

114TH CONGRESS
1ST SESSION

H. R. 1401

To amend the Immigration and Nationality Act to stimulate international tourism to the United States, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 17, 2015

Mr. HECK of Nevada (for himself and Mr. QUIGLEY) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend the Immigration and Nationality Act to stimulate international tourism to the United States, and for other purposes.

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. SHORT TITLES.**

4 This Act may be cited as the “Jobs Originated
5 through Launching Travel Act of 2015” or the “JOLT
6 Act of 2015”.

1 **SEC. 2. ENCOURAGING CANADIAN TOURISM TO THE**
2 **UNITED STATES.**

3 Section 214 of the Immigration and Nationality Act
4 (8 U.S.C. 1184) is amended by adding at the end the fol-
5 lowing:

6 “(s) CANADIAN RETIREES.—

7 “(1) IN GENERAL.—The Secretary of Homeland
8 Security may admit as a visitor for pleasure as de-
9 scribed in section 101(a)(15)(B) any alien for a pe-
10 riod not to exceed 240 days, if the alien dem-
11 onstrates, to the satisfaction of the Secretary, that
12 the alien—

13 “(A) is a citizen of Canada;

14 “(B) is at least 50 years of age;

15 “(C) maintains a residence in Canada;

16 “(D) owns a residence in the United States
17 or has signed a rental agreement for accom-
18 modations in the United States for the duration
19 of the alien’s stay in the United States;

20 “(E) is not inadmissible under section 212;

21 “(F) is not described in any ground of de-
22 portability under section 237;

23 “(G) will not engage in employment or
24 labor for hire in the United States; and

25 “(H) will not seek any form of assistance
26 or benefit described in section 403(a) of the

1 Personal Responsibility and Work Opportunity
2 Reconciliation Act of 1996 (8 U.S.C. 1613(a)).

3 “(2) SPOUSE.—The spouse of an alien de-
4 scribed in paragraph (1) may be admitted under the
5 same terms as the principal alien if the spouse satis-
6 fies the requirements of paragraph (1), other than
7 subparagraph (D).

8 “(3) IMMIGRANT INTENT.—In determining eli-
9 gibility for admission under this subsection, mainte-
10 nance of a residence in the United States shall not
11 be considered evidence of intent by the alien to
12 abandon the alien’s residence in Canada.

13 “(4) PERIOD OF ADMISSION.—During any sin-
14 gle 365-day period, an alien may be admitted as de-
15 scribed in section 101(a)(15)(B) pursuant to this
16 subsection for a period not to exceed 240 days, be-
17 ginning on the date of admission. Periods of time
18 spent outside the United States during such 240-day
19 period shall not toll the expiration of such 240-day
20 period.”.

21 **SEC. 3. SECURE TRAVEL PARTNERSHIP PROGRAM EN-**
22 **HANCED SECURITY AND REFORM.**

23 (a) DEFINITIONS.—Section 217(c)(1) of the Immi-
24 gration and Nationality Act (8 U.S.C. 1187(c)(1)) is
25 amended to read as follows:

1 “(1) AUTHORITY TO DESIGNATE; DEFINI-
2 TIONS.—

3 “(A) AUTHORITY TO DESIGNATE.—The
4 Secretary of Homeland Security, in consultation
5 with the Secretary of State, may designate any
6 country as a program country if that country
7 meets the requirements under paragraph (2).

8 “(B) DEFINITIONS.—In this subsection:

9 “(i) APPROPRIATE CONGRESSIONAL
10 COMMITTEES.—The term ‘appropriate
11 Congressional Committees’ means—

12 “(I) the Committee on Foreign
13 Relations, the Committee on Home-
14 land Security and Governmental Af-
15 fairs, and the Committee on the Judi-
16 ciary of the Senate; and

17 “(II) the Committee on Foreign
18 Affairs, the Committee on Homeland
19 Security, and the Committee on the
20 Judiciary of the House of Representa-
21 tives.

