

references, see note set out under section 1551 of this title.

§ 1762. Review of institutions and other entities authorized to enroll or sponsor certain non-immigrants

(a) Periodic review of compliance

Not later than two years after May 14, 2002, and every two years thereafter, the Commissioner of Immigration and Naturalization, in consultation with the Secretary of Education, shall conduct a review of the institutions certified to receive nonimmigrants under section 1101(a)(15)(F), (M), or (J) of this title. Each review shall determine whether the institutions are in compliance with—

- (1) recordkeeping and reporting requirements to receive nonimmigrants under section 1101(a)(15)(F), (M), or (J) of this title; and
- (2) recordkeeping and reporting requirements under section 1372 of this title.

(b) Periodic review of sponsors of exchange visitors

(1) Requirement for reviews

Not later than two years after May 14, 2002, and every two years thereafter, the Secretary of State shall conduct a review of the entities designated to sponsor exchange visitor program participants under section 1101(a)(15)(J) of this title.

(2) Determinations

On the basis of reviews of entities under paragraph (1), the Secretary shall determine whether the entities are in compliance with—

- (A) recordkeeping and reporting requirements to receive nonimmigrant exchange visitor program participants under section 1101(a)(15)(J) of this title; and
- (B) recordkeeping and reporting requirements under section 1372 of this title.

(c) Effect of material failure to comply

Material failure of an institution or other entity to comply with the recordkeeping and reporting requirements to receive nonimmigrant students or exchange visitor program participants under section 1101(a)(15)(F), (M), or (J) of this title, or section 1372 of this title, shall result in the suspension for at least one year or termination, at the election of the Commissioner of Immigration and Naturalization, of the institution's approval to receive such students, or result in the suspension for at least one year or termination, at the election of the Secretary of State, of the other entity's designation to sponsor exchange visitor program participants, as the case may be.

(Pub. L. 107-173, title V, § 502, May 14, 2002, 116 Stat. 563.)

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 VI—MISCELLANEOUS PROVISIONS

§ 1771. General Accounting Office study

(a) Requirement for study

(1) In general

The Comptroller General of the United States shall conduct a study to determine the feasibility and utility of implementing a requirement that each nonimmigrant alien in the United States submit to the Commissioner of Immigration and Naturalization each year a current address and, where applicable, the name and address of an employer.

(2) Nonimmigrant alien defined

In paragraph (1), the term “nonimmigrant alien” means an alien described in section 1101(a)(15) of this title.

(b) Report

Not later than 1 year after May 14, 2002, the Comptroller General shall submit to Congress a report on the results of the study under subsection (a). The report shall include the Comptroller General's findings, together with any recommendations that the Comptroller General considers appropriate.

(Pub. L. 107-173, title VI, § 602, May 14, 2002, 116 Stat. 564.)

Statutory Notes and Related Subsidiaries

CHANGE OF NAME

General Accounting Office redesignated Government Accountability Office by section 8 of Pub. L. 108-271, set out as a note under section 702 of Title 31, Money and Finance.

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.

§ 1772. International cooperation

(a) International electronic data system

The Secretary of State and the Commissioner of Immigration and Naturalization, in consultation with the Assistant to the President for Homeland Security, shall jointly conduct a study of the alternative approaches (including the costs of, and procedures necessary for, each alternative approach) for encouraging or requiring Canada, Mexico, and countries treated as visa waiver program countries under section 217 of the Immigration and Nationality Act [8 U.S.C. 1187] to develop an intergovernmental network of interoperable electronic data systems that—

- (1) facilitates real-time access to that country's law enforcement and intelligence information that is needed by the Department of State and the Immigration and Naturalization Service to screen visa applicants and applicants for admission into the United States to identify aliens who are inadmissible or deportable under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.);
- (2) is interoperable with the electronic data system implemented under section 1722 of this title; and

(3) performs in accordance with implementation of the technology standard referred to in section 1722(a) of this title.

(b) Report

Not later than 1 year after May 14, 2002, the Secretary of State and the Attorney General shall submit to the appropriate committees of Congress a report setting forth the findings of the study conducted under subsection (a).

(Pub. L. 107-173, title VI, §603, May 14, 2002, 116 Stat. 564.)

Editorial Notes

REFERENCES IN TEXT

The Immigration and Nationality Act, referred to in subsec. (a)(1), is act June 27, 1952, ch. 477, 66 Stat. 163, which is classified principally to chapter 12 (§1101 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1101 of this title and Tables.

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.

§ 1773. Statutory construction

Nothing in this chapter shall be construed to impose requirements that are inconsistent with the USMCA (as defined in section 4502 of title 19) or to require additional documents for aliens for whom documentary requirements are waived under section 1182(d)(4)(B) of this title.

(Pub. L. 107-173, title VI, §604, May 14, 2002, 116 Stat. 565; Pub. L. 116-113, title V, §503(d)(2), Jan. 29, 2020, 134 Stat. 72.)

Editorial Notes

REFERENCES IN TEXT

This chapter, referred to in text, 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 under section 1701 of this title and Tables.

AMENDMENTS

2020—Pub. L. 116-113 substituted “USMCA (as defined in section 4502 of title 19)” for “North American Free Trade Agreement”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2020 AMENDMENT

Amendment by Pub. L. 116-113 effective on the date the USMCA enters into force (July 1, 2020) and applicable to visas issued on or after that date, see section 503(f) of Pub. L. 116-113, set out as a note under section 1184 of this title.

§ 1774. Annual report on aliens who fail to appear after release on own recognizance

(a) Requirement for report

Not later than January 15 of each year, the Attorney General shall submit to the appro-

appropriate committees of Congress a report on the total number of aliens who, during the preceding year, failed to attend a removal proceeding after having been arrested outside a port of entry, served a notice to appear under section 1229(a)(1) of this title, and released on the alien’s own recognizance. The report shall also take into account the number of cases in which there were defects in notices of hearing or the service of notices of hearing, together with a description and analysis of the effects, if any, that the defects had on the attendance of aliens at the proceedings.

(b) Initial report

Notwithstanding the time for submission of the annual report provided in subsection (a), the report for 2001 shall be submitted not later than 6 months after May 14, 2002.

(Pub. L. 107-173, title VI, §605, May 14, 2002, 116 Stat. 565.)

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.

§ 1775. Retention of nonimmigrant visa applications by the Department of State

The Department of State shall retain, for a period of seven years from the date of application, every application for a nonimmigrant visa under section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)) in a form that will be admissible in the courts of the United States or in administrative proceedings, including removal proceedings under such Act [8 U.S.C. 1101 et seq.], without regard to whether the application was approved or denied.

(Pub. L. 107-173, title VI, §606, May 14, 2002, 116 Stat. 565.)

Editorial Notes

REFERENCES IN TEXT

The Immigration and Nationality Act, referred to in text, is act June 27, 1952, ch. 477, 66 Stat. 163, which is classified principally to chapter 12 (§1101 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1101 of this title and Tables.

§ 1776. Training program

(1) Review, evaluation, and revision of existing training programs

The Secretary of Homeland Security shall—

(A) review and evaluate the training regarding travel and identity documents, and techniques, patterns, and trends associated with terrorist travel that is provided to personnel of the Department of Homeland Security;

(B) in coordination with the Secretary of State, review and evaluate the training described in subparagraph (A) that is provided to relevant personnel of the Department of State; and

(C) in coordination with the Secretary of State, develop and implement an initial training and periodic retraining program—