

**(b) State sponsor of international terrorism defined**

**(1) In general**

In this section, the term “state sponsor of international terrorism” means any country the government of which has been determined by the Secretary of State under any of the laws specified in paragraph (2) to have repeatedly provided support for acts of international terrorism.

**(2) Laws under which determinations were made**

The laws specified in this paragraph are the following:

(A) Section 4605(j)(1)(A) of title 50 (or successor statute).<sup>1</sup>

(B) Section 2780(d) of title 22.

(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 (b)(2)(A), was repealed by Pub.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

<sup>1</sup> See References in Text note below.

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 Procedure Act”) and chapter 35 of title 44 (commonly referred to as the “Paperwork Reduction Act”) shall not apply to fee setting for services and other administrative requirements relating to projects described in subsection (a), except that fees and forms established for such projects shall be published as a notice in the Federal Register.

(Pub. L. 107–173, title IV, § 404, May 14, 2002, 116 Stat. 560.)

**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 V—FOREIGN STUDENTS AND EXCHANGE VISITORS**

**§ 1761. Foreign student monitoring program**

**(a) Omitted**

**(b) Information required of the visa applicant**

Prior to the issuance of a visa under subparagraph (F), subparagraph (M), or, with respect to an alien seeking to attend an approved institution of higher education, subparagraph (J) of section 1101(a)(15) of this title, each alien applying for such visa shall provide to a consular officer the following information:

- (1) The alien’s address in the country of origin.
- (2) The names and addresses of the alien’s spouse, children, parents, and siblings.
- (3) The names of contacts of the alien in the alien’s country of residence who could verify information about the alien.
- (4) Previous work history, if any, including the names and addresses of employers.

**(c) Transitional program**

**(1) In general**

Not later than 120 days after May 14, 2002, and until such time as the system described in

section 1372 of this title is fully implemented, the following requirements shall apply:

**(A) Restrictions on issuance of visas**

A visa may not be issued to an alien under subparagraph (F), subparagraph (M), or, with respect to an alien seeking to attend an approved institution of higher education, subparagraph (J) of section 1101(a)(15) of this title, unless—

- (i) the Department of State has received from an approved institution of higher education or other approved educational institution electronic evidence of documentation of the alien’s acceptance at that institution; and
- (ii) the consular officer has adequately reviewed the applicant’s visa record.

**(B) Notification upon visa issuance**

Upon the issuance of a visa under section 1101(a)(15)(F) or (M) of this title to an alien, the Secretary of State shall transmit to the Immigration and Naturalization Service a notification of the issuance of that visa.

**(C) Notification upon admission of alien**

The Immigration and Naturalization Service shall notify the approved institution of higher education or other approved educational institution that an alien accepted for such institution or program has been admitted to the United States.

**(D) Notification of failure of enrollment**

Not later than 30 days after the deadline for registering for classes for an academic term, the approved institution of higher education or other approved educational institution shall inform the Immigration and Naturalization Service through data-sharing arrangements of any failure of any alien described in subparagraph (C) to enroll or to commence participation.

**(2) Requirement to submit list of approved institutions**

Not later than 30 days after May 14, 2002, the Attorney General shall provide the Secretary of State with a list of all approved institutions of higher education and other approved educational institutions that are authorized to receive nonimmigrants under section 1101(a)(15)(F) or (M) of this title.

**(3) Authorization of appropriations**

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

(Pub. L. 107–173, title V, § 501, May 14, 2002, 116 Stat. 560.)

**Editorial Notes**

**CODIFICATION**

Section is comprised of section 501 of Pub. L. 107–173. Subsec. (a) of section 501 of Pub. L. 107–173 amended section 1372 of this title.

**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