22 “(ii) OVERSTAY RATE.—

23 “(I) INITIAL DESIGNATION.—The
24 term ‘overstay rate’ means, with re-
25 spect to a country being considered

1 for designation in the program, the
2 ratio of—

3 “(aa) the number of nation-
4 als of that country who were ad-
5 mitted to the United States on
6 the basis of a nonimmigrant visa
7 under section 101(a)(15)(B)
8 whose periods of authorized stay
9 ended during a fiscal year but
10 who remained unlawfully in the
11 United States beyond such peri-
12 ods; to

13 “(bb) the number of nation-
14 als of that country who were ad-
15 mitted to the United States on
16 the basis of a nonimmigrant visa
17 under section 101(a)(15)(B)
18 whose periods of authorized stay
19 ended during that fiscal year.

20 “(II) CONTINUING DESIGNA-
21 TION.—The term ‘overstay rate’
22 means, for each fiscal year after ini-
23 tial designation under this section
24 with respect to a country, the ratio
25 of—

1 “(aa) the number of nation-
2 als of that country who were ad-
3 mitted to the United States
4 under this section or on the basis
5 of a nonimmigrant visa under
6 section 101(a)(15)(B) whose pe-
7 riods of authorized stay ended
8 during a fiscal year but who re-
9 mained unlawfully in the United
10 States beyond such periods; to

11 “(bb) the number of nation-
12 als of that country who were ad-
13 mitted to the United States
14 under this section or on the basis
15 of a nonimmigrant visa under
16 section 101(a)(15)(B) whose pe-
17 riods of authorized stay ended
18 during that fiscal year.

19 “(III) COMPUTATION OF OVER-
20 STAY RATE.—In determining the over-
21 stay rate for a country, the Secretary
22 of Homeland Security may utilize in-
23 formation from any available data-
24 bases to ensure the accuracy of such
25 rate.

1 “(iii) PROGRAM COUNTRY.—The term
2 ‘program country’ means a country des-
3 ignated as a program country under sub-
4 paragraph (A).”.

5 (b) TECHNICAL AND CONFORMING AMENDMENTS.—
6 Section 217 of the Immigration and Nationality Act (8
7 U.S.C. 1187) is amended—

8 (1) by striking “Attorney General” each place
9 the term appears (except in subsection (c)(11)(B))
10 and inserting “Secretary of Homeland Security”;
11 and

12 (2) in subsection (c)—

13 (A) in paragraph (2)(C)(iii), by striking
14 “Committee on the Judiciary and the Com-
15 mittee on International Relations of the House
16 of Representatives and the Committee on the
17 Judiciary and the Committee on Foreign Rela-
18 tions of the Senate” and inserting “appropriate
19 congressional committees”;

20 (B) in paragraph (5)(A)(i)(III), by striking
21 “Committee on the Judiciary, the Committee on
22 Foreign Affairs, and the Committee on Home-
23 land Security, of the House of Representatives
24 and the Committee on the Judiciary, the Com-
25 mittee on Foreign Relations, and the Com-

1 committee on Homeland Security and Govern-
2 mental Affairs of the Senate” and inserting
3 “appropriate congressional committees”; and

4 (C) in paragraph (7), by striking subpara-
5 graph (E).

6 (c) DESIGNATION OF PROGRAM COUNTRIES BASED
7 ON OVERSTAY RATES.—

8 (1) IN GENERAL.—Section 217(c)(2)(A) of the
9 Immigration and Nationality Act (8 U.S.C.
10 1187(c)(2)(A)) is amended to read as follows:

11 “(A) GENERAL NUMERICAL LIMITA-
12 TIONS.—

13 “(i) LOW NONIMMIGRANT VISA RE-
14 FUSAL RATE.—The percentage of nationals
15 of that country refused nonimmigrant visas
16 under section 101(a)(15)(B) during the
17 previous full fiscal year was not more than
18 3 percent of the total number of nationals
19 of that country who were granted or re-
20 fused nonimmigrant visas under such sec-
21 tion during such year.

22 “(ii) LOW NONIMMIGRANT OVERSTAY
23 RATE.—The overstay rate for that country
24 was not more than 3 percent during the
25 previous fiscal year.”.

