

114TH CONGRESS
1ST SESSION

S. 2091

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

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 29, 2015

Mr. SCHUMER (for himself, Ms. KLOBUCHAR, Mr. HELLER, Mr. LEE, Mr. COONS, Mr. BLUNT, Ms. MIKULSKI, Mr. KIRK, Mr. FRANKEN, Mr. GARDNER, Mr. MURPHY, Mr. SCHATZ, Mrs. GILLIBRAND, and Mr. PETERS) introduced the following bill; which was read twice and 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 TITLE.**

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 an alien as a visitor for pleasure
9 (as described in section 101(a)(15)(B)) for a period
10 not to exceed 240 days if the alien demonstrates, to
11 the satisfaction of the Secretary, that the alien—

12 “(A) is a citizen of Canada;

13 “(B) is at least 50 years of age;

14 “(C) maintains a residence in Canada;

15 “(D)(i) owns a residence in the United
16 States; or

17 “(ii) has signed a rental agreement for ac-
18 commodation in the United States for the du-
19 ration 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 under paragraph (1) (other
7 than 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 described in section
15 101(a)(15)(B) may be admitted 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 of the Senate;

14 “(II) the Committee on Home-
15 land Security and Governmental Af-
16 fairs of the Senate;

17 “(III) the Committee on the Ju-
18 diciary of the Senate;

19 “(IV) the Committee on Foreign
20 Affairs of the House of Representa-
21 tives;

22 “(V) the Committee on Home-
23 land Security of the House of Rep-
24 resentatives; and

1 “(VI) the Committee on the Ju-
2 diciary of the House of Representa-
3 tives.

4 “(ii) OVERSTAY RATE.—

5 “(I) INITIAL DESIGNATION.—The
6 term ‘overstay rate’ means, with re-
7 spect to a country being considered
8 for designation in the program, the
9 ratio of—

10 “(aa) the number of nation-
11 als of that country who were ad-
12 mitted to the United States on
13 the basis of a nonimmigrant visa
14 under section 101(a)(15)(B)
15 whose periods of authorized stay
16 ended during a fiscal year but
17 who remained unlawfully in the
18 United States beyond such peri-
19 ods; to

20 “(bb) the number of nation-
21 als of that country who were ad-
22 mitted to the United States on
23 the basis of a nonimmigrant visa
24 under section 101(a)(15)(B)

1 whose periods of authorized stay
2 ended during that fiscal year.

3 “(II) CONTINUING DESIGNA-
4 TION.—The term ‘overstay rate’
5 means, for each fiscal year after ini-
6 tial designation under this section
7 with respect to a country, the ratio
8 of—

9 “(aa) the number of nation-
10 als of that country who were ad-
11 mitted to the United States
12 under this section or on the basis
13 of a nonimmigrant visa under
14 section 101(a)(15)(B) whose pe-
15 riods of authorized stay ended
16 during a fiscal year but who re-
17 mained unlawfully in the United
18 States beyond such periods; to

19 “(bb) the number of nation-
20 als of that country who were ad-
21 mitted to the United States
22 under this section or on the basis
23 of a nonimmigrant visa under
24 section 101(a)(15)(B) whose pe-

1 riods of authorized stay ended
2 during that fiscal year.

3 “(III) COMPUTATION OF OVER-
4 STAY RATE.—In determining the over-
5 stay rate for a country, the Secretary
6 of Homeland Security may utilize in-
7 formation from any available data-
8 bases to ensure the accuracy of such
9 rate.

10 “(iii) PROGRAM COUNTRY.—The term
11 ‘program country’ means a country des-
12 ignated as a program country under sub-
13 paragraph (A).”.

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

17 (1) by striking “Attorney General” each place
18 the term appears (except in subsection (c)(11)(B))
19 and inserting “Secretary of Homeland Security”;
20 and

21 (2) in subsection (c)—

22 (A) in paragraph (2)(C)(iii), by striking
23 “Committee on the Judiciary and the Com-
24 mittee on International Relations of the House
25 of Representatives and the Committee on the

1 Judiciary and the Committee on Foreign Rela-
 2 tions of the Senate” and inserting “appropriate
 3 congressional committees”;

4 (B) in paragraph (5)(A)(i)(III), by striking
 5 “Committee on the Judiciary, the Committee on
 6 Foreign Affairs, and the Committee on Home-
 7 land Security, of the House of Representatives
 8 and the Committee on the Judiciary, the Com-
 9 mittee on Foreign Relations, and the Com-
 10 mittee on Homeland Security and Govern-
 11 mental Affairs of the Senate” and inserting
 12 “appropriate congressional committees”; and

13 (C) in paragraph (7), by striking subpara-
 14 graph (E).

