any
17 impediments to such implementation.

18 **SEC. 6. IMMIGRATION COOPERATION PROGRAM AUTHOR-**
19 **IZATION.**

20 (a) IN GENERAL.—Subtitle B of title IV of the
21 Homeland Security Act of 2002 is amended by inserting
22 after section 415 the following new section:

23 **“SEC. 416. IMMIGRATION COOPERATION PROGRAM.**

24 “There is established within U.S. Customs and Bor-
25 der Protection a program to be known as the ‘Immigration

1 Cooperation Program’. Under such Program, U.S. Cus-
 2 toms and Border Protection Officers, pursuant to an ar-
 3 rangement with a foreign country, may cooperate with for-
 4 eign authorities, air carriers, and security employees at
 5 foreign airports to identify persons who may be inadmis-
 6 sible to the United States or otherwise pose a risk to the
 7 security of the United States.”.

8 (b) CLERICAL AMENDMENT.—The table of contents
 9 in section 1(b) of the Homeland Security Act of 2002 is
 10 amended by inserting after the item relating to section
 11 415 the following new item:

“Sec. 416. Immigration Cooperation Program.”.

12 **SEC. 7. INTERNATIONAL TRUSTED TRAVELER PROGRAMS**
 13 **MODERNIZATION.**

14 Not later than 180 days after the date of the enact-
 15 ment of this Act, the Secretary of Homeland Security shall
 16 submit to the Committee on Homeland Security of the
 17 House of Representatives and the Committee on Home-
 18 land Security and Governmental Affairs of the Senate a
 19 plan for expanding participation in trusted traveler pro-
 20 grams administered by U.S. Customs and Border Protec-
 21 tion. Such plan shall include the following:

22 (1) A strategy for increasing outreach to and
 23 awareness among the members of the traveling pub-
 24 lic regarding trusted traveler programs, require-
 25 ments, and benefits.

1 (2) An analysis of any barriers to expansion of
2 trusted traveler programs.

3 (3) An assessment of possible impacts on U.S.
4 Customs and Border Protection staffing and re-
5 source requirements as a result of increased partici-
6 pation in trusted traveler programs.

7 (4) An assessment of measures utilized to ad-
8 dress potential risks or vulnerabilities of trusted
9 traveler programs, including resulting from in-
10 creased enrollment.

11 (5) An analysis of the facilitation and security
12 benefits from increased participation in trusted trav-
13 eler programs.

14 **SEC. 8. SECURITY VETTING FOR NONIMMIGRANT VISAS**
15 **EVALUATION.**

16 Not later than 180 days after the date of the enact-
17 ment of this Act, the Comptroller General of the United
18 States shall conduct a review and submit to the Committee
19 on Homeland Security of the House of Representatives
20 and the Committee on Homeland Security and Govern-
21 mental Affairs of the Senate a report on the adequacy and
22 appropriateness of the security screening process for each
23 United States nonimmigrant visa category. Such review
24 shall include the processes for determining visa eligibility,

1 including security screening and background checks, and
2 coordination among relevant agencies.

3 **SEC. 9. DEFINITION.**

4 In this Act, the term “international program” means
5 an international program or operation of U.S. Customs
6 and Border Protection or U.S. Immigration and Customs
7 Enforcement targeted at vetting and screening persons
8 seeking to enter the United States in which Department
9 of Homeland Security personnel and resources are de-
10 ployed abroad.

11 **SEC. 10. AUTHORIZATION OF FUNDING.**

12 There is authorized to be appropriated \$250,000,000
13 for each of fiscal years 2017 and 2018 to carry out this
14 Act and the amendment made by this Act.

○