1 (2) QUALIFICATION CRITERIA.—Section
2 217(c)(3) of such Act (8 U.S.C. 1187(c)(3)) is
3 amended to read as follows:

4 “(3) QUALIFICATION CRITERIA.—After designa-
5 tion as a program country under section 217(c)(2),
6 a country may not continue to be designated as a
7 program country unless the Secretary of Homeland
8 Security, in consultation with the Secretary of State,
9 determines, pursuant to the requirements under
10 paragraph (5), that the designation will be contin-
11 ued.”.

12 (3) INITIAL PERIOD.—Section 217(c) is further
13 amended by striking subsection (c)(4).

14 (4) CONTINUING DESIGNATION.—Section
15 217(c)(5)(A)(i)(II) of such Act (8 U.S.C.
16 1187(c)(5)(A)(i)(II)) is amended to read as follows:

17 “(II) shall determine,
18 based upon the evaluation in
19 subclause (I), whether any
20 such designation under sub-
21 section (d) or (f), or proba-
22 tion under subsection (f),
23 ought to be continued or ter-
24 minated;”.

1 (5) REPORT.—Section 217(c)(5)(A)(i) of such
2 Act (8 U.S.C. 1187(c)(5)(A)(i) is further amend-
3 ed—

4 (A) in subclause (III), by striking “and” at
5 the end;

6 (B) in subclause (IV), by striking the pe-
7 riod at the end and inserting “; and” ; and

8 (C) by adding after subclause (IV) the fol-
9 lowing new subclause:

10 “(V) shall submit to Congress a
11 report regarding the security param-
12 eters described in paragraph (9).”.

13 (6) COMPUTATION OF VISA REFUSAL RATES;
14 JUDICIAL REVIEW.—Section 217(c)(6) of such Act
15 (8 U.S.C. 1187(c)(6)) is amended to read as follows:

16 “(6) COMPUTATION OF VISA REFUSAL RATES
17 AND JUDICIAL REVIEW.—

18 “(A) COMPUTATION OF VISA REFUSAL
19 RATES.—For purposes of determining the eligi-
20 bility of a country to be designated as a pro-
21 gram country, the calculation of visa refusal
22 rates shall not include any visa refusals which
23 incorporate any procedures based on, or are
24 otherwise based on, race, sex, or disability, un-

1 less otherwise specifically authorized by law or
2 regulation.

3 “(B) JUDICIAL REVIEW.—No court shall
4 have jurisdiction under this section to review
5 any visa refusal, the Secretary of State’s com-
6 putation of a visa refusal rate, the Secretary of
7 Homeland Security’s computation of an over-
8 stay rate, or the designation or nondesignation
9 of a country as a program country.”.

10 (7) VISA WAIVER INFORMATION.—Section
11 217(c)(7) of such Act (8 U.S.C. 1187(c)(7)) is
12 amended—

13 (A) by striking subparagraphs (B) through
14 (D); and

15 (B) by striking “WAIVER INFORMATION.—
16 ” and all that follows through “In refusing”
17 and inserting “WAIVER INFORMATION.—In re-
18 fusing”.

19 (8) WAIVER AUTHORITY.—Section 217(c)(8) of
20 such Act (8 U.S.C. 1187(c)(8)) is amended to read
21 as follows:

22 “(8) WAIVER AUTHORITY.—The Secretary of
23 Homeland Security, in consultation with the Sec-
24 retary of State, may waive the application of para-
25 graph (2)(A)(i) for a country if—

1 “(A) the country meets all other require-
2 ments of paragraph (2);

3 “(B) the Secretary of Homeland Security
4 determines that the totality of the country’s se-
5 curity risk mitigation measures provide assur-
6 ance that the country’s participation in the pro-
7 gram would not compromise the law enforce-
8 ment, security interests, or enforcement of the
9 immigration laws of the United States;

10 “(C) there has been a general downward
11 trend in the percentage of nationals of the
12 country refused nonimmigrant visas under sec-
13 tion 101(a)(15)(B);

14 “(D) the country consistently cooperated
15 with the Government of the United States on
16 counterterrorism initiatives, information shar-
17 ing, preventing terrorist travel, and extradition
18 to the United States of individuals (including
19 the country’s own nationals) who commit
20 crimes that violate United States law before the
21 date of its designation as a program country,
22 and the Secretary of Homeland Security and
23 the Secretary of State assess that such coopera-
24 tion is likely to continue; and

1 “(E) the percentage of nationals of the
2 country refused a nonimmigrant visa under sec-
3 tion 101(a)(15)(B) during the previous full fis-
4 cal year was not more than 10 percent of the
5 total number of nationals of that country who
6 were granted or refused such nonimmigrant
7 visas.”.

