ational control over the entire international land and maritime borders of the United States in accordance with this section.''

BORDER SURVEILLANCE

Pub. L. 108–458, title V, § 5201, Dec. 17, 2004, 118 Stat. 3733, provided that:

''(a) IN GENERAL.—Not later than 6 months after the date of enactment of this Act [Dec. 17, 2004], the Secretary of Homeland Security shall submit to the President and the appropriate committees of Congress a comprehensive plan for the systematic surveillance of the southwest border of the United States by remotely piloted aircraft.

''(b) CONTENTS.—The plan submitted under subsection (a) shall include—

''(1) recommendations for establishing command and control centers, operations sites, infrastructure, maintenance, and procurement;

''(2) cost estimates for the implementation of the plan and ongoing operations;

''(3) recommendations for the appropriate agent within the Department of Homeland Security to be the executive agency for remotely piloted aircraft operations;

''(4) the number of remotely piloted aircraft required for the plan;

''(5) the types of missions the plan would undertake, including—

''(A) protecting the lives of people seeking illegal entry into the United States;

''(B) interdicting illegal movement of people, weapons, and other contraband across the border;

''(C) providing investigative support to assist in the dismantling of smuggling and criminal networks along the border;

''(D) using remotely piloted aircraft to serve as platforms for the collection of intelligence against smugglers and criminal networks along the border; and

''(E) further validating and testing of remotely piloted aircraft for airspace security missions;

''(6) the equipment necessary to carry out the plan; and

''(7) a recommendation regarding whether to expand the pilot program along the entire southwest border.

''(c) IMPLEMENTATION.—The Secretary of Homeland Security shall implement the plan submitted under subsection (a) as a pilot program as soon as sufficient funds are appropriated and available for this purpose.

''(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this section.''

SUBCHAPTER I—FUNDING

§ 1711. Authorization of appropriations for hiring and training Government personnel

(a) Additional personnel

(1) INS inspectors

Subject to the availability of appropriations, during each of the fiscal years 2003 through 2006, the Attorney General shall increase the number of inspectors and associated support staff in the Immigration and Naturalization Service by the equivalent of at least 200 full-time employees over the number of inspectors and associated support staff in the Immigration and Naturalization Service authorized by the USA PATRIOT Act.

(2) INS investigative personnel

Subject to the availability of appropriations, during each of the fiscal years 2003 through 2006, the Attorney General shall increase the number of investigative and associated support staff of the Immigration and Naturalization Service by the equivalent of at least 200 full-time employees over the number of investigators and associated support staff in the Immigration and Naturalization Service authorized by the USA PATRIOT Act.

(3) Authorization of appropriations

There are authorized to be appropriated such sums as may be necessary to carry out this subsection, including such sums as may be necessary to provide facilities, attorney personnel and support staff, and other resources needed to support the increased number of inspectors, investigative staff, and associated support staff.

(b) Authorization of appropriations for INS staffing

(1)[1] In general

There are authorized to be appropriated for the Department of Justice such sums as may be necessary to provide an increase in the annual rate of basic pay effective October 1, 2002—

(A) for all journeyman Border Patrol agents and inspectors who have completed at least one year's service and are receiving an annual rate of basic pay for positions at GS–9 of the General Schedule under section 5332 of title 5 from the annual rate of basic pay payable for positions at GS–9 of the General Schedule under such section 5332, to an annual rate of basic pay payable for positions at GS–11 of the General Schedule under such section 5332;

(B) for inspections assistants, from the annual rate of basic pay payable for positions at GS–5 of the General Schedule under section 5332 of title 5 to an annual rate of basic pay payable for positions at GS–7 of the General Schedule under such section 5332; and

(C) for the support staff associated with the personnel described in subparagraphs (A) and (B), at the appropriate GS level of the General Schedule under such section 5332.

(c) Authorization of appropriations for training

There are authorized to be appropriated such sums as may be necessary—

(1) to appropriately train Immigration and Naturalization Service personnel on an ongoing basis—

(A) to ensure that their proficiency levels are acceptable to protect the borders of the United States; and

(B) otherwise to enforce and administer the laws within their jurisdiction;

(2) to provide adequate continuing cross-training to agencies staffing the United States border and ports of entry to effectively and correctly apply applicable United States laws;

(3) to fully train immigration officers to use the appropriate lookout databases and to monitor passenger traffic patterns; and

(4) to expand the Carrier Consultant Program described in section 1225a(b) of this title.[2]

[1] So in original. No par. (2) has been enacted.

[2] See References in Text note below.

