

(Pub. L. 107-173, title II, §204, May 14, 2002, 116 Stat. 551.)

REFERENCES IN TEXT

Level III of the Executive Schedule, referred to in subsec. (b), is set out in section 5314 of Title 5, Government Organization and Employees.

CHANGE OF NAME

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.

SUBCHAPTER III—VISA ISSUANCE

§ 1731. Implementation of an integrated entry and exit data system

(a) Development of system

In developing the integrated entry and exit data system for the ports of entry, as required by the Immigration and Naturalization Service Data Management Improvement Act of 2000 (Public Law 106-215), the Attorney General and the Secretary of State shall—

- (1) implement, fund, and use a technology standard under section 1379 of this title at United States ports of entry and at consular posts abroad;
- (2) establish a database containing the arrival and departure data from machine-readable visas, passports, and other travel and entry documents possessed by aliens; and
- (3) make interoperable all security databases relevant to making determinations of admissibility under section 1182 of this title.

(b) Implementation

In implementing the provisions of subsection (a), the Immigration and Naturalization Service and the Department of State shall—

- (1) utilize technologies that facilitate the lawful and efficient cross-border movement of commerce and persons without compromising the safety and security of the United States; and
- (2) consider implementing the North American National Security Program described in section 1751 of this title.

(Pub. L. 107-173, title III, §302, May 14, 2002, 116 Stat. 552.)

REFERENCES IN TEXT

The Immigration and Naturalization Service Data Management Improvement Act of 2000, referred to in subsec. (a), is Pub. L. 106-215, June 15, 2000, 114 Stat. 337, which amended section 1365a of this title and enacted provisions set out as notes under sections 1101 and 1365a of this title. For complete classification of this Act to the Code, see Short Title of 2000 Amendment note set out under section 1101 of this title and Tables.

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.

§ 1732. Machine-readable, tamper-resistant entry and exit documents

(a) Report

(1) In general

Not later than 180 days after May 14, 2002, the Attorney General, the Secretary of State,

and the National Institute of Standards and Technology (NIST), acting jointly, shall submit to the appropriate committees of Congress a comprehensive report assessing the actions that will be necessary, and the considerations to be taken into account, to achieve fully, not later than October 26, 2004—

(A) implementation of the requirements of subsections (b) and (c); and

(B) deployment of the equipment and software to allow biometric comparison and authentication of the documents described in subsections (b) and (c).

(2) Estimates

In addition to the assessment required by paragraph (1), the report required by that paragraph shall include an estimate of the costs to be incurred, and the personnel, man-hours, and other support required, by the Department of Justice, the Department of State, and NIST to achieve the objectives of subparagraphs (A) and (B) of paragraph (1).

(b) Requirements

(1) In general

Not later than October 26, 2004, the Attorney General and the Secretary of State shall issue to aliens only machine-readable, tamper-resistant visas and other travel and entry documents that use biometric identifiers. The Attorney General and the Secretary of State shall jointly establish document authentication standards and biometric identifiers standards to be employed on such visas and other travel and entry documents from among those biometric identifiers recognized by domestic and international standards organizations.

(2) Readers and scanners at ports of entry

(A) In general

Not later than October 26, 2005, the Attorney General, in consultation with the Secretary of State, shall install at all ports of entry of the United States equipment and software to allow biometric comparison and authentication of all United States visas and other travel and entry documents issued to aliens, and passports issued pursuant to subsection (c)(1).

(B) Use of readers and scanners

The Attorney General, in consultation with the Secretary of State, shall utilize biometric data readers and scanners that—

- (i) domestic and international standards organizations determine to be highly accurate when used to verify identity;
- (ii) can read the biometric identifiers utilized under subsections (b)(1) and (c)(1); and
- (iii) can authenticate the document presented to verify identity.

(3) Use of technology standard

The systems employed to implement paragraphs (1) and (2) shall utilize the technology standard established pursuant to section 1379 of this title.

(c) Repealed. Pub. L. 114–113, div. O, title II, § 202(c), Dec. 18, 2015, 129 Stat. 2989

(d) Authorization of appropriations

There are authorized to be appropriated such sums as may be necessary to carry out this section, including reimbursement to international and domestic standards organizations.