8 (d) TERMINATION OF DESIGNATION; PROBATION.—
9 Section 217(f) of the Immigration and Nationality Act (8
10 U.S.C. 1187(f)) is amended to read as follows:

11 “(f) TERMINATION OF DESIGNATION; PROBATION.—

12 “(1) DEFINITIONS.—In this subsection:

13 “(A) PROBATIONARY PERIOD.—The term
14 ‘probationary period’ means the fiscal year in
15 which a probationary country is placed in pro-
16 bationary status under this subsection.

17 “(B) PROGRAM COUNTRY.—The term ‘pro-
18 gram country’ has the meaning given that term
19 in subsection (c)(1)(B).

20 “(2) DETERMINATION, NOTICE, AND INITIAL
21 PROBATIONARY PERIOD.—

22 “(A) DETERMINATION OF PROBATIONARY
23 STATUS AND NOTICE OF NONCOMPLIANCE.—As
24 part of each program country’s periodic evalua-
25 tion required by subsection (c)(5)(A), the Sec-

1 retary of Homeland Security shall determine
2 whether a program country is in compliance
3 with the program requirements under subpara-
4 graphs (A)(ii) through (F) of subsection (c)(2).

5 “(B) INITIAL PROBATIONARY PERIOD.—If
6 the Secretary of Homeland Security determines
7 that a program country is not in compliance
8 with the program requirements under subpara-
9 graphs (A)(ii) through (F) of subsection (c)(2),
10 the Secretary of Homeland Security shall place
11 the program country in probationary status for
12 the fiscal year following the fiscal year in which
13 the periodic evaluation is completed.

14 “(3) ACTIONS AT THE END OF THE INITIAL
15 PROBATIONARY PERIOD.—At the end of the initial
16 probationary period of a country under paragraph
17 (2)(B), the Secretary of Homeland Security shall
18 take one of the following actions:

19 “(A) COMPLIANCE DURING INITIAL PROBA-
20 TIONARY PERIOD.—If the Secretary determines
21 that all instances of noncompliance with the
22 program requirements under subparagraphs
23 (A)(ii) through (F) of subsection (c)(2) that
24 were identified in the latest periodic evaluation
25 have been remedied by the end of the initial

1 probationary period, the Secretary shall end the
2 country’s probationary period.

3 “(B) NONCOMPLIANCE DURING INITIAL
4 PROBATIONARY PERIOD.—If the Secretary de-
5 termines that any instance of noncompliance
6 with the program requirements under subpara-
7 graphs (A)(ii) through (F) of subsection (c)(2)
8 that were identified in the latest periodic eval-
9 uation has not been remedied by the end of the
10 initial probationary period—

11 “(i) the Secretary may terminate the
12 country’s participation in the program; or

13 “(ii) on an annual basis, the Secretary
14 may continue the country’s probationary
15 status if the Secretary, in consultation
16 with the Secretary of State, determines
17 that the country’s continued participation
18 in the program is in the national interest
19 of the United States.

20 “(4) ACTIONS AT THE END OF ADDITIONAL
21 PROBATIONARY PERIODS.—At the end of all proba-
22 tionary periods granted to a country pursuant to
23 paragraph (3)(B)(ii), the Secretary shall take one of
24 the following actions:

1 “(A) COMPLIANCE DURING ADDITIONAL
2 PERIOD.—The Secretary shall end the country’s
3 probationary status if the Secretary determines
4 during the latest periodic evaluation required by
5 subsection (c)(5)(A) that the country is in com-
6 pliance with the program requirements under
7 subparagraphs (A)(ii) through (F) of subsection
8 (c)(2).

