

(Pub. L. 110-457, title II, § 203, Dec. 23, 2008, 122 Stat. 5057.)

CODIFICATION

Section was enacted as part of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008, and not as part of the Immigration and Nationality Act which comprises this chapter.

**§ 1376. Data on nonimmigrant overstay rates**

**(a) Collection of data**

Not later than the date that is 180 days after April 27, 1998, the Attorney General shall implement a program to collect data, for each fiscal year, regarding the total number of aliens within each of the classes of nonimmigrant aliens described in section 1101(a)(15) of this title whose authorized period of stay in the United States terminated during the previous fiscal year, but who remained in the United States notwithstanding such termination.

**(b) Annual report**

Not later than June 30, 1999, and not later than June 30 of each year thereafter, the Attorney General shall submit an annual report to the Congress providing numerical estimates, for each country for the preceding fiscal year, of the number of aliens from the country who are described in subsection (a).

(Pub. L. 105-173, § 2, Apr. 27, 1998, 112 Stat. 56.)

CODIFICATION

Section was not enacted as part of the Immigration and Nationality Act which comprises this chapter.

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.

**§ 1377. Collection of data on detained asylum seekers**

**(a) In general**

The Attorney General shall regularly collect data on a nationwide<sup>1</sup> basis with respect to asylum seekers in detention in the United States, including the following information:

- (1) The number of detainees.
- (2) An identification of the countries of origin of the detainees.
- (3) The percentage of each gender within the total number of detainees.
- (4) The number of detainees listed by each year of age of the detainees.
- (5) The location of each detainee by detention facility.
- (6) With respect to each facility where detainees are held, whether the facility is also used to detain criminals and whether any of the detainees are held in the same cells as criminals.
- (7) The number and frequency of the transfers of detainees between detention facilities.
- (8) The average length of detention and the number of detainees by category of the length of detention.

<sup>1</sup> So in original. Probably should be "nationwide".

(9) The rate of release from detention of detainees for each district of the Immigration and Naturalization Service.

(10) A description of the disposition of cases.

**(b) Annual reports**

Beginning October 1, 1999, and not later than October 1 of each year thereafter, the Attorney General shall submit to the Committee on the Judiciary of each House of Congress a report setting forth the data collected under subsection (a) for the fiscal year ending September 30 of that year.

**(c) Availability to public**

Copies of the data collected under subsection (a) shall be made available to members of the public upon request pursuant to such regulations as the Attorney General shall prescribe.

(Pub. L. 105-277, div. A, § 101(h) [title IX, § 903], Oct. 21, 1998, 112 Stat. 2681-480, 2681-541.)

CODIFICATION

Section was enacted as part of the Haitian Refugee Immigration Fairness Act of 1998, and also as part of the Treasury and General Government Appropriations Act, 1999, and the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999, and not as part of the Immigration and Nationality Act which comprises this chapter.

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.

**§ 1378. Collection of data on other detained aliens**

**(a) In general**

The Attorney General shall regularly collect data on a nationwide basis on aliens being detained in the United States by the Immigration and Naturalization Service other than the aliens described in section 1377 of this title, including the following information:

- (1) The number of detainees who are criminal aliens and the number of detainees who are noncriminal aliens who are not seeking asylum.
- (2) An identification of the ages, gender, and countries of origin of detainees within each category described in paragraph (1).
- (3) The types of facilities, whether facilities of the Immigration and Naturalization Service or other Federal, State, or local facilities, in which each of the categories of detainees described in paragraph (1) are held.

**(b) Length of detention, transfers, and dispositions**

With respect to detainees who are criminal aliens and detainees who are noncriminal aliens who are not seeking asylum, the Attorney General shall also collect data concerning—

- (1) the number and frequency of transfers between detention facilities for each category of detainee;
- (2) the average length of detention of each category of detainee;
- (3) for each category of detainee, the number of detainees who have been detained for the same length of time, in 3-month increments;