

ABOLITION OF IMMIGRATION AND NATURALIZATION
SERVICE AND TRANSFER OF FUNCTIONS

For abolition of Immigration and Naturalization Service, transfer of functions, and treatment of related references, see note set out under section 1551 of this title.

§ 1733. Terrorist lookout committees

(a) Establishment

The Secretary of State shall require a terrorist lookout committee to be maintained within each United States mission to a foreign country.

(b) Purpose

The purpose of each committee established under subsection (a) of this section shall be—

(1) to utilize the cooperative resources of all elements of the United States mission in the country in which the consular post is located to identify known or potential terrorists and to develop information on those individuals;

(2) to ensure that such information is routinely and consistently brought to the attention of appropriate United States officials for use in administering the immigration laws of the United States; and

(3) to ensure that the names of known and suspected terrorists are entered into the appropriate lookout databases.

(c) Composition; chair

The Secretary shall establish rules governing the composition of such committees.

(d) Meetings

Each committee established under subsection (a) of this section shall meet at least monthly to share information pertaining to the committee's purpose as described in subsection (b)(2) of this section.

(e) Periodic reports to the Secretary of State

Each committee established under subsection (a) of this section shall submit monthly reports to the Secretary of State describing the committee's activities, whether or not information on known or suspected terrorists was developed during the month.

(f) Reports to Congress

The Secretary of State shall submit a report on a quarterly basis to the appropriate committees of Congress on the status of the committees established under subsection (a) of this section.

(g) Authorization of appropriations

There are authorized to be appropriated such sums as may be necessary to implement this section.

(Pub. L. 107-173, title III, §304, May 14, 2002, 116 Stat. 554.)

§ 1734. Improved training for consular officers

(a) Training

The Secretary of State shall require that all consular officers responsible for adjudicating visa applications, before undertaking to perform consular responsibilities, receive specialized training in the effective screening of visa applicants who pose a potential threat to the safety or security of the United States. Such officers

shall be specially and extensively trained in the identification of aliens inadmissible under section 1182(a)(3)(A) and (B) of this title, interagency and international intelligence sharing regarding terrorists and terrorism, and cultural-sensitivity toward visa applicants. In accordance with section 1776 of this title, and as part of the consular training provided to such officers by the Secretary of State, such officers shall also receive training in detecting fraudulent documents and general document forensics and shall be required as part of such training to work with immigration officers conducting inspections of applicants for admission into the United States at ports of entry.

(b) Use of foreign intelligence information

As an ongoing component of the training required in subsection (a) of this section, the Secretary of State shall coordinate with the Assistant to the President for Homeland Security, Federal law enforcement agencies, and the intelligence community to compile and disseminate to the Bureau of Consular Affairs reports, bulletins, updates, and other current unclassified information relevant to terrorists and terrorism and to screening visa applicants who pose a potential threat to the safety or security of the United States.

(c) Authorization of appropriations

There are authorized to be appropriated such sums as may be necessary to implement this section.

(Pub. L. 107-173, title III, §305, May 14, 2002, 116 Stat. 555; Pub. L. 108-458, title VII, §7203(c), Dec. 17, 2004, 118 Stat. 3814.)

AMENDMENTS

2004—Subsec. (a). Pub. L. 108-458 inserted at end “In accordance with section 1776 of this title, and as part of the consular training provided to such officers by the Secretary of State, such officers shall also receive training in detecting fraudulent documents and general document forensics and shall be required as part of such training to work with immigration officers conducting inspections of applicants for admission into the United States at ports of entry.”

§ 1735. Restriction on issuance of visas to non-immigrants from countries that are state sponsors of international terrorism

(a) In general

No nonimmigrant visa under section 1101(a)(15) of this title shall be issued to any alien from a country that is a state sponsor of international terrorism unless the Secretary of State determines, in consultation with the Attorney General and the heads of other appropriate United States agencies, that such alien does not pose a threat to the safety or national security of the United States. In making a determination under this subsection, the Secretary of State shall apply standards developed by the Secretary of State, in consultation with the Attorney General and the heads of other appropriate United States agencies, that are applicable to the nationals of such states.

(b) State sponsor of international terrorism defined

(1) In general

In this section, the term “state sponsor of international terrorism” means any country

the government of which has been determined by the Secretary of State under any of the laws specified in paragraph (2) to have repeatedly provided support for acts of international terrorism.

(2) Laws under which determinations were made

The laws specified in this paragraph are the following:

- (A) Section 2405(j)(1)(A) of title 50, Appendix (or successor statute).
- (B) Section 2780(d) of title 22.
- (C) Section 2371(a) of title 22.

(Pub. L. 107-173, title III, §306, May 14, 2002, 116 Stat. 555.)

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§ 1736. Check of lookout databases

Prior to the admission of an alien under the visa waiver program established under section 1187 of this title, the Immigration and Naturalization Service shall determine that the applicant for admission does not appear in any of the appropriate lookout databases available to immigration inspectors at the time the alien seeks admission to the United States.

(Pub. L. 107-173, title III, §307(b), May 14, 2002, 116 Stat. 556.)

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§ 1737. Tracking system for stolen passports

(a) Entering stolen passport identification numbers in the interoperable data system

(1) In general

Beginning with implementation under section 1722 of this title of the law enforcement and intelligence data system, not later than 72 hours after receiving notification of the loss or theft of a United States or foreign passport, the Attorney General and the Secretary of State, as appropriate, shall enter into such system the corresponding identification number for the lost or stolen passport.

(2) Entry of information on previously lost or stolen passports

To the extent practicable, the Attorney General, in consultation with the Secretary of State, shall enter into such system the corresponding identification numbers for the United States and foreign passports lost or stolen prior to the implementation of such system.

(b) Transition period

Until such time as the law enforcement and intelligence data system described in section 1722 of this title is fully implemented, the Attor-

ney General shall enter the data described in subsection (a) of this section into an existing data system being used to determine the admissibility or deportability of aliens.

(Pub. L. 107-173, title III, §308, May 14, 2002, 116 Stat. 556.)

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§ 1738. Identification documents for certain newly admitted aliens

Not later than 180 days after May 14, 2002, the Attorney General shall ensure that, immediately upon the arrival in the United States of an individual admitted under section 1157 of this title, or immediately upon an alien being granted asylum under section 1158 of this title, the alien will be issued an employment authorization document. Such document shall, at a minimum, contain the fingerprint and photograph of such alien.

(Pub. L. 107-173, title III, §309, May 14, 2002, 116 Stat. 556.)

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SUBCHAPTER IV—INSPECTION AND
ADMISSION OF ALIENS

§ 1751. Study of the feasibility of a North American National Security Program

(a) In general

The President shall conduct a study of the feasibility of establishing a North American National Security Program to enhance the mutual security and safety of the United States, Canada, and Mexico.

(b) Study elements

In conducting the study required by subsection (a) of this section, the President shall consider the following:

(1) Preclearance

The feasibility of establishing a program enabling foreign national travelers to the United States to submit voluntarily to a preclearance procedure established by the Department of State and the Immigration and Naturalization Service to determine whether such travelers are admissible to the United States under section 1182 of this title. Consideration shall be given to the feasibility of expanding the preclearance program to include the preclearance both of foreign nationals traveling to Canada and foreign nationals traveling to Mexico.

(2) Preinspection

The feasibility of expanding preinspection facilities at foreign airports as described in section 1225a of this title. Consideration shall