

118TH CONGRESS
1ST SESSION

S. _____

To require regular reporting to Congress on individuals encountered along a border of the United States or a port of entry, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. MARSHALL (for himself, Mr. CORNYN, Mr. DAINES, and Mr. KENNEDY) introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To require regular reporting to Congress on individuals encountered along a border of the United States or a port of entry, 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 “Where Are The Terror-
5 ists Now Act”.

6 **SEC. 2. REPORTING ON TERRORIST WATCH LIST.**

7 (a) DEFINITIONS.—In this section:

8 (1) TERRORIST ORGANIZATION.—The term
9 “terrorist organization” means—

1 (A) an organization described in subclause
2 (I), (II), or (III) of section 212(a)(3)(B)(vi) of
3 the Immigration and Nationality Act (8 U.S.C.
4 1182(a)(3)(B)(vi)); and

5 (B) any organization that has ever been
6 described in such section 212(a)(3)(B)(vi).

7 (2) **TERRORIST SCREENING DATABASE.**—The
8 term “terrorist screening database” has the meaning
9 given such term in section 2101 of the Homeland
10 Security Act of 2002 (6 U.S.C. 621).

11 (b) **REPORT.**—Not later than 14 days after the date
12 of enactment of this Act, and every month thereafter for
13 1 year, and biannually thereafter, the Secretary of Home-
14 land Security, in coordination with the Attorney General
15 and the Director of National Intelligence, submit to Con-
16 gress a report on individuals encountered by U.S. Customs
17 and Border Protection, U.S. Immigration and Customs
18 Enforcement, or U.S. Citizenship and Immigration Serv-
19 ices along a border of the United States or a port of entry,
20 which shall include—

21 (1) the number of individuals encountered along
22 a border of the United States or a port of entry that
23 are in the terrorist screening database, and the bor-
24 der or port of entry where they were encountered;

1 (2) a description of why each such individual is
2 in the terrorist screening database;

3 (3) any ties each such individual has to a ter-
4 rorist organization;

5 (4) the nation of origin of each such individual;

6 (5) any previous criminal conviction of each
7 such individual in the United States;

8 (6) how each such individual traveled to the
9 border or port of entry, as applicable;

10 (7) if the individual has been detained, where
11 they were detained, if they are still detained, how
12 long they were detained, whether they have been de-
13 ported or transferred to another agency, and their
14 known whereabouts if they have been released;

15 (8) if the individual has been released, how the
16 determination was made that the individual does not
17 present a danger to the United States;

18 (9) whether, and if so, how many times, the in-
19 dividual has been falsely identified in the terrorist
20 screening database; and

21 (10) the total number of individuals added, re-
22 jected, or removed from the terrorist screening data-
23 base since the last report was submitted, and the
24 total number of individuals on the terrorist screening
25 database as of the date of the report.

1 (c) FORM.—To the extent possible, the Secretary of
2 Homeland Security shall submit the each report required
3 under subsection (b) in unclassified form, but may submit
4 such a report, or portion of such a report, in classified
5 form if the Secretary of Homeland Security determines
6 that publication of such report or portion of such report
7 would compromise the national security of the United
8 States.