9 “(B) NONCOMPLIANCE DURING ADDI-
10 TIONAL PERIODS.—The Secretary shall termi-
11 nate the country’s participation in the program
12 if the Secretary determines during the latest
13 periodic evaluation required by subsection
14 (c)(5)(A) that the program country continues to
15 be in non-compliance with the program require-
16 ments under subparagraphs (A)(ii) through (F)
17 of subsection (c)(2).

18 “(5) EFFECTIVE DATE.—The termination of a
19 country’s participation in the program under para-
20 graph (3)(B) or (4)(B) shall take effect on the first
21 day of the first fiscal year following the fiscal year
22 in which the Secretary determines that such partici-
23 pation shall be terminated. Until such date, nation-
24 als of the country shall remain eligible for a waiver
25 under subsection (a).

1 “(6) TREATMENT OF NATIONALS AFTER TERMI-
2 NATION.—For purposes of this subsection and sub-
3 section (d)—

4 “(A) nationals of a country whose designa-
5 tion is terminated under paragraph (3) or (4)
6 shall remain eligible for a waiver under sub-
7 section (a) until the effective date of such ter-
8 mination; and

9 “(B) a waiver under this section that is
10 provided to such a national for a period de-
11 scribed in subsection (a)(1) shall not, by such
12 termination, be deemed to have been rescinded
13 or otherwise rendered invalid, if the waiver is
14 granted prior to such termination.

15 “(7) CONSULTATIVE ROLE OF THE SECRETARY
16 OF STATE.—In this subsection, references to sub-
17 paragraphs (A)(ii) through (F) of subsection (c)(2)
18 and subsection (c)(5)(A) carry with them the con-
19 sultative role of the Secretary of State as provided
20 in those provisions.”.

21 (e) REVIEW OF OVERSTAY TRACKING METHOD-
22 OLOGY.—Not later than 180 days after the date of the
23 enactment of this Act, the Comptroller General of the
24 United States shall conduct a review of the methods used
25 by the Secretary of Homeland Security—

1 (1) to track aliens entering and exiting the
2 United States; and

3 (2) to detect any such alien who stays longer
4 than such alien’s period of authorized admission.

5 (f) SENSE OF CONGRESS ON NONIMMIGRANT OVER-
6 STAY RATES.—It is the sense of Congress that the Sec-
7 retary of Homeland Security has not complied with the
8 requirements under section 2 of Public Law 105–173 (8
9 U.S.C. 1376) relating to the collection of data and the
10 submission of reports to Congress on nonimmigrant visa
11 overstay rates, and that the Secretary should collect such
12 data, and submit such reports as are required by that sec-
13 tion.

14 (g) EVALUATION OF ELECTRONIC SYSTEM FOR
15 TRAVEL AUTHORIZATION.—Not later than 90 days after
16 the date of the enactment of this Act, the Secretary of
17 Homeland Security, in consultation with the Secretary of
18 State, shall submit to Congress an evaluation of the auto-
19 mated electronic travel authorization system (commonly
20 referred to as the “Electronic System for Travel Author-
21 ization)” under paragraph (3) of section 217(h) of the Im-
22 migration and Nationality Act (8 U.S.C. 1187(h)), which
23 shall include—

24 (1) an evaluation of the security risks of aliens
25 who enter the United States without an approved

1 Electronic System for Travel Authorization
2 verification; and

3 (2) an evaluation of any improvements needed
4 to strengthen the Electronic System for Travel Au-
5 thorization, including technological enhancements to
6 ensure efficient, accurate, and comprehensive vetting
7 of aliens seeking to travel to the United States
8 against all relevant United States Government data-
9 bases.

10 (h) SENSE OF CONGRESS ON PRIORITY FOR REVIEW
11 OF PROGRAM COUNTRIES.—It is the sense of Congress
12 that the Secretary of Homeland Security, in the process
13 of conducting evaluations of countries participating in the
14 secure travel partnership program under section 217 of
15 the Immigration and Nationality Act (8 U.S.C. 1187),
16 should prioritize the reviews of countries in which cir-
17 cumstances indicate that such a review is necessary or de-
18 sirable.

