

112TH CONGRESS  
2D SESSION

# H. R. 5741

To amend the Immigration and Nationality Act to stimulate international tourism to the United States, and for other purposes.

---

## IN THE HOUSE OF REPRESENTATIVES

MAY 15, 2012

Mr. HECK (for himself, Mr. QUIGLEY, and Mr. CHABOT) introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

---

## A BILL

To amend the Immigration and Nationality Act to stimulate international tourism to the United States, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLES.**

4 This Act may be cited as the “Jobs Originated  
5 through Launching Travel Act of 2012” or the “JOLT  
6 Act of 2012”.

1 **SEC. 2. PREMIUM PROCESSING.**

2 Section 221 of the Immigration and Nationality Act  
3 (8 U.S.C. 1201) is amended by inserting at the end the  
4 following:

5 “(j) PREMIUM PROCESSING.—

6 “(1) PILOT PROCESSING SERVICE.—Recogn-  
7 nizing that the best solution for expedited processing  
8 is low interview wait times for all applicants, the  
9 Secretary of State shall nevertheless establish, on a  
10 limited, pilot basis only, a fee-based premium pro-  
11 cessing service to expedite interview appointments. In  
12 establishing a pilot processing service, the Secretary  
13 may—

14 “(A) determine the consular posts at which  
15 the pilot service will be available;

16 “(B) establish the duration of the pilot  
17 service;

18 “(C) define the terms and conditions of the  
19 pilot service, with the goal of expediting visa  
20 appointments and the interview process for  
21 those electing to pay said fee for the service;  
22 and

23 “(D) resources permitting, during the pilot  
24 service, consider the addition of consulates in  
25 locations advantageous to foreign policy objec-  
26 tives or in highly populated locales.

1           “(2) FEES.—

2                   “(A) AUTHORITY TO COLLECT.—The Sec-  
3           retary of State is authorized to collect, and set  
4           the amount of, a fee imposed for the premium  
5           processing service. The Secretary of State shall  
6           set the fee based on all relevant considerations  
7           including, the cost of expedited service.

8                   “(B) USE OF FEES.—Fees collected under  
9           the authority of subparagraph (A) shall be de-  
10          posited as an offsetting collection to any De-  
11          partment of State appropriation, to recover the  
12          costs of providing consular services. Such fees  
13          shall remain available for obligation until ex-  
14          pended.

15                  “(C) RELATIONSHIP TO OTHER FEES.—  
16          Such fee is in addition to any existing fee cur-  
17          rently being collected by the Department of  
18          State.

19                  “(D) NON-REFUNDABLE.—Such fee will be  
20          non-refundable to the applicant.

21                  “(3) DESCRIPTION OF PREMIUM PROC-  
22          ESSING.—Premium processing pertains solely to the  
23          expedited scheduling of a visa interview. Utilizing  
24          the premium processing service for an expedited  
25          interview appointment does not establish the appli-

1       cant’s eligibility for a visa. The Secretary of State  
2       shall, if possible, inform applicants utilizing the pre-  
3       mium processing of potential delays in visa issuance  
4       due to additional screening requirements, including  
5       necessary security-related checks and clearances.

6               “(4) REPORT TO CONGRESS.—

7                       “(A) REQUIREMENT FOR REPORT.—Not  
8       later than 18 months after the date of the en-  
9       actment of the JOLT Act of 2012, the Sec-  
10      retary of State shall submit to the appropriate  
11      committees of Congress a report on the results  
12      of the pilot service carried out under this sec-  
13      tion.

14                      “(B) APPROPRIATE COMMITTEES OF CON-  
15      GRESS DEFINED.—In this paragraph, the term  
16      ‘appropriate committees of Congress’ means—

17                               “(i) the Committee on the Judiciary,  
18                               the Committee on Foreign Relations, and  
19                               the Committee on Appropriations of the  
20                               Senate; and

21                               “(ii) the Committee on the Judiciary,  
22                               the Committee on Foreign Affairs, and the  
23                               Committee on Appropriations of the House  
24                               of Representatives.”.

