

Sec.

- (b) Fee amount.
- (c) Surcharge.
- (d) Availability of collected fees.

SUBCHAPTER II—INTERAGENCY INFORMATION SHARING

- 1721. Interim measures for access to and coordination of law enforcement and other information.
 - (a) Interim directive.
 - (b) Report identifying law enforcement and intelligence information.
 - (c) Coordination plan.
- 1722. Interoperable law enforcement and intelligence data system with name-matching capacity and training.
 - (a) Interoperable law enforcement and intelligence electronic data system.
 - (b) Name-search capacity and support.
- 1723. Commission on Interoperable Data Sharing.
 - (a) Establishment.
 - (b) Composition.
 - (c) Considerations.
 - (d) Authorization of appropriations.
- 1724. Personnel management authorities for positions involved in the development and implementation of the interoperable electronic data system (“Chimera system”).
 - (a) In general.
 - (b) Limitation on rate of pay.
 - (c) Limitation on total calendar year payments.
 - (d) Operating plan.
 - (e) Termination date.

SUBCHAPTER III—VISA ISSUANCE

- 1731. Implementation of an integrated entry and exit data system.
 - (a) Development of system.
 - (b) Implementation.
- 1732. Machine-readable, tamper-resistant entry and exit documents.
 - (a) Report.
 - (b) Requirements.
 - (c) Technology standard for visa waiver participants.
 - (d) Authorization of appropriations.
- 1733. Terrorist lookout committees.
 - (a) Establishment.
 - (b) Purpose.
 - (c) Composition; chair.
 - (d) Meetings.
 - (e) Periodic reports to the Secretary of State.
 - (f) Reports to Congress.
 - (g) Authorization of appropriations.
- 1734. Improved training for consular officers.
 - (a) Training.
 - (b) Use of foreign intelligence information.
 - (c) Authorization of appropriations.
- 1735. Restriction on issuance of visas to nonimmigrants from countries that are state sponsors of international terrorism.
 - (a) In general.
 - (b) State sponsor of international terrorism defined.
- 1736. Check of lookout databases.
- 1737. Tracking system for stolen passports.
 - (a) Entering stolen passport identification numbers in the interoperable data system.
 - (b) Transition period.
- 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.

Sec.

- (a) In general.
- (b) Study elements.
- (c) Report.
- (d) Authorization of appropriations.

1752. Staffing levels at ports of entry.

1753. Joint United States-Canada projects for alternative inspections services.

- (a) In general.
- (b) Annual report.
- (c) Exemption from Administrative Procedure Act and Paperwork Reduction Act.

SUBCHAPTER V—FOREIGN STUDENTS AND EXCHANGE VISITORS

- 1761. Foreign student monitoring program.
 - (a) Omitted.
 - (b) Information required of the visa applicant.
 - (c) Transitional program.
- 1762. Review of institutions and other entities authorized to enroll or sponsor certain nonimmigrants.
 - (a) Periodic review of compliance.
 - (b) Periodic review of sponsors of exchange visitors.
 - (c) Effect of material failure to comply.

SUBCHAPTER VI—MISCELLANEOUS PROVISIONS

- 1771. General Accounting Office study.
 - (a) Requirement for study.
 - (b) Report.
- 1772. International cooperation.
 - (a) International electronic data system.
 - (b) Report.
- 1773. Statutory construction.
- 1774. Annual report on aliens who fail to appear after release on own recognizance.
 - (a) Requirement for report.
 - (b) Initial report.
- 1775. Retention of nonimmigrant visa applications by the Department of State.

§ 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 Coastal Security Service.
- (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 401a(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 Customs, 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.)

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.

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), is Pub. L. 107-56, Oct. 26, 2001, 115 Stat. 272, as amended. 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

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”.

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.

SHORT TITLE

Pub. L. 107-173, §1(a), May 14, 2002, 116 Stat. 543, provided that: “This Act [enacting this chapter, amending sections 1187, 1201, 1221, 1356, 1372, and 1379 of this title, enacting provisions set out as notes under section 1221 of this title, and amending provisions set out as notes under sections 1101, 1351, and 1365a of this title] may be

cited as the ‘Enhanced Border Security and Visa Entry Reform Act of 2002’.”

TRANSFER OF FUNCTIONS

For transfer of functions, personnel, assets, and liabilities of the United States Customs Service of the Department of the Treasury, including functions of the Secretary of the Treasury relating thereto, to the Secretary of Homeland Security, and for treatment of related references, see sections 203(1), 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

For transfer of the functions, personnel, assets, and obligations of the United States Secret Service, including the functions of the Secretary of the Treasury relating thereto, to the Secretary of Homeland Security, and for treatment of related references, see sections 381, 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

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 I—FUNDING

§ 1711. Authorization of appropriations for hiring and training Government personnel

(a) Additional personnel

(1) INS inspectors

Subject to the availability of appropriations, during each of the fiscal years 2003 through 2006, the Attorney General shall increase the number of inspectors and associated support staff in the Immigration and Naturalization Service by the equivalent of at least 200 full-time employees over the number of inspectors and associated support staff in the Immigration and Naturalization Service authorized by the USA PATRIOT Act.

(2) INS investigative personnel

Subject to the availability of appropriations, during each of the fiscal years 2003 through 2006, the Attorney General shall increase the number of investigative and associated support staff of the Immigration and Naturalization Service by the equivalent of at least 200 full-time employees over the number of investigators and associated support staff in the Immigration and Naturalization Service authorized by the USA PATRIOT Act.

(3) Authorization of appropriations

There are authorized to be appropriated such sums as may be necessary to carry out this subsection, including such sums as may be necessary to provide facilities, attorney personnel and support staff, and other resources needed to support the increased number of inspectors, investigative staff, and associated support staff.