

Calendar No. 717

115TH CONGRESS
2D SESSION**H. R. 5206****[Report No. 115–413]**

IN THE SENATE OF THE UNITED STATES

JUNE 26, 2018

Received; read twice and referred to the Committee on Homeland Security and
Governmental Affairs

DECEMBER 4, 2018

Reported by Mr. JOHNSON, with amendments

[Omit the part struck through and insert the part printed in *italie*]

AN ACT

To amend the Homeland Security Act of 2002 to establish
the Office of Biometric Identity Management, 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 “Office of Biometric
5 Identity Management Authorization Act of 2018” or the
6 “OBIM Authorization Act of 2018”.

1 **SEC. 2. ESTABLISHMENT OF THE OFFICE OF BIOMETRIC**
2 **IDENTITY MANAGEMENT.**

3 (a) IN GENERAL.—Title VII of the Homeland Secu-
4 rity Act of 2002 (6 U.S.C. 341 et seq.) is amended by
5 adding at the end the following new section:

6 **“SEC. 710. OFFICE OF BIOMETRIC IDENTITY MANAGEMENT.**

7 “(a) ESTABLISHMENT.—The Office of Biometric
8 Identity Management is established within the Manage-
9 ment Directorate of the Department.

10 “(b) DIRECTOR.—

11 “(1) IN GENERAL.—The Office of Biometric
12 Identity Management shall be administered by the
13 Director of the Office of Biometric Identity Manage-
14 ment (in this section referred to as the ‘Director’)
15 who shall report to the Secretary, or to another offi-
16 cial of the Department, as the Secretary may direct.

17 “(2) QUALIFICATIONS AND DUTIES.—The Di-
18 rector shall—

19 “(A) have significant professional manage-
20 ment experience, as well as experience in the
21 field of biometrics and identity management;

22 “(B) lead the Department’s biometric iden-
23 tity services to support anti-terrorism, counter-
24 terrorism, border security, credentialing, na-
25 tional security, and public safety;

1 “(C) enable operational missions across the
2 Department by receiving, matching, storing,
3 sharing, and analyzing biometric and associated
4 biographic and encounter data;

5 “(D) deliver biometric identity information
6 and analysis capabilities to—

7 “(i) the Department and its compo-
8 nents;

9 “(ii) appropriate Federal, State, local,
10 and tribal agencies;

11 “(iii) appropriate foreign govern-
12 ments; and

13 “(iv) appropriate private sector enti-
14 ties;

15 “(E) support the law enforcement, public
16 safety, national security, and homeland security
17 missions of other Federal, State, local, and trib-
18 al agencies, as appropriate;

19 “(F) manage the operation of the Depart-
20 ment’s primary biometric repository and identi-
21 fication system;

22 “(G) manage Biometric Support Centers
23 to provide biometric identification and
24 verification analysis and services to the Depart-
25 ment, appropriate Federal, State, local, and

1 tribal agencies, appropriate foreign govern-
2 ments, and appropriate private sector entities;

3 “(H) oversee the implementation of De-
4 partment-wide standards for biometric con-
5 formity, and work to make such standards Gov-
6 ernment-wide;

7 “(I) in coordination with the Department’s
8 Office of ~~Policy~~ *Strategy, Policy, and Plans*,
9 and in consultation with relevant component of-
10 fices and headquarters offices, enter into data
11 sharing agreements with appropriate Federal,
12 State, local, and foreign agencies to support im-
13 migration, law enforcement, national security,
14 and public safety missions;

15 “(J) maximize interoperability with other
16 Federal, State, local, and foreign biometric sys-
17 tems, as appropriate;

18 “(K) ensure the activities of the Office of
19 Biometric Identity Management are carried out
20 in compliance with the policies and procedures
21 established by the Privacy Officer appointed
22 under section 222; ~~and~~

23 “(L) *consult with the Office for Civil Rights*
24 *and Civil Liberties of the Department about bio-*
25 *metric technologies that may result in disparities*

1 *in the treatment of individuals on the basis of*
 2 *their race or ethnicity; and*

3 “(L)(M) carry out other duties and powers
 4 prescribed by law or delegated by the Secretary.

5 “(c) DEPUTY DIRECTOR.—There shall be in the Of-
 6 fice of Biometric Identity Management a Deputy Director,
 7 who shall assist the Director in the management of the
 8 Office.

9 “(d) OTHER AUTHORITIES.—

10 “(1) IN GENERAL.—The Director may establish
 11 such other offices within the Office of Biometric
 12 Identity Management as the Director determines
 13 necessary to carry out the missions, duties, func-
 14 tions, and authorities of the Office.

15 “(2) NOTIFICATION.—If the Director exercises
 16 the authority provided by paragraph (1), the Direc-
 17 tor shall notify the Committee on Homeland Secu-
 18 rity of the House of Representatives and the Com-
 19 mittee on Homeland Security and Governmental Af-
 20 fairs of the Senate not later than 30 days before ex-
 21 ercising such authority.”.

22 (b) CLERICAL AMENDMENT.—The table of contents
 23 in section 1(b) of the Homeland Security Act of 2002 is
 24 amended by adding after the item relating to section 709
 25 the following new item:

“Sec. 710. Office of Biometric Identity Management.”.

Calendar No. 717

115TH CONGRESS
2D Session

H. R. 5206

[Report No. 115-413]

AN ACT

To amend the Homeland Security Act of 2002 to establish the Office of Biometric Identity Management, and for other purposes.

DECEMBER 4, 2018

Reported with amendments