1 **SEC. 3. ENCOURAGING CANADIAN TOURISM TO THE**  
2 **UNITED STATES.**

3 Section 214 of the Immigration and Nationality Act  
4 (8 U.S.C. 1184) is amended by adding at the end the fol-  
5 lowing:

6 “(s) CANADIAN RETIREES.—

7 “(1) IN GENERAL.—The Secretary of Homeland  
8 Security may admit as a visitor for pleasure as de-  
9 scribed in section 101(a)(15)(B) any alien for a pe-  
10 riod not to exceed 240 days, if the alien dem-  
11 onstrates, to the satisfaction of the Secretary, that  
12 the alien—

13 “(A) is a citizen of Canada;

14 “(B) is at least 50 years of age;

15 “(C) maintains a residence in Canada;

16 “(D) owns a residence in the United States  
17 or has signed a rental agreement for accom-  
18 modations in the United States for the duration  
19 of the alien’s stay in the United States;

20 “(E) is not inadmissible under section 212;

21 “(F) is not described in any ground of de-  
22 portability under section 237;

23 “(G) will not engage in employment or  
24 labor for hire in the United States; and

25 “(H) will not seek any form of assistance  
26 or benefit described in section 403(a) of the



1 2 years, regarding the availability of visa appointments for  
2 each visa processing post, to allow applicants to identify  
3 periods of low demand, when wait times tend to be lower.

4 **SEC. 5. VISA WAIVER PROGRAM ENHANCED SECURITY AND**  
5 **REFORM.**

6 (a) DEFINITIONS.—Section 217(c)(1) of the Immi-  
7 gration and Nationality Act (8 U.S.C. 1187(c)(1)) is  
8 amended to read as follows:

9 “(1) AUTHORITY TO DESIGNATE; DEFINI-  
10 TIONS.—

11 “(A) AUTHORITY TO DESIGNATE.—The  
12 Secretary of Homeland Security, in consultation  
13 with the Secretary of State, may designate any  
14 country as a program country if that country  
15 meets the requirements under paragraph (2).

16 “(B) DEFINITIONS.—In this subsection:

17 “(i) APPROPRIATE CONGRESSIONAL  
18 COMMITTEES.—The term ‘appropriate con-  
19 gressional committees’ means—

20 “(I) the Committee on Foreign  
21 Relations, the Committee on Home-  
22 land Security and Governmental Af-  
23 fairs, and the Committee on the Judi-  
24 ciary of the Senate; and

1           “(II) the Committee on Foreign  
2           Affairs, the Committee on Homeland  
3           Security, and the Committee on the  
4           Judiciary of the House of Representa-  
5           tives.

6           “(ii) OVERSTAY RATE.—

7           “(I) INITIAL DESIGNATION.—The  
8           term ‘overstay rate’ means, with re-  
9           spect to a country being considered  
10          for designation in the program, the  
11          ratio of—

12                   “(aa) the number of nation-  
13                   als of that country who were ad-  
14                   mitted to the United States on  
15                   the basis of a nonimmigrant visa  
16                   under section 101(a)(15)(B)  
17                   whose periods of authorized stay  
18                   ended during a fiscal year but  
19                   who remained unlawfully in the  
20                   United States beyond such peri-  
21                   ods; to

22                   “(bb) the number of nation-  
23                   als of that country who were ad-  
24                   mitted to the United States on  
25                   the basis of a nonimmigrant visa



1 under section 101(a)(15)(B)  
2 whose periods of authorized stay  
3 ended during that fiscal year.

4 “(II) CONTINUING DESIGNA-  
5 TION.—The term ‘overstay rate’  
6 means, for each fiscal year after ini-  
7 tial designation under this section  
8 with respect to a country, the ratio  
9 of—

10 “(aa) the number of nation-  
11 als of that country who were ad-  
12 mitted to the United States  
13 under this section or on the basis  
14 of a nonimmigrant visa under  
15 section 101(a)(15)(B) whose pe-  
16 riods of authorized stay ended  
17 during a fiscal year but who re-  
18 mained unlawfully in the United  
19 States beyond such periods; to

20 “(bb) the number of nation-  
21 als of that country who were ad-  
22 mitted to the United States  
23 under this section or on the basis  
24 of a nonimmigrant visa under  
25 section 101(a)(15)(B) whose pe-

1                   riods of authorized stay ended  
2                   during that fiscal year.

