

der of the United States and a timeline for the implementation of the expansion.

“SEC. 5105. AUTHORIZATION OF APPROPRIATIONS.

“There is authorized to be appropriated such sums as may be necessary to carry out the pilot program under this subtitle.”

§ 1713. Machine-readable visa fees

(a) Omitted

(b) Fee amount

The machine-readable visa fee charged by the Department of State shall be the higher of \$65 or the cost of the machine-readable visa service, as determined by the Secretary of State after conducting a study of the cost of such service.

(c) Surcharge

The Department of State is authorized to charge a surcharge of \$10, in addition to the machine-readable visa fee, for issuing a machine-readable visa in a nonmachine-readable passport.

(d) Availability of collected fees

Notwithstanding any other provision of law, amounts collected as fees described in this section shall be credited as an offsetting collection to any appropriation for the Department of State to recover costs of providing consular services. Amounts so credited shall be available, until expended, for the same purposes as the appropriation to which credited.

(Pub. L. 107-173, title I, §103, May 14, 2002, 116 Stat. 547.)

CODIFICATION

Section is comprised of section 103 of Pub. L. 107-173. Subsec. (a) of section 103 of Pub. L. 107-173 amended provisions set out as a note under section 1351 of this title.

§ 1714. Surcharges related to consular services

Beginning in fiscal year 2005 and thereafter, the Secretary of State is authorized to charge surcharges related to consular services in support of enhanced border security that are in addition to the passport and immigrant visa fees in effect on January 1, 2004: *Provided*, That funds collected pursuant to this authority shall be credited to this account, and shall be available until expended for the purposes of such account: *Provided further*, That such surcharges shall be \$12 on passport fees, and \$45 on immigrant visa fees.

(Pub. L. 108-447, div. B, title IV, Dec. 8, 2004, 118 Stat. 2896.)

CODIFICATION

Section appears under the headings “Administration of Foreign Affairs” and “Diplomatic and Consular Programs” in title IV of div. B of Pub. L. 108-447. It was enacted as part of the Department of State and Related Agency Appropriations Act, 2005, and also as part of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2005, and as part of the Consolidated Appropriations Act, 2005, and not as part of the Enhanced Border Security and Visa Entry Reform Act of 2002 which comprises this chapter.

AUTHORITY TO ADMINISTRATIVELY AMEND SURCHARGES

Pub. L. 109-472, §6, Jan. 11, 2007, 120 Stat. 3555, provided that:

“(a) IN GENERAL.—Beginning in fiscal year 2007 and thereafter, the Secretary of State is authorized to amend administratively the amounts of the surcharges related to consular services in support of enhanced border security (provided for in the last paragraph under the heading ‘diplomatic and consular programs’ under title IV of division B of the Consolidated Appropriations Act, 2005 (Public Law 108-447) [this section]) that are in addition to the passport and immigrant visa fees in effect on January 1, 2004.

“(b) REQUIREMENTS.—In carrying out subsection (a) and the provision of law described in such subsection, the Secretary shall meet the following requirements:

“(1) The amounts of the surcharges shall be reasonably related to the costs of providing services in connection with the activity or item for which the surcharges are charged.

“(2) The aggregate amount of surcharges collected may not exceed the aggregate amount obligated and expended for the costs related to consular services in support of enhanced border security incurred in connection with the activity or item for which the surcharges are charged.

“(3) A surcharge may not be collected except to the extent the surcharge will be obligated and expended to pay the costs related to consular services in support of enhanced border security incurred in connection with the activity or item for which the surcharge is charged.

“(4) A surcharge shall be available for obligation and expenditure only to pay the costs related to consular services in support of enhanced border security incurred in providing services in connection with the activity or item for which the surcharge is charged.”

SUBCHAPTER II—INTERAGENCY INFORMATION SHARING

§ 1721. Interim measures for access to and coordination of law enforcement and other information

(a) Interim directive

Until the plan required by subsection (c) is implemented, Federal law enforcement agencies and the intelligence community shall, to the maximum extent practicable, share any information with the Department of State and the Immigration and Naturalization Service relevant to the admissibility and deportability of aliens, consistent with the plan described in subsection (c).

(b) Report identifying law enforcement and intelligence information

(1) In general

Not later than 120 days after May 14, 2002, the President shall submit to the appropriate committees of Congress a report identifying Federal law enforcement and the intelligence community information needed by the Department of State to screen visa applicants, or by the Immigration and Naturalization Service to screen applicants for admission to the United States, and to identify those aliens inadmissible or deportable under the Immigration and Nationality Act [8 U.S.C. 1101 et seq.].

(2) Omitted

(c) Coordination plan

(1) Requirement for plan

Not later than one year after October 26, 2001, the President shall develop and implement a plan based on the findings of the report under subsection (b) that requires Federal law