

## Department of Homeland Security

## § 215.24

1202(g)) where all other requirements of that section are also met.

[69 FR 480, Jan. 5, 2004, as amended at 69 FR 53333, Aug. 31, 2004; 69 FR 58037, Sept. 29, 2004; 73 FR 77491, Dec. 19, 2008; 78 FR 18472, Mar. 27, 2013]

### § 215.9 Temporary Worker Visa Exit Program.

An alien admitted on certain temporary worker visas at a port of entry participating in the Temporary Worker Visa Exit Program must also depart at the end of his or her authorized period of stay through a port of entry participating in the program and must present designated biographic and/or biometric information upon departure. U.S. Customs and Border Protection will publish a Notice in the FEDERAL REGISTER designating which temporary workers must participate in the Temporary Worker Visa Exit Program, which ports of entry are participating in the program, which biographical and/or biometric information would be required, and the format for submission of that information by the departing designated temporary workers.

[73 FR 78130, Dec. 19, 2008]

### Subpart B—Electronic Visa Update System

SOURCE: 81 FR 72491, Oct. 20, 2016, unless otherwise noted.

#### § 215.21 Purpose.

The purpose of this subpart is to establish an electronic visa update system for nonimmigrant aliens who hold a passport issued by an identified country containing a U.S. nonimmigrant visa of a designated category.

#### § 215.22 Applicability.

This subpart is applicable to nonimmigrant aliens who hold a passport issued by an identified country containing a U.S. nonimmigrant visa of a designated category. The Secretary, in the Secretary's discretion and in consultation with the Secretary of State, may identify countries and designate nonimmigrant visa categories for purposes of this subpart. Notice of the identified countries and designated

nonimmigrant visa categories will be published in the FEDERAL REGISTER.

#### § 215.23 Definitions.

The following definitions apply for purposes of this subpart.

(a) *Covered alien*. A covered alien is a nonimmigrant alien who holds a passport issued by an EVUS country (as defined in paragraph (c) of this section) containing a U.S. nonimmigrant visa of a designated category.

(b) *Electronic Visa Update System (EVUS)*. The Electronic Visa Update System (EVUS) is the electronic system used by a covered alien to provide required information to DHS after the receipt of his or her visa of a designated category.

(c) *EVUS country*. An EVUS country is a country that has been identified for inclusion in EVUS, through publication of a notice in the FEDERAL REGISTER, by the Secretary after consultation with the Secretary of State.

(d) *Notification of compliance*. A notification of compliance is a verification from CBP that a covered alien has successfully enrolled in EVUS. A notification of compliance is a positive determination that an alien's visa is:

(1) Not automatically provisionally revoked pursuant to 22 CFR 41.122(b)(3); and

(2) Is considered valid for travel to the United States as of the time of notification.

#### § 215.24 Electronic Visa Update System (EVUS) requirements.

(a) *Enrollment required*. Each covered alien must initially enroll in EVUS, in accordance with paragraph (c)(1) of this section, by providing the information set forth in paragraph (d) of this section electronically through EVUS. Each covered alien who intends to travel to the United States must have a valid notification of compliance as set forth in paragraph (c)(2) of this section. Upon each successful enrollment or re-enrollment, CBP will issue a notification of compliance.

(b) *Validity period of notification of compliance*—(1) *General validity period*. A notification of compliance will generally be valid for a period of two years