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 deposited in the Consular and Border Security Programs account 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; Pub. L. 115–31, div. J, title VII, §7081(b), May 5, 2017, 131 Stat. 716.)

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.

AMENDMENTS

2017—Subsec. (d). Pub. L. 115–31 substituted "deposited in the Consular and Border Security Programs account" for "credited as an offsetting collection to any appropriation for the Department of State".

§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 deposited in the Consular and Border Security Programs 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; Pub. L. 115–31, div. J, title VII, §7081(c), May 5, 2017, 131 Stat. 716.)

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.

AMENDMENTS

2017—Pub. L. 115–31 substituted "deposited in the Consular and Border Security Programs account" for "credited to this account".

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."

§1715. Consular and Border Security Programs

(a) Separate fund

There is established in the Treasury a separate fund to be known as the "Consular and Border Security Programs" account into which the following fees shall be deposited for the purposes of the consular and border security programs.

(b) to (g) Omitted

(h) Transfer of funds

(1) The unobligated balances of amounts available from fees referenced under this section may be transferred to the Consular and Border Security Programs account.

(2) Funds deposited in or transferred to the Consular and Border Security Programs account may be transferred between funds appropriated under the heading "Administration of Foreign Affairs".

(3) The transfer authorities in this section shall be in addition to any other transfer authority available to the Department of State.

(i) Effective date

The amendments made by this section shall take effect no later than October 1, 2018, and

shall be implemented in a manner that ensures the fees collected, transferred, and used in fiscal year 2019 can be readily tracked.

(Pub. L. 115–31, div. J, title VII, § 7081, May 5, 2017, 131 Stat. 716.)

CODIFICATION

Section appears under the heading ''Consular and Border Security Programs'' in title VII of div. J of Pub. L. 115–31. It was enacted as part of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2017, and also as part of the Consolidated Appropriations Act, 2017, and not as part of the Enhanced Border Security and Visa Entry Reform Act of 2002 which comprises this chapter.

Section is comprised of section 7081 of title VII of div. J of Pub. L. 115–31. Subsecs. (b) and (c) of section 7081 of Pub. L. 115–31 amended sections 1713 and 1714, respectively, of this title. Subsecs. (d) and (e) of section 7081 amended provisions set out as notes under sections 1153 and 1183a, respectively, of this title. Subsec. (f) of section 7081 amended section 214 of Title 22, Foreign Relations and Intercourse, and subsec. (g) of section 7081 amended provisions set out as a note under section 214 of Title 22.

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 enforcement agencies and the intelligence community to provide to the Department of State and the Immigration and Naturalization Service all information identified in that report as expeditiously as practicable.

(2) Consultation requirement

In the preparation and implementation of the plan under this subsection, the President shall consult with the appropriate committees of Congress.

(3) Protections regarding information and uses thereof

The plan under this subsection shall establish conditions for using the information described in subsection (b) received by the Department of State and Immigration and Naturalization Service—

(A) to limit the redissemination of such information;

(B) to ensure that such information is used solely to determine whether to issue a visa to an alien or to determine the admissibility or deportability of an alien to the United States, except as otherwise authorized under Federal law;

(C) to ensure the accuracy, security, and confidentiality of such information;

(D) to protect any privacy rights of individuals who are subjects of such information;

(E) to provide data integrity through the timely removal and destruction of obsolete or erroneous names and information; and

(F) in a manner that protects the sources and methods used to acquire intelligence information as required by section 403–3(c)(7) of title 50.[1]

(4) Criminal penalties for misuse of information

Any person who obtains information under this subsection without authorization or exceeding authorized access (as defined in section 1030(e) of title 18), and who uses such information in the manner described in any of the paragraphs (1) through (7) of section 1030(a) of such title, or attempts to use such information in such manner, shall be subject to the same penalties as are applicable under section 1030(c) of such title for violation of that paragraph.

(Pub. L. 107–173, title II, § 201, May 14, 2002, 116 Stat. 547; Pub. L. 108–177, title III, § 377(f), Dec. 13, 2003, 117 Stat. 2631.)

REFERENCES IN TEXT

The Immigration and Nationality Act, referred to in subsec. (b)(1), is act June 27, 1952, ch. 477, 66 Stat. 163, as amended, which is classified principally to chapter 12 (§ 1101 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1101 of this title and Tables.

Section 403–3 of title 50, referred to in subsec. (c)(3)(F), was repealed and a new section 403–3 was enacted by Pub. L. 108–458, title I, § 1011(a), Dec. 17, 2004, 118 Stat. 3643, 3655, and subsequently editorially reclassified to section 3025 of Title 50, War and National Defense; as so enacted, subsec. (c)(7) no longer contains provisions relating to the protection of sources and methods used to acquire intelligence information. See section 3024 of Title 50.

CODIFICATION

Section is comprised of section 201 of Pub. L. 107–173. Subsec. (b)(2) of section 201 of Pub. L. 107–173 amended provisions set out as a note under section 1365a of this title. Subsec. (c)(5) of section 201 of Pub. L. 107–173 amended section 1379 of this title.

[1] See References in Text note below.