(d) Authorization of appropriations for consular functions

(1) Responsibilities

The Secretary of State shall—

(A) implement enhanced security measures for the review of visa applicants;

(B) staff the facilities and programs associated with the activities described in subparagraph (A); and

(C) provide ongoing training for consular officers and diplomatic security agents.

(2) Authorization of appropriations

There are authorized to be appropriated for the Department of State such sums as may be necessary to carry out paragraph (1).

(Pub. L. 107–173, title I, § 101, May 14, 2002, 116 Stat. 545.)

REFERENCES IN TEXT

The USA PATRIOT Act, referred to in subsec. (a)(1), (2), is Pub. L. 107–56, Oct. 26, 2001, 115 Stat. 272, also known as the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001. For complete classification of this Act to the Code, see Short Title of 2001 Amendment note set out under section 1 of Title 18, Crimes and Criminal Procedure, and Tables.

Section 1225a(b) of this title, referred to in subsec. (c)(4), was in the original ''section 235(b) of the Immigration and Nationality Act (8 U.S.C. 1225A(b))'' and was translated as reading section 235A(b) of that Act to reflect the probable intent of Congress because that section 235A(b) describes the Carrier Consultant Program.

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.

§ 1712. Authorization of appropriations for improvements in technology and infrastructure

(a) Funding of technology

(1) Authorization of appropriations

In addition to funds otherwise available for such purpose, there are authorized to be appropriated $150,000,000 to the Immigration and Naturalization Service for purposes of—

(A) making improvements in technology (including infrastructure support, computer security, and information technology development) for improving border security;

(B) expanding, utilizing, and improving technology to improve border security; and

(C) facilitating the flow of commerce and persons at ports of entry, including improving and expanding programs for preenrollment and preclearance.

(2) Waiver of fees

Federal agencies involved in border security may waive all or part of enrollment fees for technology-based programs to encourage participation by United States citizens and aliens in such programs. Any agency that waives any part of any such fee may establish its fees for other services at a level that will ensure the recovery from other users of the amounts waived.

(3) Offset of increases in fees

The Attorney General may, to the extent reasonable, increase land border fees for the issuance of arrival-departure documents to offset technology costs.

(b) Improvement and expansion of INS, State Department, and customs facilities

There are authorized to be appropriated to the Immigration and Naturalization Service and the Department of State such sums as may be necessary to improve and expand facilities for use by the personnel of those agencies.

(Pub. L. 107–173, title I, § 102, May 14, 2002, 116 Stat. 546.)

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.

USE OF GROUND SURVEILLANCE TECHNOLOGIES FOR BORDER SECURITY

Pub. L. 109–13, div. B, title III, § 302, May 11, 2005, 119 Stat. 316, provided that:

''(a) PILOT PROGRAM.—Not later than 180 days after the date of the enactment of this division [May 11, 2005], the Under Secretary of Homeland Security for Science and Technology, in consultation with the Under Secretary of Homeland Security for Border and Transportation Security, the Under Secretary of Homeland Security for Information Analysis and Infrastructure Protection, and the Secretary of Defense, shall develop a pilot program to utilize, or increase the utilization of, ground surveillance technologies to enhance the border security of the United States. In developing the program, the Under Secretary shall—

''(1) consider various current and proposed ground surveillance technologies that could be utilized to enhance the border security of the United States;

''(2) assess the threats to the border security of the United States that could be addressed by the utilization of such technologies; and

''(3) assess the feasibility and advisability of utilizing such technologies to address such threats, including an assessment of the technologies considered best suited to address such threats.

''(b) ADDITIONAL REQUIREMENTS.—

''(1) IN GENERAL.—The pilot program shall include the utilization of a variety of ground surveillance technologies in a variety of topographies and areas (including both populated and unpopulated areas) on both the northern and southern borders of the United States in order to evaluate, for a range of circumstances—

''(A) the significance of previous experiences with such technologies in homeland security or critical infrastructure protection for the utilization of such technologies for border security;

''(B) the cost, utility, and effectiveness of such technologies for border security; and

''(C) liability, safety, and privacy concerns relating to the utilization of such technologies for border security.

''(2) TECHNOLOGIES.—The ground surveillance technologies utilized in the pilot program shall include the following:

''(A) Video camera technology.

''(B) Sensor technology.

''(C) Motion detection technology.

''(c) IMPLEMENTATION.—The Under Secretary of Homeland Security for Border and Transportation Security shall implement the pilot program developed under this section.

''(d) REPORT.—Not later than 1 year after implementing the pilot program under subsection (a), the Under