

ments or equipment under section 2304(a)(2) of this title shall apply to the export and reexport of any item included pursuant to subsection (a) on the list of crime control instruments.

(Pub. L. 105–292, title IV, § 423, Oct. 27, 1998, 112 Stat. 2810.)

SUBCHAPTER IV—REFUGEE, ASYLUM, AND CONSULAR MATTERS

§ 6471. Use of Annual Report

The Annual Report, together with other relevant documentation, shall serve as a resource for immigration judges and consular, refugee, and asylum officers in cases involving claims of persecution on the grounds of religion. Absence of reference by the Annual Report to conditions described by the alien shall not constitute the sole grounds for a denial of the alien's claim.

(Pub. L. 105–292, title VI, § 601, Oct. 27, 1998, 112 Stat. 2812.)

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 Title 8, Aliens and Nationality.

§ 6472. Reform of refugee policy

(a), (b) Omitted

(c) Guidelines for refugee-processing posts

(1) Guidelines for addressing hostile biases

The Attorney General and the Secretary of State shall develop and implement guidelines that address potential biases in personnel of the Immigration and Naturalization Service and of the Department of State that are hired abroad and involved with duties which could constitute an effective barrier to a refugee claim if such personnel carries a bias against the claimant on the grounds of religion, race, nationality, membership in a particular social group, or political opinion. The subject matter of this training should be culturally sensitive and tailored to provide a nonbiased, non-adversarial atmosphere for the purpose of refugee adjudications.

(2) Guidelines for refugee-processing posts in establishing agreements with United States Government-designated refugee processing entities

The Attorney General and the Secretary of State shall develop and implement guidelines to ensure uniform procedures for establishing agreements with United States Government-designated refugee processing entities and personnel, and uniform procedures for such entities and personnel responsible for preparing refugee case files for use by the Immigration and Naturalization Service during refugee adjudications. These procedures should ensure, to the extent practicable, that case files prepared by such entities accurately reflect information provided by the refugee applicants and that genuine refugee applicants are not disadvantaged or denied refugee status due to faulty case file preparation.

(3) Guidelines for preventing persons with potential biases from participating in determinations

Not later than 120 days after November 29, 1999, the Secretary of State (after consultation with the Attorney General) shall issue guidelines to ensure that persons with potential biases against any refugee applicant, including persons employed by, or otherwise subject to influence by, governments known to be involved in persecution on account of religion, race, nationality, membership in a particular social group, or political opinion, shall not in any way be used in processing determinations of refugee status, including interpretation of conversations or examination of documents presented by such applicants.

(d) Annual consultation

The President shall include in each annual report on proposed refugee admissions under section 1157(d) of title 8 information about religious persecution of refugee populations eligible for consideration for admission to the United States. The Secretary of State shall include information on religious persecution of refugee populations in the formal testimony presented to the Committees on the Judiciary of the House of Representatives and the Senate during the consultation process under section 1157(e) of title 8.

(Pub. L. 105–292, title VI, § 602, Oct. 27, 1998, 112 Stat. 2812; Pub. L. 106–113, div. B, § 1000(a)(7) [div. A, title II, § 253], Nov. 29, 1999, 113 Stat. 1536, 1501A–432.)

CODIFICATION

Section is comprised of section 602 of Pub. L. 105–292. Subsec. (a) of section 602 of Pub. L. 105–292 amended section 1157 of Title 8, Aliens and Nationality. Subsec. (b) of section 602 of Pub. L. 105–292 amended section 4028 of this title.

AMENDMENTS

1999—Subsec. (c)(1). Pub. L. 106–113, § 1000(a)(7) [div. A, title II, § 253(a)], inserted “and of the Department of State” after “Service”.

Subsec. (c)(3). Pub. L. 106–113, § 1000(a)(7) [div. A, title II, § 253(b)], added par. (3).

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 Title 8, Aliens and Nationality.

§ 6473. Reform of asylum policy

(a) Guidelines

The Attorney General and the Secretary of State shall develop guidelines to ensure that persons with potential biases against individuals on the grounds of religion, race, nationality, membership in a particular social group, or political opinion, including interpreters and personnel of airlines owned by governments known to be involved in practices which would meet the definition of persecution under international refugee law, shall not in any manner be used to interpret conversations between aliens and inspection or asylum officers.