3                   “(III) COMPUTATION OF OVER-  
4                   STAY RATE.—In determining the over-  
5                   stay rate for a country, the Secretary  
6                   of Homeland Security may utilize in-  
7                   formation from any available data-  
8                   bases to ensure the accuracy of such  
9                   rate.

10                  “(iii) PROGRAM COUNTRY.—The term  
11                  ‘program country’ means a country des-  
12                  ignated as a program country under sub-  
13                  paragraph (A).”.

14                  (b) TECHNICAL AND CONFORMING AMENDMENTS.—  
15                  Section 217 of the Immigration and Nationality Act (8  
16                  U.S.C. 1187) is amended—

17                   (1) by striking “Attorney General” each place  
18                   the term appears (except in subsection (c)(11)(B))  
19                   and inserting “Secretary of Homeland Security”;  
20                   and

21                   (2) in subsection (c)—

22                   (A) in paragraph (2)(C)(iii), by striking  
23                   “Committee on the Judiciary and the Com-  
24                   mittee on International Relations of the House  
25                   of Representatives and the Committee on the

1           Judiciary and the Committee on Foreign Rela-  
2           tions of the Senate” and inserting “appropriate  
3           congressional committees”;

4                   (B) in paragraph (5)(A)(i)(III), by striking  
5           “Committee on the Judiciary, the Committee on  
6           Foreign Affairs, and the Committee on Home-  
7           land Security, of the House of Representatives  
8           and the Committee on the Judiciary, the Com-  
9           mittee on Foreign Relations, and the Com-  
10          mittee on Homeland Security and Govern-  
11          mental Affairs of the Senate” and inserting  
12          “appropriate congressional committees”; and

13                   (C) in paragraph (7), by striking subpara-  
14          graph (E).

15          (c) DESIGNATION OF PROGRAM COUNTRIES BASED  
16          ON OVERSTAY RATES.—

17                   (1) IN GENERAL.—Section 217(c)(2)(A) of the  
18          Immigration and Nationality Act (8 U.S.C.  
19          1187(c)(2)(A)) is amended to read as follows:

20                           “(A)   GENERAL   NUMERICAL   LIMITA-  
21                           TIONS.—

22                                   “(i)   LOW   NONIMMIGRANT   VISA   RE-  
23                                   FUSAL   RATE.—The percentage of nationals  
24                                   of that country refused nonimmigrant visas  
25                                   under section 101(a)(15)(B) during the

1 previous full fiscal year was not more than  
2 3 percent of the total number of nationals  
3 of that country who were granted or re-  
4 fused nonimmigrant visas under such sec-  
5 tion during such year.

6 “(ii) LOW NONIMMIGRANT OVERSTAY  
7 RATE.—The overstay rate for that country  
8 was not more than 3 percent during the  
9 previous fiscal year.”.

10 (2) QUALIFICATION CRITERIA.—Section  
11 217(c)(3) of such Act (8 U.S.C. 1187(c)(3)) is  
12 amended to read as follows:

13 “(3) QUALIFICATION CRITERIA.—After designa-  
14 tion as a program country under section 217(c)(2),  
15 a country may not continue to be designated as a  
16 program country unless the Secretary of Homeland  
17 Security, in consultation with the Secretary of State,  
18 determines, pursuant to the requirements under  
19 paragraph (5), that the designation will be contin-  
20 ued.”.

21 (3) INITIAL PERIOD.—Section 217(c) is further  
22 amended by striking subsection (c)(4).