15 (c) DESIGNATION OF PROGRAM COUNTRIES BASED
 16 ON OVERSTAY RATES.—

17 (1) IN GENERAL.—Section 217(c)(2)(A) of the
 18 Immigration and Nationality Act (8 U.S.C.
 19 1187(c)(2)(A)) is amended to read as follows:

20 “(A) GENERAL NUMERICAL LIMITA-
 21 TIONS.—

22 “(i) LOW NONIMMIGRANT VISA RE-
 23 FUSAL RATE.—The percentage of nationals
 24 of that country refused nonimmigrant visas
 25 under section 101(a)(15)(B) during the

1 previous full fiscal year was not more than
2 3 percent of the total number of nationals
3 of that country who were granted or re-
4 fused nonimmigrant visas under such sec-
5 tion during such year.

6 “(ii) LOW NONIMMIGRANT OVERSTAY
7 RATE.—The overstay rate for that country
8 was not more than 3 percent during the
9 previous fiscal year.”.

10 (2) QUALIFICATION CRITERIA.—Section
11 217(c)(3) of such Act is amended to read as follows:

12 “(3) QUALIFICATION CRITERIA.—After designa-
13 tion as a program country under section 217(c)(2),
14 a country may not continue to be designated as a
15 program country unless the Secretary of Homeland
16 Security, in consultation with the Secretary of State,
17 determines, in accordance with paragraph (5), that
18 the designation will be continued.”.

19 (3) INITIAL PERIOD.—Section 217(c) of such
20 Act, as amended by this section, is further amended
21 by striking paragraph (4).

22 (4) CONTINUING DESIGNATION.—Section
23 217(c)(5)(A)(i)(II) of such Act is amended to read
24 as follows:

1 “(II) shall determine,
2 based upon the evaluation in
3 subclause (I), whether any
4 such designation under sub-
5 section (d) or (f), or proba-
6 tion under subsection (f),
7 ought to be continued or ter-
8 minated;”.

9 (5) REPORT.—Section 217(c)(5)(A)(i) of such
10 Act, as amended by paragraph (4), is further
11 amended—

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

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

16 (C) by adding after subclause (IV) the fol-
17 lowing:

18 “(V) shall submit to Congress a
19 report regarding the security param-
20 eters described in paragraph (9).”.

21 (6) COMPUTATION OF VISA REFUSAL RATES;
22 JUDICIAL REVIEW.—Section 217(c)(6) of such Act is
23 amended to read as follows:

24 “(6) COMPUTATION OF VISA REFUSAL RATES
25 AND JUDICIAL REVIEW.—

1 “(A) COMPUTATION OF VISA REFUSAL
2 RATES.—For purposes of determining the eligi-
3 bility of a country to be designated as a pro-
4 gram country, the calculation of visa refusal
5 rates shall not include any visa refusals which
6 incorporate any procedures based on, or are
7 otherwise based on, race, sex, or disability, un-
8 less otherwise specifically authorized by law or
9 regulation.

10 “(B) JUDICIAL REVIEW.—No court shall
11 have jurisdiction under this section to review
12 any visa refusal, the Secretary of State’s com-
13 putation of a visa refusal rate, the Secretary of
14 Homeland Security’s computation of an over-
15 stay rate, or the designation or nondesignation
16 of a country as a program country.”.

17 (7) VISA WAIVER INFORMATION.—Section
18 217(c)(7) of such Act is amended—

19 (A) by striking “(A) WAIVER INFORMA-
20 TION.—”; and

21 (B) by striking subparagraphs (B) through
22 (E).

23 (8) WAIVER AUTHORITY.—Section 217(c)(8) of
24 such Act is amended to read as follows:

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

5 “(A) the country meets all other require-
6 ments under paragraph (2);

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

14 “(C) there has been a general downward
15 trend in the percentage of nationals of the
16 country who have been refused visas for non-
17 immigrants described in section 101(a)(15)(B);

18 “(D)(i) the country consistently cooperated
19 with the Government of the United States on
20 counterterrorism initiatives, information shar-
21 ing, preventing terrorist travel, and extradition
22 to the United States of individuals (including
23 the country’s own nationals) who commit
24 crimes that violate United States law before the

1 date of its designation as a program country;
2 and

3 “(ii) the Secretary of Homeland Security
4 and the Secretary of State assess that the co-
5 operation described in clause (i) is likely to con-
6 tinue; and

7 “(E) the percentage of nationals of the
8 country who have been refused a visa for non-
9 immigrants described in section 101(a)(15)(B)
10 during the previous full fiscal year was not
11 more than 10 percent of the total number of
12 nationals of that country who were granted or
13 refused such nonimmigrant visas.”.