(Pub. L. 107–173, title III, § 303, May 14, 2002, 116 Stat. 553; Pub. L. 108–299, § 1, Aug. 9, 2004, 118 Stat. 1100; Pub. L. 114–113, div. O, title II, § 202(c), Dec. 18, 2015, 129 Stat. 2989.)

AMENDMENTS

2015—Subsec. (c). Pub. L. 114–113 struck out subsec. (c), which related to technology standard for visa waiver participants.

2004—Subsecs. (b)(2)(A), (c)(1), (2). Pub. L. 108–299 substituted “2005” for “2004”.

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.

§ 1733. Terrorist lookout committees

(a) Establishment

The Secretary of State shall require a terrorist lookout committee to be maintained within each United States mission to a foreign country.

(b) Purpose

The purpose of each committee established under subsection (a) shall be—

(1) to utilize the cooperative resources of all elements of the United States mission in the country in which the consular post is located to identify known or potential terrorists and to develop information on those individuals;

(2) to ensure that such information is routinely and consistently brought to the attention of appropriate United States officials for use in administering the immigration laws of the United States; and

(3) to ensure that the names of known and suspected terrorists are entered into the appropriate lookout databases.

(c) Composition; chair

The Secretary shall establish rules governing the composition of such committees.

(d) Meetings

Each committee established under subsection (a) shall meet at least monthly to share information pertaining to the committee’s purpose as described in subsection (b)(2).

(e) Periodic reports to the Secretary of State

Each committee established under subsection (a) shall submit monthly reports to the Secretary of State describing the committee’s activities, whether or not information on known or suspected terrorists was developed during the month.

(f) Repealed. Pub. L. 113–235, div. J, title VII, § 7034(i), Dec. 16, 2014, 128 Stat. 2624

(g) Authorization of appropriations

There are authorized to be appropriated such sums as may be necessary to implement this section.

(Pub. L. 107–173, title III, § 304, May 14, 2002, 116 Stat. 554; Pub. L. 113–235, div. J, title VII, § 7034(i), Dec. 16, 2014, 128 Stat. 2624.)

AMENDMENTS

2014—Subsec. (f). Pub. L. 113–235 struck out subsec. (f). Text read as follows: “The Secretary of State shall submit a report on a quarterly basis to the appropriate committees of Congress on the status of the committees established under subsection (a) of this section.”

§ 1734. Improved training for consular officers

(a) Training

The Secretary of State shall require that all consular officers responsible for adjudicating visa applications, before undertaking to perform consular responsibilities, receive specialized training in the effective screening of visa applicants who pose a potential threat to the safety or security of the United States. Such officers shall be specially and extensively trained in the identification of aliens inadmissible under section 1182(a)(3)(A) and (B) of this title, interagency and international intelligence sharing regarding terrorists and terrorism, and cultural-sensitivity toward visa applicants. In accordance with section 1776 of this title, and as part of the consular training provided to such officers by the Secretary of State, such officers shall also receive training in detecting fraudulent documents and general document forensics and shall be required as part of such training to work with immigration officers conducting inspections of applicants for admission into the United States at ports of entry.

(b) Use of foreign intelligence information

As an ongoing component of the training required in subsection (a), the Secretary of State shall coordinate with the Assistant to the President for Homeland Security, Federal law enforcement agencies, and the intelligence community to compile and disseminate to the Bureau of Consular Affairs reports, bulletins, updates, and other current unclassified information relevant to terrorists and terrorism and to screening visa applicants who pose a potential threat to the safety or security of the United States.

(c) Authorization of appropriations

There are authorized to be appropriated such sums as may be necessary to implement this section.

(Pub. L. 107–173, title III, § 305, May 14, 2002, 116 Stat. 555; Pub. L. 108–458, title VII, § 7203(c), Dec. 17, 2004, 118 Stat. 3814.)

AMENDMENTS

2004—Subsec. (a). Pub. L. 108–458 inserted at end “In accordance with section 1776 of this title, and as part of the consular training provided to such officers by the Secretary of State, such officers shall also receive training in detecting fraudulent documents and general document forensics and shall be required as part of such training to work with immigration officers conducting inspections of applicants for admission into the United States at ports of entry.”