23 (4) CONTINUING DESIGNATION.—Section  
24 217(c)(5)(A)(i)(II) of such Act (8 U.S.C.  
25 1187(c)(5)(A)(i)(II)) is amended to read as follows:

1                                   “(II) shall determine,  
2                                   based upon the evaluation in  
3                                   subclause (I), whether any  
4                                   such designation under sub-  
5                                   section (d) or (f), or proba-  
6                                   tion under subsection (f),  
7                                   ought to be continued or ter-  
8                                   minated;”.

9                   (5) COMPUTATION OF VISA REFUSAL RATES;  
10                   JUDICIAL REVIEW.—Section 217(c)(6) of such Act  
11                   (8 U.S.C. 1187(e)(6)) is amended to read as follows:

12                   “(6) COMPUTATION OF VISA REFUSAL RATES  
13                   AND JUDICIAL REVIEW.—

14                   “(A) COMPUTATION OF VISA REFUSAL  
15                   RATES.—For purposes of determining the eligi-  
16                   bility of a country to be designated as a pro-  
17                   gram country, the calculation of visa refusal  
18                   rates shall not include any visa refusals which  
19                   incorporate any procedures based on, or are  
20                   otherwise based on, race, sex, or disability, un-  
21                   less otherwise specifically authorized by law or  
22                   regulation.

23                   “(B) JUDICIAL REVIEW.—No court shall  
24                   have jurisdiction under this section to review  
25                   any visa refusal, the Secretary of State’s com-

1           putation of a visa refusal rate, the Secretary of  
2           Homeland Security’s computation of an over-  
3           stay rate, or the designation or nondesignation  
4           of a country as a program country.”.

5           (6) VISA WAIVER INFORMATION.—Section  
6           217(c)(7) of such Act (8 U.S.C. 1187(c)(7)) is  
7           amended—

8                   (A) by striking subparagraphs (B) through  
9                   (D); and

10                   (B) by striking “WAIVER INFORMATION.—  
11                   ” and all that follows through “In refusing”  
12                   and inserting “WAIVER INFORMATION.—In re-  
13                   fusing”.

14           (7) WAIVER AUTHORITY.—Section 217(c)(8) of  
15           such Act (8 U.S.C. 1187(c)(8)) is amended to read  
16           as follows:

17                   “(8) WAIVER AUTHORITY.—The Secretary of  
18                   Homeland Security, in consultation with the Sec-  
19                   retary of State, may waive the application of para-  
20                   graph (2)(A)(i) for a country if—

21                           “(A) the country meets all other require-  
22                           ments of paragraph (2);

23                           “(B) the Secretary of Homeland Security  
24                           determines that the totality of the country’s se-  
25                           curity risk mitigation measures provide assur-

1           ance that the country’s participation in the pro-  
2           gram would not compromise the law enforce-  
3           ment, security interests, or enforcement of the  
4           immigration laws of the United States;

5           “(C) there has been a general downward  
6           trend in the percentage of nationals of the  
7           country refused nonimmigrant visas under sec-  
8           tion 101(a)(15)(B);

9           “(D) the country consistently cooperated  
10          with the Government of the United States on  
11          counterterrorism initiatives, information shar-  
12          ing, preventing terrorist travel, and extradition  
13          to the United States of individuals (including  
14          the country’s own nationals) who commit  
15          crimes that violate United States law before the  
16          date of its designation as a program country,  
17          and the Secretary of Homeland Security and  
18          the Secretary of State assess that such coopera-  
19          tion is likely to continue; and

20          “(E) the percentage of nationals of the  
21          country refused a nonimmigrant visa under sec-  
22          tion 101(a)(15)(B) during the previous full fis-  
23          cal year was not more than 10 percent of the  
24          total number of nationals of that country who

1           were granted or refused such nonimmigrant  
2           visas.”.

3           (d) TERMINATION OF DESIGNATION; PROBATION.—  
4 Section 217(f) of the Immigration and Nationality Act (8  
5 U.S.C. 1187(f)) is amended to read as follows:

6           “(f) TERMINATION OF DESIGNATION; PROBATION.—

7           “(1) DEFINITIONS.—In this subsection:

8           “(A) PROBATIONARY PERIOD.—The term  
9           ‘probationary period’ means the fiscal year in  
10           which a probationary country is placed in pro-  
11           bationary status under this subsection.

