

107TH CONGRESS
1ST SESSION

H. R. 3043

To provide for the establishment of an alien nonimmigrant student tracking system.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 4, 2001

Mr. SWEENEY (for himself and Mr. TAUZIN) introduced the following bill;
which was referred to the Committee on the Judiciary

A BILL

To provide for the establishment of an alien nonimmigrant student tracking system.

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. ESTABLISHMENT OF ALIEN NONIMMIGRANT**
4 **STUDENT TRACKING SYSTEM.**

5 (a) ESTABLISHMENT.—Subject to subsection (b), not
6 later than 180 days after the date of the enactment of
7 this Act, the Attorney General, in consultation with the
8 Commissioner of Immigration and Naturalization and the
9 Secretary of State, shall develop and establish an alien
10 nonimmigrant student tracking system to provide central-

1 ized information which shall be available to appropriate
2 Federal agencies involved with national security. The sys-
3 tem shall include information regarding the educational
4 entity where the alien is enrolled, notice of any termi-
5 nation or transfer to another educational entity, the pro-
6 gram of study, the status and expected completion date,
7 place of residence, and place and nature of employment
8 of all aliens admitted to, or residing in, the United States
9 with the status of an alien nonimmigrant student under
10 subparagraphs (F), (J), or (M) of section 101(a)(15) of
11 the Immigration and Nationality Act.

12 (b) IMPLEMENTATION.—If the Attorney General, in
13 consultation with the Commissioner of Immigration and
14 Naturalization and the Secretary of State, determines that
15 the system authorized under subsection (a) cannot be fully
16 implemented for all students within 180 days, the Attor-
17 ney General shall give priority to the implementation of
18 a system targeted at tracking alien nonimmigrant stu-
19 dents who are nationals of countries (1) designated as
20 countries that support international terrorism or support
21 countries that support international terrorism under sec-
22 tions 620A and 620G of the Foreign Assistance Act of
23 1961 and, (2) the Attorney General considers appropriate
24 on the basis of national security.

25 (c) FEES.—

1 (1) ESTABLISHMENT.—

2 (A) The Attorney General shall establish a
3 fee, which the Attorney General may periodi-
4 cally revise, to be imposed on, and collected
5 from all alien nonimmigrant students prior to
6 being classified under subparagraph (F), (J), or
7 (M) of section 101(a)(15) of the Immigration
8 and Nationality Act. Subject to subparagraph
9 (B), the amount of the fee shall be based on the
10 Attorney General's estimate of the cost per
11 alien of conducting the tracking system estab-
12 lished under this section, but may not exceed
13 \$100.

14 (B) In the case of an alien admitted under
15 section 101(a)(15)(J) of the Immigration and
16 Nationality Act as an au pair, camp counselor,
17 or participant in a summer work travel pro-
18 gram, the fee shall not exceed \$40.

19 (2) USE.—Fees collected under paragraph (1)
20 shall be deposited as offsetting receipts into a sepa-
21 rate account in the Treasury and shall remain avail-
22 able until expended for the Attorney General to re-
23 imburse any appropriation the amount paid out for
24 expenses in carrying out this section.

25 (d) REPORTS TO CONGRESS.—

1 (1) INTERIM REPORT.—Not later than 90 days
2 after the date of the enactment of this Act, the At-
3 torney General, in consultation with the Commis-
4 sioner of the Immigration and Naturalization Serv-
5 ice and the Secretary of State, shall submit a report
6 to the Congress on the development and implementa-
7 tion of the system authorized by this section.

8 (2) ANNUAL REPORT.—Not later than 1 year
9 after the date of the enactment of this Act and on
10 an annual basis thereafter, the Attorney General, in
11 consultation with the Commissioner of the Immigra-
12 tion and Naturalization Service and the Secretary of
13 State, shall submit to the Congress a report on the
14 status of the system authorized by this section.

15 (3) FORM OF REPORTS.—Reports under this
16 subsection may be submitted in classified and un-
17 classified form.

18 (4) COMMENTS.—The Commissioner of the Im-
19 migration and Naturalization Service and the Sec-
20 retary of State may include dissenting or other views
21 together with any report submitted by the Attorney
22 General under this subsection.

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