19 **SEC. 4. VISA PROCESSING.**

20 (a) IN GENERAL.—Notwithstanding any other provi-
21 sion of law and not later than 90 days after the date of
22 the enactment of this Act, the Secretary of State shall—

23 (1) require United States diplomatic and con-
24 sular missions to conduct visa interviews for non-
25 immigrant visa applications determined to require a

1 consular interview in an expeditious manner, con-
2 sistent with national security requirements, and in
3 recognition of resource allocation considerations,
4 such as the need to ensure provision of consular
5 services to citizens of the United States; and

6 (2) set a goal of interviewing 90 percent of all
7 nonimmigrant visa applicants, worldwide, within 10
8 days of receipt of application, subject to the condi-
9 tions outlined in paragraph (1).

10 (b) REPORTING.—

11 (1) SEMI-ANNUAL REPORTS.—Not later than 30
12 days after the end of the first 6 months after the
13 implementation of subsection (a), and not later than
14 30 days after June 30 and after December 31 of
15 each subsequent year, the Secretary of State shall
16 submit to the appropriate committees of the Con-
17 gress a report that provides—

18 (A) data substantiating the efforts of the
19 Secretary of State to meet the requirements
20 and goals described in subsection (a);

21 (B) any factors that have negatively im-
22 pacted the efforts of the Secretary to meet such
23 requirements and goals; and

1 (C) any measures that the Secretary plans
2 to implement to meet such requirements and
3 goals.

4 (2) ANNUAL REPORTS.—On an annual basis,
5 the Secretary of State shall submit to the appro-
6 priate committees of the Congress a strategic plan
7 that describes the resources needed to carry out sub-
8 section (a), including a 10-year forecast of demand
9 for nonimmigrant visas in the key high-growth mar-
10 kets, including—

11 (A) a description of the methodology used
12 to make such forecasts that—

13 (i) describes the internal and external
14 studies utilized to prepare such forecasts;
15 and

16 (ii) indicates whether such method-
17 ology utilizes the Department of Com-
18 merce’s analysis of visitor arrival projec-
19 tions;

20 (B) a comparison of the Department of
21 State’s nonimmigrant visa demand projections
22 and the Department of Commerce’s visitor ar-
23 rival projections by country; and

24 (C) a description of the practices and pro-
25 cedures currently used by each United States

1 diplomatic and consular mission to manage
2 nonimmigrant visa workload.

3 (3) APPROPRIATE COMMITTEES OF THE CON-
4 GRESS.—In this section, the term “appropriate com-
5 mittees of the Congress” means—

6 (A) the Committee on the Judiciary, the
7 Committee on Foreign Relations, and the Com-
8 mittee on Appropriations of the Senate; and

9 (B) the Committee on the Judiciary, the
10 Committee on Foreign Affairs, and the Com-
11 mittee on Appropriations of the House of Rep-
12 resentatives.

13 (c) SAVINGS PROVISION.—

14 (1) IN GENERAL.—Nothing in subsection (a)
15 may be construed to affect a consular officer’s au-
16 thority—

17 (A) to deny a visa application under sec-
18 tion 221(g) of the Immigration and Nationality
19 Act (8 U.S.C. 1201(g)); or

20 (B) to initiate any necessary or appro-
21 priate security-related check or clearance.

22 (2) SECURITY CHECKS.—The completion of a
23 security-related check or clearance shall not be sub-
24 ject to the time limits set out in subsection (a).

1 **SEC. 5. INTERVIEWS OF VISA APPLICANTS.**

2 Section 222 of the Immigration and Nationality Act
3 (8 U.S.C. 1202) is amended by adding at the end the fol-
4 lowing:

5 “(i)(1) Except as provided in paragraph (3), the Sec-
6 retary of State—

7 “(A) shall develop and conduct a pilot program
8 for processing visas under section 101(a)(15)(B)
9 using secure remote videoconferencing technology as
10 a method for conducting visa interviews of appli-
11 cants; and

12 “(B) in consultation with other Federal agen-
13 cies that use such secure communications, shall help
14 ensure the security of the videoconferencing trans-
15 mission and encryption conducted under subpara-
16 graph (A).