12           “(B) PROGRAM COUNTRY.—The term ‘pro-  
13           gram country’ has the meaning given that term  
14           in subsection (e)(1)(B).

15           “(2) DETERMINATION, NOTICE, AND INITIAL  
16           PROBATIONARY PERIOD.—

17           “(A) DETERMINATION OF PROBATIONARY  
18           STATUS AND NOTICE OF NONCOMPLIANCE.—As  
19           part of each program country’s periodic evalua-  
20           tion required by subsection (e)(5)(A), the Sec-  
21           retary of Homeland Security shall determine  
22           whether a program country is in compliance  
23           with the program requirements under subpara-  
24           graphs (A)(ii) through (F) of subsection (e)(2).



1           “(B) INITIAL PROBATIONARY PERIOD.—If  
2           the Secretary of Homeland Security determines  
3           that a program country is not in compliance  
4           with the program requirements under subpara-  
5           graphs (A)(ii) through (F) of subsection (c)(2),  
6           the Secretary of Homeland Security shall place  
7           the program country in probationary status for  
8           the fiscal year following the fiscal year in which  
9           the periodic evaluation is completed.

10           “(3) ACTIONS AT THE END OF THE INITIAL  
11           PROBATIONARY PERIOD.—At the end of the initial  
12           probationary period of a country under paragraph  
13           (2)(B), the Secretary of Homeland Security shall  
14           take 1 of the following actions:

15           “(A) COMPLIANCE DURING INITIAL PROBA-  
16           TIONARY PERIOD.—If the Secretary determines  
17           that all instances of noncompliance with the  
18           program requirements under subparagraphs  
19           (A)(ii) through (F) of subsection (c)(2) that  
20           were identified in the latest periodic evaluation  
21           have been remedied by the end of the initial  
22           probationary period, the Secretary shall end the  
23           country’s probationary period.

24           “(B) NONCOMPLIANCE DURING INITIAL  
25           PROBATIONARY PERIOD.—If the Secretary de-

1           termines that any instance of noncompliance  
2           with the program requirements under subpara-  
3           graphs (A)(ii) through (F) of subsection (c)(2)  
4           that were identified in the latest periodic eval-  
5           uation has not been remedied by the end of the  
6           initial probationary period—

7                   “(i) the Secretary may terminate the  
8                   country’s participation in the program; or

9                   “(ii) on an annual basis, the Secretary  
10                  may continue the country’s probationary  
11                  status if the Secretary, in consultation  
12                  with the Secretary of State, determines  
13                  that the country’s continued participation  
14                  in the program is in the national interest  
15                  of the United States.

16                  “(4) ACTIONS AT THE END OF ADDITIONAL  
17                  PROBATIONARY PERIODS.—At the end of all proba-  
18                  tionary periods granted to a country pursuant to  
19                  paragraph (3)(B)(ii), the Secretary shall take 1 of  
20                  the following actions:

21                   “(A) COMPLIANCE DURING ADDITIONAL  
22                   PERIOD.—The Secretary shall end the country’s  
23                   probationary status if the Secretary determines  
24                   during the latest periodic evaluation required by  
25                   subsection (c)(5)(A) that the country is in com-

1           pliance with the program requirements under  
2           subparagraphs (A)(ii) through (F) of subsection  
3           (c)(2).

4           “(B) NONCOMPLIANCE DURING ADDI-  
5           TIONAL PERIODS.—The Secretary shall termi-  
6           nate the country’s participation in the program  
7           if the Secretary determines during the latest  
8           periodic evaluation required by subsection  
9           (c)(5)(A) that the program country continues to  
10          be in non-compliance with the program require-  
11          ments under subparagraphs (A)(ii) through (F)  
12          of subsection (c)(2).

