

No such qualifying quarter of coverage that is creditable under title II of the Social Security Act for any period beginning after December 31, 1996, may be credited to an alien under paragraph (1) or (2) if the parent or spouse (as the case may be) of such alien received any Federal means-tested public benefit (as provided under section 1613 of this title) during the period for which such qualifying quarter of coverage is so credited. Notwithstanding section 6103 of title 26, the Commissioner of Social Security is authorized to disclose quarters of coverage information concerning an alien and an alien's spouse or parents to a government agency for the purposes of this chapter.

(Pub. L. 104-193, title IV, §435, Aug. 22, 1996, 110 Stat. 2275; Pub. L. 105-33, title V, §5573, Aug. 5, 1997, 111 Stat. 641.)

REFERENCES IN TEXT

This chapter, referred to in text, was in the original "this title" meaning title IV of Pub. L. 104-193, Aug. 22, 1996, 110 Stat. 2260, which enacted this chapter, section 1183a of this title, and sections 611a and 1437y of Title 42, The Public Health and Welfare, amended section 1383 of this title, sections 32 and 6213 of Title 26, Internal Revenue Code, and sections 1436a and 1471 of Title 42, and enacted provisions set out as notes under section 1183a of this title and section 32 of Title 26. For complete classification of title IV to the Code, see Tables.

The Social Security Act, referred to in text, is act Aug. 14, 1935, ch. 531, 49 Stat. 620, as amended. Title II of the Act is classified generally to subchapter II (§401 et seq.) of chapter 7 of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see section 1305 of Title 42 and Tables.

AMENDMENTS

1997—Pub. L. 105-33, §5573(a), inserted at end "Notwithstanding section 6103 of title 26, the Commissioner of Social Security is authorized to disclose quarters of coverage information concerning an alien and an alien's spouse or parents to a government agency for the purposes of this chapter."

Par. (1). Pub. L. 105-33, §5573(b), substituted "before the date on which the alien attains age 18," for "while the alien was under age 18,".

EFFECTIVE DATE OF 1997 AMENDMENT

Amendment by Pub. L. 105-33 effective as if included in the enactment of title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Pub. L. 104-193, see section 5582 of Pub. L. 105-33, set out as a note under section 1367 of this title.

§ 1646. Derivative eligibility for benefits

Notwithstanding any other provision of law, an alien who under the provisions of this chapter is ineligible for benefits under the food stamp program (as defined in section 1612(a)(3)(B) of this title) shall not be eligible for such benefits because the alien receives benefits under the supplemental security income program (as defined in section 1612(a)(3)(A) of this title).

(Pub. L. 104-193, title IV, §436, as added Pub. L. 105-33, title V, §5305(a), Aug. 5, 1997, 111 Stat. 601.)

REFERENCES IN TEXT

This chapter, referred to in text, was in the original "this title" meaning title IV of Pub. L. 104-193, Aug. 22,

1996, 110 Stat. 2260, which enacted this chapter, section 1183a of this title, and sections 611a and 1437y of Title 42, The Public Health and Welfare, amended section 1383 of this title, sections 32 and 6213 of Title 26, Internal Revenue Code, and sections 1436a and 1471 of Title 42, and enacted provisions set out as notes under section 1183a of this title and section 32 of Title 26. For complete classification of title IV to the Code, see Tables.

CHANGE OF NAME

References to the food stamp program established under the Food and Nutrition Act of 2008 considered to refer to the supplemental nutrition assistance program established under that Act, see section 4002(c) of Pub. L. 110-246, set out as a note under section 2012 of Title 7, Agriculture.

EFFECTIVE DATE

Section effective, except as otherwise provided, as if included in the enactment of title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Pub. L. 104-193, see section 5308 of Pub. L. 105-33, set out as an Effective Date of 1997 Amendment note under section 1612 of this title.

CHAPTER 15—ENHANCED BORDER SECURITY AND VISA ENTRY REFORM

Sec.
1701.

Definitions.

SUBCHAPTER I—FUNDING

1711. Authorization of appropriations for hiring and training Government personnel.
1712. Authorization of appropriations for improvements in technology and infrastructure.
1713. Machine-readable visa fees.
1714. Surcharges related to consular services.
1715. Consular and Border Security Programs.

SUBCHAPTER II—INTERAGENCY INFORMATION SHARING

1721. Interim measures for access to and coordination of law enforcement and other information.
1722. Interoperable law enforcement and intelligence data system with name-matching capacity and training.
1723. Commission on Interoperable Data Sharing.
1724. Personnel management authorities for positions involved in the development and implementation of the interoperable electronic data system ("Chimera system").

SUBCHAPTER III—VISA ISSUANCE

1731. Implementation of an integrated entry and exit data system.
1732. Machine-readable, tamper-resistant entry and exit documents.
1733. Terrorist lookout committees.
1734. Improved training for consular officers.
1735. Restriction on issuance of visas to nonimmigrants from countries that are state sponsors of international terrorism.
1736. Check of lookout databases.
1737. Tracking system for stolen passports.
1738. Identification documents for certain newly admitted aliens.

SUBCHAPTER IV—INSPECTION AND ADMISSION OF ALIENS

1751. Study of the feasibility of a North American National Security Program.
1752. Staffing levels at ports of entry.
1752a. Model ports-of-entry.
1753. Joint United States-Canada projects for alternative inspections services.