17 “(2) Not later than 90 days after the termination of
18 the pilot program authorized under paragraph (1), the
19 Secretary of State shall submit a report to the Committee
20 on the Judiciary, the Committee on Foreign Relations,
21 and the Committee on Appropriations of the Senate, and
22 the Committee on the Judiciary, the Committee on For-
23 eign Affairs, and the Committee on Appropriations of the
24 House of Representatives that contains—

25 “(A) a detailed description of the results of
26 such program, including an assessment of the effi-

1 cacy, efficiency, and security of the remote
2 videoconferencing technology as a method for con-
3 ducting visa interviews of applicants; and

4 “(B) recommendations for whether such pro-
5 gram should be continued, broadened, or modified.

6 “(3) The pilot program authorized under paragraph
7 (1) may not be conducted if the Secretary of State deter-
8 mines that such program—

9 “(A) poses an undue security risk; and

10 “(B) cannot be conducted in a manner con-
11 sistent with maintaining security controls.

12 “(4) If the Secretary of State makes a determination
13 under paragraph (3), the Secretary shall submit a report
14 to the Committee on the Judiciary, the Committee on For-
15 eign Relations, and the Committee on Appropriations of
16 the Senate, and the Committee on the Judiciary, the Com-
17 mittee on Foreign Affairs, and the Committee on Appro-
18 priations of the House of Representatives that describes
19 the reasons for such determination.

20 “(5) For purposes of this subsection, the term ‘in
21 person interview’ includes interviews conducted using re-
22 mote video technology.”.

1 **SEC. 6. VISA AND TRUSTED TRAVELER APPLICATION CO-**
2 **ORDINATION.**

3 To the maximum extent possible, the Secretary of
4 State shall seek to coordinate enrollment and interview
5 processes for individuals eligible for both a United States
6 visa and enrollment in the Global Entry program operated
7 by U.S. Customs and Border Protection, including pro-
8 viding space for U.S. Customs and Border Protection
9 interviews and unified application fees.

10 **SEC. 7. ELECTRONIC PASSPORT REQUIREMENT FOR SE-**
11 **CURE TRAVEL PARTNERSHIP PROGRAM.**

12 (a) IN GENERAL.—Section 217 of the Immigration
13 and Nationality Act (8 U.S.C. 1187) is amended—

14 (1) by striking “visa waiver program” each
15 place it appears (including within any headings of
16 such section) and inserting “secure travel partner-
17 ship program”;

18 (2) in subsection (a), by amending paragraph
19 (3) to read as follows:

20 “(3) ELECTRONIC PASSPORT.—On or after the
21 date of enactment of the Jobs Originated through
22 Launching Travel Act of 2015, the alien at the time
23 of application is in possession of a valid, unexpired
24 electronic passport that incorporates biometric and
25 document authentication identifiers that comply with
26 internationally accepted practices.”;

1 (3) by amending subsection (c)(2)(B) to read as
2 follows:

3 “(B) ELECTRONIC PASSPORT PROGRAM.—

4 The government of the country certifies that it
5 issues to its citizens electronic passports that
6 satisfy the internationally accepted standards
7 for electronic passports.”; and

8 (4) in subsection (f)(2)—

9 (A) in subparagraph (A), by striking “a
10 machine-readable passport program” each place
11 it appears and inserting “an electronic passport
12 program”; and

13 (B) in subparagraph (B), by striking
14 “Until such date, nationals of the country shall
15 remain eligible for a waiver under subsection
16 (a).”.

17 (b) CONFORMING AMENDMENT.—Section
18 212(a)(7)(B)(iv) of the Immigration and Nationality Act
19 (8 U.S.C. 1182(a)(7)(B)(iv)) is amended by amending the
20 heading to read as follows: “SECURE TRAVEL PARTNER-
21 SHIP PROGRAM.”.

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