(3) The adequacy of mechanisms to permit the timely correction of errors in data maintained by the interoperable data system.

(4) Other protections against unauthorized use of data to guard against the misuse of the interoperable data system or the data maintained by the system, including recommendations for modifications to existing laws and regulations to sanction misuse of the system.

(d) Authorization of appropriations

There are authorized to be appropriated to the Commission such sums as may be necessary to carry out this section.

(Pub. L. 107–173, title II, § 203, May 14, 2002, 116 Stat. 551.)

§ 1724. Personnel management authorities for positions involved in the development and implementation of the interoperable electronic data system ("Chimera system")

(a) In general

Notwithstanding any other provision of law relating to position classification or employee pay or performance, the Attorney General may hire and fix the compensation of necessary scientific, technical, engineering, and other analytical personnel for the purpose of the development and implementation of the interoperable electronic data system described in section 1722(a)(2) of this title (also known as the ''Chimera system'').

(b) Limitation on rate of pay

Except as otherwise provided by law, no employee compensated under subsection (a) of this section may be paid at a rate in excess of the rate payable for a position at level III of the Executive Schedule.

(c) Limitation on total calendar year payments

Total payments to employees under any system established under this section shall be subject to the limitation on payments to employees under section 5307 of title 5.

(d) Operating plan

Not later than 90 days after May 14, 2002, the Attorney General shall submit to the Committee on Appropriations, the Committee on the Judiciary, the Select Committee on Intelligence, and the Committee on Foreign Relations of the Senate and the Committee on Appropriations, the Committee on the Judiciary, the Permanent Select Committee on Intelligence, and the Committee on International Relations of the House of Representatives an operating plan—

(1) describing the Attorney General's intended use of the authority under this section; and

(2) identifying any provisions of title 5 being waived for purposes of the development and implementation of the Chimera system.

(e) Termination date

The authority of this section shall terminate upon the implementation of the Chimera system.

(Pub. L. 107–173, title II, § 204, May 14, 2002, 116 Stat. 551.)

REFERENCES IN TEXT

Level III of the Executive Schedule, referred to in subsec. (b), is set out in section 5314 of Title 5, Government Organization and Employees.

CHANGE OF NAME

Committee on International Relations of House of Representatives changed to Committee on Foreign Affairs of House of Representatives by House Resolution No. 6, One Hundred Tenth Congress, Jan. 5, 2007.

SUBCHAPTER III—VISA ISSUANCE

§ 1731. Implementation of an integrated entry and exit data system

(a) Development of system

In developing the integrated entry and exit data system for the ports of entry, as required by the Immigration and Naturalization Service Data Management Improvement Act of 2000 (Public Law 106–215), the Attorney General and the Secretary of State shall—

(1) implement, fund, and use a technology standard under section 1379 of this title at United States ports of entry and at consular posts abroad;

(2) establish a database containing the arrival and departure data from machine-readable visas, passports, and other travel and entry documents possessed by aliens; and

(3) make interoperable all security databases relevant to making determinations of admissibility under section 1182 of this title.

(b) Implementation

In implementing the provisions of subsection (a) of this section, the Immigration and Naturalization Service and the Department of State shall—

(1) utilize technologies that facilitate the lawful and efficient cross-border movement of commerce and persons without compromising the safety and security of the United States; and

(2) consider implementing the North American National Security Program described in section 1751 of this title.

(Pub. L. 107–173, title III, § 302, May 14, 2002, 116 Stat. 552.)

REFERENCES IN TEXT

The Immigration and Naturalization Service Data Management Improvement Act of 2000, referred to in subsec. (a), is Pub. L. 106–215, June 15, 2000, 114 Stat. 337, which amended section 1365a of this title and enacted provisions set out as notes under sections 1101 and 1365a of this title. For complete classification of this Act to the Code, see Short Title of 2000 Amendment note set out under section 1101 of this title and Tables.

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.