13          “(5) EFFECTIVE DATE.—The termination of a  
14          country’s participation in the program under para-  
15          graph (3)(B) or (4)(B) shall take effect on the first  
16          day of the first fiscal year following the fiscal year  
17          in which the Secretary determines that such partici-  
18          pation shall be terminated. Until such date, nation-  
19          als of the country shall remain eligible for a waiver  
20          under subsection (a).

21          “(6) TREATMENT OF NATIONALS AFTER TERMI-  
22          NATION.—For purposes of this subsection and sub-  
23          section (d)—

24                  “(A) nationals of a country whose designa-  
25                  tion is terminated under paragraph (3) or (4)

1 shall remain eligible for a waiver under sub-  
2 section (a) until the effective date of such ter-  
3 mination; and

4 “(B) a waiver under this section that is  
5 provided to such a national for a period de-  
6 scribed in subsection (a)(1) shall not, by such  
7 termination, be deemed to have been rescinded  
8 or otherwise rendered invalid, if the waiver is  
9 granted prior to such termination.

10 “(7) CONSULTATIVE ROLE OF THE SECRETARY  
11 OF STATE.—In this subsection, references to sub-  
12 paragraphs (A)(ii) through (F) of subsection (c)(2)  
13 and subsection (c)(5)(A) carry with them the con-  
14 sultative role of the Secretary of State as provided  
15 in those provisions.”.

16 (e) REVIEW OF OVERSTAY TRACKING METHOD-  
17 OLOGY.—Not later than 180 days after the date of the  
18 enactment of this Act, the Comptroller General of the  
19 United States shall conduct a review of the methods used  
20 by the Secretary of Homeland Security—

21 (1) to track aliens entering and exiting the  
22 United States; and

23 (2) to detect any such alien who stays longer  
24 than such alien’s period of authorized admission.

1 (f) EVALUATION OF ELECTRONIC SYSTEM FOR  
2 TRAVEL AUTHORIZATION.—Not later than 90 days after  
3 the date of the enactment of this Act, the Secretary of  
4 Homeland Security shall submit to Congress—

5 (1) an evaluation of the security risks of aliens  
6 who enter the United States without an approved  
7 Electronic System for Travel Authorization  
8 verification; and

9 (2) a description of any improvements needed  
10 to minimize the number of aliens who enter the  
11 United States without the verification described in  
12 paragraph (1).

13 (g) SENSE OF CONGRESS ON PRIORITY FOR REVIEW  
14 OF PROGRAM COUNTRIES.—It is the sense of Congress  
15 that the Secretary of Homeland Security, in the process  
16 of conducting evaluations of countries participating in the  
17 visa waiver program under section 217 of the Immigration  
18 and Nationality Act (8 U.S.C. 1187), should prioritize the  
19 reviews of countries in which circumstances indicate that  
20 such a review is necessary or desirable.

21 **SEC. 6. EXPEDITING ENTRY FOR PRIORITY VISITORS.**

22 Section 7208(k)(4) of the Intelligence Reform and  
23 Terrorism Prevention Act of 2004 (8 U.S.C. 1365b(k)(4))  
24 is amended to read as follows:

1           “(4) EXPEDITING ENTRY FOR PRIORITY VISI-  
2           TORS.—

3           “(A) IN GENERAL.—The Secretary of  
4           Homeland Security may expand the enrollment  
5           across registered traveler programs to include  
6           eligible individuals employed by international  
7           organizations, selected by the Secretary, which  
8           maintain strong working relationships with the  
9           United States.

10          “(B) REQUIREMENTS.—An individual may  
11          not be enrolled in a registered traveler program  
12          unless—

13                 “(i) the individual is sponsored by an  
14                 international organization selected by the  
15                 Secretary under subparagraph (A); and

16                 “(ii) the government that issued the  
17                 passport that the individual is using has  
18                 entered into a Trusted Traveler Arrange-  
19                 ment with the Department of Homeland  
20                 Security to participate in a registered trav-  
21                 eler program.