SUBCHAPTER V—FOREIGN STUDENTS AND EXCHANGE VISITORS

1761. Foreign student monitoring program.

- Sec.
1762. Review of institutions and other entities authorized to enroll or sponsor certain non-immigrants.

SUBCHAPTER VI—MISCELLANEOUS PROVISIONS

1771. General Accounting Office study.
1772. International cooperation.
1773. Statutory construction.
1774. Annual report on aliens who fail to appear after release on own recognizance.
1775. Retention of nonimmigrant visa applications by the Department of State.
1776. Training program.
1777. Establishment of Human Smuggling and Trafficking Center.
1778. Vulnerability and threat assessment.

§ 1701. Definitions

In this chapter:

(1) **Alien**

The term “alien” has the meaning given the term in section 1101(a)(3) of this title.

(2) **Appropriate committees of Congress**

The term “appropriate committees of Congress” means the following:

(A) The Committee on the Judiciary, the Select Committee on Intelligence, and the Committee on Foreign Relations of the Senate.

(B) The Committee on the Judiciary, the Permanent Select Committee on Intelligence, and the Committee on International Relations of the House of Representatives.

(3) **Chimera system**

The term “Chimera system” means the interoperable electronic data system required to be developed and implemented by section 1722(a)(2) of this title.

(4) **Federal law enforcement agencies**

The term “Federal law enforcement agencies” means the following:

- (A) The United States Secret Service.
(B) The Drug Enforcement Administration.
(C) The Federal Bureau of Investigation.
(D) The Immigration and Naturalization Service.
(E) The United States Marshall Service.
(F) The Naval Criminal Investigative Service.
(G) The Coast Guard.
(H) The Diplomatic Security Service.
(I) The United States Postal Inspection Service.
(J) The Bureau of Alcohol, Tobacco, Firearms, and Explosives, Department of Justice.
(K) The United States Customs Service.
(L) The National Park Service.

(5) **Intelligence community**

The term “intelligence community” has the meaning given that term in section 3003(4) of title 50.

(6) **President**

The term “President” means the President of the United States, acting through the Assistant to the President for Homeland Security, in coordination with the Secretary of

State, the Commissioner of Immigration and Naturalization, the Attorney General, the Director of Central Intelligence, the Director of the Federal Bureau of Investigation, the Secretary of Transportation, the Commissioner of U.S. Customs and Border Protection, and the Secretary of the Treasury.

(7) **USA PATRIOT Act**

The term “USA PATRIOT Act” means the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT ACT) Act of 2001 (Public Law 107-56).

(Pub. L. 107-173, §2, May 14, 2002, 116 Stat. 544; Pub. L. 107-296, title XI, §1112(c), Nov. 25, 2002, 116 Stat. 2276; Pub. L. 108-293, title VI, §619, Aug. 9, 2004, 118 Stat. 1062; Pub. L. 114-125, title VIII, §802(d)(2), Feb. 24, 2016, 130 Stat. 210.)

REFERENCES IN TEXT

This chapter, referred to in introductory provisions, was in the original “this Act”, meaning Pub. L. 107-173, May 14, 2002, 116 Stat. 543, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title note set out below and Tables.

The Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT ACT) Act of 2001, referred to in par. (7), was Pub. L. 107-56, Oct. 26, 2001, 115 Stat. 272. Pub. L. 107-56 was renamed the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001 or the USA PATRIOT Act by Pub. L. 109-177, title I, §101(b), Mar. 9, 2006, 120 Stat. 194. For complete classification of this Act to the Code, see Short Title of 2001 Amendment note set out under section 1 of Title 18, Crimes and Criminal Procedure, and Tables.

AMENDMENTS

2004—Par. (4)(G). Pub. L. 108-293 substituted “The Coast Guard” for “The Coastal Security Service”.

2002—Par. (4)(J). Pub. L. 107-296 substituted “Bureau of Alcohol, Tobacco, Firearms, and Explosives, Department of Justice” for “Bureau of Alcohol, Tobacco, and Firearms”.

CHANGE OF NAME

“Commissioner of U.S. Customs and Border Protection” substituted for “Commissioner of Customs” in par. (6) on authority of section 802(d)(2) of Pub. L. 114-125, set out as a note under section 211 of Title 6, Domestic Security.

Committee on International Relations of House of Representatives changed to Committee on Foreign Affairs of House of Representatives by House Resolution No. 6, One Hundred Tenth Congress, Jan. 5, 2007.

Reference to the Director of Central Intelligence or the Director of the Central Intelligence Agency in the Director’s capacity as the head of the intelligence community deemed to be a reference to the Director of National Intelligence. Reference to the Director of Central Intelligence or the Director of the Central Intelligence Agency in the Director’s capacity as the head of the Central Intelligence Agency deemed to be a reference to the Director of the Central Intelligence Agency. See section 1081(a), (b) of Pub. L. 108-458, set out as a note under section 3001 of Title 50, War and National Defense.

EFFECTIVE DATE OF 2002 AMENDMENT

Amendment by Pub. L. 107-296 effective 60 days after Nov. 25, 2002, see section 4 of Pub. L. 107-296, set out as an Effective Date note under section 101 of Title 6, Domestic Security.