§ 1732. Machine-readable, tamper-resistant entry and exit documents

(a) Report

(1) In general

Not later than 180 days after May 14, 2002, the Attorney General, the Secretary of State,

and the National Institute of Standards and Technology (NIST), acting jointly, shall submit to the appropriate committees of Congress a comprehensive report assessing the actions that will be necessary, and the considerations to be taken into account, to achieve fully, not later than October 26, 2004—

(A) implementation of the requirements of subsections (b) and (c) of this section; and

(B) deployment of the equipment and software to allow biometric comparison and authentication of the documents described in subsections (b) and (c) of this section.

(2) Estimates

In addition to the assessment required by paragraph (1), the report required by that paragraph shall include an estimate of the costs to be incurred, and the personnel, manhours, and other support required, by the Department of Justice, the Department of State, and NIST to achieve the objectives of subparagraphs (A) and (B) of paragraph (1).

(b) Requirements

(1) In general

Not later than October 26, 2004, the Attorney General and the Secretary of State shall issue to aliens only machine-readable, tamper-resistant visas and other travel and entry documents that use biometric identifiers. The Attorney General and the Secretary of State shall jointly establish document authentication standards and biometric identifiers standards to be employed on such visas and other travel and entry documents from among those biometric identifiers recognized by domestic and international standards organizations.

(2) Readers and scanners at ports of entry

(A) In general

Not later than October 26, 2005, the Attorney General, in consultation with the Secretary of State, shall install at all ports of entry of the United States equipment and software to allow biometric comparison and authentication of all United States visas and other travel and entry documents issued to aliens, and passports issued pursuant to subsection (c)(1) of this section.

(B) Use of readers and scanners

The Attorney General, in consultation with the Secretary of State, shall utilize biometric data readers and scanners that—

(i) domestic and international standards organizations determine to be highly accurate when used to verify identity;

(ii) can read the biometric identifiers utilized under subsections (b)(1) and (c)(1) of this section; and

(iii) can authenticate the document presented to verify identity.

(3) Use of technology standard

The systems employed to implement paragraphs (1) and (2) shall utilize the technology standard established pursuant to section 1379 of this title.

(c) Technology standard for visa waiver participants

(1) Certification requirement

Not later than October 26, 2005, the government of each country that is designated to participate in the visa waiver program established under section 1187 of this title shall certify, as a condition for designation or continuation of that designation, that it has a program to issue to its nationals machine-readable passports that are tamper-resistant and incorporate biometric and document authentication identifiers that comply with applicable biometric and document identifying standards established by the International Civil Aviation Organization. This paragraph shall not be construed to rescind the requirement of section 1187(a)(3) of this title.

(2) Use of technology standard

On and after October 26, 2005, any alien applying for admission under the visa waiver program under section 1187 of this title shall present a passport that meets the requirements of paragraph (1) unless the alien's passport was issued prior to that date.

(d) Authorization of appropriations

There are authorized to be appropriated such sums as may be necessary to carry out this section, including reimbursement to international and domestic standards organizations.

(Pub. L. 107–173, title III, § 303, May 14, 2002, 116 Stat. 553; Pub. L. 108–299, § 1, Aug. 9, 2004, 118 Stat. 1100.)

AMENDMENTS

2004—Subsecs. (b)(2)(A), (c)(1), (2). Pub. L. 108–299 substituted ''2005'' for ''2004''.

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.

§ 1733. Terrorist lookout committees

(a) Establishment

The Secretary of State shall require a terrorist lookout committee to be maintained within each United States mission to a foreign country.

(b) Purpose

The purpose of each committee established under subsection (a) of this section shall be—

(1) to utilize the cooperative resources of all elements of the United States mission in the country in which the consular post is located to identify known or potential terrorists and to develop information on those individuals;

(2) to ensure that such information is routinely and consistently brought to the attention of appropriate United States officials for use in administering the immigration laws of the United States; and

(3) to ensure that the names of known and suspected terrorists are entered into the appropriate lookout databases.

(c) Composition; chair

The Secretary shall establish rules governing the composition of such committees.

(d) Meetings

Each committee established under subsection (a) of this section shall meet at least monthly to