22          “(C) SECURITY REQUIREMENTS.—An indi-  
23          vidual may not be enrolled in a registered trav-  
24          eler program unless the individual has success-  
25          fully completed all applicable security require-

1           ments established by the Secretary, including  
2           cooperation from the applicable foreign govern-  
3           ment, to ensure that the individual does not  
4           pose a risk to the United States.

5           “(D) DISCRETION.—Except as provided in  
6           subparagraph (E), the Secretary shall retain  
7           unreviewable discretion to offer or revoke en-  
8           rollment in a registered traveler program to any  
9           individual.

10          “(E) INELIGIBLE TRAVELERS.—An indi-  
11          vidual who is a citizen of a state sponsor of ter-  
12          rorism (as defined in section 301(13) of the  
13          Comprehensive Iran Sanctions, Accountability,  
14          and Divestment Act of 2010 (22 U.S.C.  
15          8541(13)) may not be enrolled in a registered  
16          traveler program.”.

17 **SEC. 7. VISA PROCESSING.**

18          (a) IN GENERAL.—Notwithstanding any other provi-  
19          sion of law and not later than 90 days after the date of  
20          the enactment of this Act, the Secretary of State shall—

21                  (1) require United States diplomatic and con-  
22                  sular missions—

23                          (A) to conduct visa interviews for non-  
24                          immigrant visa applications determined to re-  
25                          quire a consular interview in an expeditious

1 manner, consistent with national security re-  
2 quirements, and in recognition of resource allo-  
3 cation considerations, such as the need to en-  
4 sure provision of consular services to citizens of  
5 the United States;

6 (B) to set a goal of interviewing 80 percent  
7 of all nonimmigrant visa applicants, worldwide,  
8 within 3 weeks of receipt of application, subject  
9 to the conditions outlined in subparagraph (A);  
10 and

11 (C) to explore expanding visa processing  
12 capacity in China and Brazil, with the goal of  
13 maintaining interview wait times under 15 work  
14 days on a consistent, year-round basis, recog-  
15 nizing that demand can spike suddenly and un-  
16 predictably and that the first priority of United  
17 States missions abroad is the protection of citi-  
18 zens of the United States; and

19 (2) submit to the appropriate committees of  
20 Congress a detailed strategic plan that describes the  
21 resources needed to carry out paragraph (1)(A).

22 (b) APPROPRIATE COMMITTEES OF CONGRESS.—In  
23 this section, the term “appropriate committees of Con-  
24 gress” means—



1           (1) the Committee on the Judiciary, the Com-  
2           mittee on Foreign Relations, and the Committee on  
3           Appropriations of the Senate; and

4           (2) the Committee on the Judiciary, the Com-  
5           mittee on Foreign Affairs, and the Committee on  
6           Appropriations of the House of Representatives.

7           (c) SEMI-ANNUAL REPORT.—Not later than 30 days  
8           after the end of the first 6 months after the implementa-  
9           tion of subsection (a), and not later than 30 days after  
10          the end of each subsequent quarter, the Secretary of State  
11          shall submit to the appropriate committees of Congress  
12          a report that provides—

13           (1) data substantiating the efforts of the Sec-  
14           retary of State to meet the requirements and goals  
15           described in subsection (a);

16           (2) any factors that have negatively impacted  
17           the efforts of the Secretary to meet such require-  
18           ments and goals; and

19           (3) any measures that the Secretary plans to  
20           implement to meet such requirements and goals.

21          (d) SAVINGS PROVISION.—

22           (1) IN GENERAL.—Nothing in subsection (a)  
23           may be construed to affect a consular officer's au-  
24           thority—

1 (A) to deny a visa application under sec-  
2 tion 221(g) of the Immigration and Nationality  
3 Act (8 U.S.C. 1201(g)); or

4 (B) to initiate any necessary or appro-  
5 priate security-related check or clearance.

6 (2) SECURITY CHECKS.—The completion of a  
7 security-related check or clearance shall not be sub-  
8 ject to the time limits set out in subsection (a).

9 (e) EFFECTIVE PERIOD.—This section shall cease to  
10 have effect on September 30, 2015.

○