

(C) Section 2371(a) of title 22.

(Pub. L. 107-173, title III, §306, May 14, 2002, 116 Stat. 555.)

#### Editorial Notes

##### REFERENCES IN TEXT

Section 4605(j)(1)(A) of title 50, referred to in subsec. (b)(2)(A), was repealed by Pub. L. 115-232, div. A, title XVII, §1766(a), Aug. 13, 2018, 132 Stat. 2232. Provisions similar to those in former section 4605(j)(1)(A) of title 50 can be found in section 4813(c)(1)(A)(i) of title 50, as enacted by Pub. L. 115-232.

#### Statutory Notes and Related Subsidiaries

##### 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.

#### § 1736. Check of lookout databases

Prior to the admission of an alien under the visa waiver program established under section 1187 of this title, the Immigration and Naturalization Service shall determine that the applicant for admission does not appear in any of the appropriate lookout databases available to immigration inspectors at the time the alien seeks admission to the United States.

(Pub. L. 107-173, title III, §307(b), May 14, 2002, 116 Stat. 556.)

#### Statutory Notes and Related Subsidiaries

##### 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.

#### § 1737. Tracking system for stolen passports

##### (a) Entering stolen passport identification numbers in the interoperable data system

###### (1) In general

Beginning with implementation under section 1722 of this title of the law enforcement and intelligence data system, not later than 72 hours after receiving notification of the loss or theft of a United States or foreign passport, the Attorney General and the Secretary of State, as appropriate, shall enter into such system the corresponding identification number for the lost or stolen passport.

###### (2) Entry of information on previously lost or stolen passports

To the extent practicable, the Attorney General, in consultation with the Secretary of State, shall enter into such system the corresponding identification numbers for the United States and foreign passports lost or stolen prior to the implementation of such system.

##### (b) Transition period

Until such time as the law enforcement and intelligence data system described in section

1722 of this title is fully implemented, the Attorney General shall enter the data described in subsection (a) into an existing data system being used to determine the admissibility or deportability of aliens.

(Pub. L. 107-173, title III, §308, May 14, 2002, 116 Stat. 556.)

#### Statutory Notes and Related Subsidiaries

##### 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.

#### § 1738. Identification documents for certain newly admitted aliens

Not later than 180 days after May 14, 2002, the Attorney General shall ensure that, immediately upon the arrival in the United States of an individual admitted under section 1157 of this title, or immediately upon an alien being granted asylum under section 1158 of this title, the alien will be issued an employment authorization document. Such document shall, at a minimum, contain the fingerprint and photograph of such alien.

(Pub. L. 107-173, title III, §309, May 14, 2002, 116 Stat. 556.)

#### Statutory Notes and Related Subsidiaries

##### 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.

#### SUBCHAPTER IV—INSPECTION AND ADMISSION OF ALIENS

#### § 1751. Study of the feasibility of a North American National Security Program

##### (a) In general

The President shall conduct a study of the feasibility of establishing a North American National Security Program to enhance the mutual security and safety of the United States, Canada, and Mexico.

##### (b) Study elements

In conducting the study required by subsection (a), the President shall consider the following:

###### (1) Preclearance

The feasibility of establishing a program enabling foreign national travelers to the United States to submit voluntarily to a preclearance procedure established by the Department of State and the Immigration and Naturalization Service to determine whether such travelers are admissible to the United States under section 1182 of this title. Consideration shall be given to the feasibility of expanding the preclearance program to include the preclearance both of foreign nationals traveling to Canada and foreign nationals traveling to Mexico.

**(2) Preinspection**

The feasibility of expanding preinspection facilities at foreign airports as described in section 1225a of this title. Consideration shall be given to the feasibility of expanding preinspections to foreign nationals on air flights destined for Canada and Mexico, and the cross training and funding of inspectors from Canada and Mexico.

**(3) Conditions**

A determination of the measures necessary to ensure that the conditions required by section 1225a(a)(5) of this title are satisfied, including consultation with experts recognized for their expertise regarding the conditions required by that section.

**(c) Report**

Not later than 1 year after May 14, 2002, the President shall submit to the appropriate committees of Congress a report setting forth the findings of the study conducted under subsection (a).

**(d) Authorization of appropriations**

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

(Pub. L. 107-173, title IV, § 401, May 14, 2002, 116 Stat. 557.)

**Statutory Notes and Related Subsidiaries****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.

**§ 1752. Staffing levels at ports of entry**

The Immigration and Naturalization Service shall staff ports of entry at such levels that would be adequate to meet traffic flow and inspection time objectives efficiently without compromising the safety and security of the United States. Estimated staffing levels under workforce models for the Immigration and Naturalization Service shall be based on the goal of providing immigration services described in section 1356(g) of this title within 45 minutes of a passenger's presentation for inspection.

(Pub. L. 107-173, title IV, § 403(b), May 14, 2002, 116 Stat. 559.)

**Statutory Notes and Related Subsidiaries****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.

**§ 1752a. Model ports-of-entry****(a) In general**

The Secretary of Homeland Security shall—

(1) establish a model ports-of-entry program for the purpose of providing a more efficient and welcoming international arrival process in

order to facilitate and promote business and tourist travel to the United States, while also improving security; and

(2) implement the program initially at the 20 United States international airports that have the highest number of foreign visitors arriving annually as of August 3, 2007.

**(b) Program elements**

The program shall include—

(1) enhanced queue management in the Federal Inspection Services area leading up to primary inspection;

(2) assistance for foreign travelers once they have been admitted to the United States, in consultation, as appropriate, with relevant governmental and nongovernmental entities; and

(3) instructional videos, in English and such other languages as the Secretary determines appropriate, in the Federal Inspection Services area that explain the United States inspection process and feature national, regional, or local welcome videos.

**(c) Additional Customs and Border Protection officers for high-volume ports**

Subject to the availability of appropriations, not later than the end of fiscal year 2008 the Secretary of Homeland Security shall employ not fewer than an additional 200 Customs and Border Protection officers over the number of such positions for which funds were appropriated for the preceding fiscal year to address staff shortages at the 20 United States international airports that have the highest number of foreign visitors arriving annually as of August 3, 2007.

(Pub. L. 110-53, title VII, § 725, Aug. 3, 2007, 121 Stat. 350.)

**Editorial Notes****CODIFICATION**

Section was enacted as part of the Implementing Recommendations of the 9/11 Commission Act of 2007 and not as part of the Enhanced Border Security and Visa Entry Reform Act of 2002 which comprises this chapter.

**§ 1753. Joint United States-Canada projects for alternative inspections services****(a) In general**

United States border inspections agencies, including the Immigration and Naturalization Service, acting jointly and under an agreement of cooperation with the Government of Canada, may conduct joint United States-Canada inspections projects on the international border between the two countries. Each such project may provide alternative inspections services and shall undertake to harmonize the criteria for inspections applied by the two countries in implementing those projects.

**(b) Annual report**

The Attorney General and the Secretary of the Treasury shall prepare and submit annually to Congress a report on the joint United States-Canada inspections projects conducted under subsection (a).

**(c) Exemption from Administrative Procedure Act and Paperwork Reduction Act**

Subchapter II of chapter 5 of title 5 (commonly referred to as the "Administrative Proce-