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

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

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

19 “(A) PROBATIONARY PERIOD.—The term
20 ‘probationary period’ means the fiscal year in
21 which a probationary country is placed in pro-
22 bationary status under this subsection.

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

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

3 “(A) DETERMINATION OF PROBATIONARY
4 STATUS AND NOTICE OF NONCOMPLIANCE.—As
5 part of each program country’s periodic evalua-
6 tion required under subsection (c)(5)(A), the
7 Secretary of Homeland Security shall determine
8 whether a program country is in compliance
9 with the program requirements under subpara-
10 graphs (A)(ii) through (F) of subsection (c)(2).

11 “(B) INITIAL PROBATIONARY PERIOD.—If
12 the Secretary of Homeland Security determines
13 that a program country is not in compliance
14 with the program requirements under subpara-
15 graphs (A)(ii) through (F) of subsection (c)(2),
16 the Secretary shall place the program country
17 in probationary status for the fiscal year fol-
18 lowing the fiscal year in which the periodic eval-
19 uation is completed.

20 “(3) ACTIONS AT THE END OF THE INITIAL
21 PROBATIONARY PERIOD.—At the end of the initial
22 probationary period of a country under paragraph
23 (2)(B), the Secretary of Homeland Security shall
24 take one of the following actions:

1 “(A) COMPLIANCE DURING INITIAL PROBA-
2 TIONARY PERIOD.—If the Secretary determines
3 that all instances of noncompliance with the
4 program requirements under subparagraphs
5 (A)(ii) through (F) of subsection (c)(2) that
6 were identified in the latest periodic evaluation
7 have been remedied by the end of the initial
8 probationary period, the Secretary shall end the
9 country’s probationary period.

10 “(B) NONCOMPLIANCE DURING INITIAL
11 PROBATIONARY PERIOD.—If the Secretary de-
12 termines that any instance of noncompliance
13 with the program requirements under subpara-
14 graphs (A)(ii) through (F) of subsection (c)(2)
15 that were identified in the latest periodic eval-
16 uation has not been remedied by the end of the
17 initial probationary period—

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

20 “(ii) on an annual basis, the Secretary
21 may continue the country’s probationary
22 status if the Secretary, in consultation
23 with the Secretary of State, determines
24 that the country’s continued participation

1 in the program is in the national interest
2 of the United States.

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

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

16 “(B) NONCOMPLIANCE DURING ADDI-
17 TIONAL PERIODS.—The Secretary shall termi-
18 nate the country’s participation in the program
19 if the Secretary determines during the latest
20 periodic evaluation required by subsection
21 (c)(5)(A) that the program country continues to
22 be in non-compliance with the program require-
23 ments under subparagraphs (A)(ii) through (F)
24 of subsection (c)(2).

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

9 “(6) TREATMENT OF NATIONALS AFTER TERMI-
10 NATION.—For purposes of this subsection and sub-
11 section (d)—

12 “(A) nationals of a country whose designa-
13 tion is terminated under paragraph (3) or (4)
14 shall remain eligible for a waiver under sub-
15 section (a) until the effective date of such ter-
16 mination; and

17 “(B) a waiver under this section that is
18 provided to such a national for a period de-
19 scribed in subsection (a)(1) shall not, by such
20 termination, be deemed to have been rescinded
21 or otherwise rendered invalid, if the waiver is
22 granted before such termination.

23 “(7) CONSULTATIVE ROLE OF THE SECRETARY
24 OF STATE.—In this subsection, references to sub-
25 paragraphs (A)(ii) through (F) of subsection (c)(2)

1 and subsection (c)(5)(A) carry with them the con-
2 sultative role of the Secretary of State as provided
3 in those provisions.”.

4 (e) REVIEW OF OVERSTAY TRACKING METHOD-
5 OLOGY.—Not later than 180 days after the date of the
6 enactment of this Act, the Comptroller General of the
7 United States shall conduct a review of the methods used
8 by the Secretary of Homeland Security—

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

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

13 (f) SENSE OF CONGRESS ON NONIMMIGRANT OVER-
14 STAY RATES.—It is the sense of Congress that the Sec-
15 retary of Homeland Security—

16 (1) has not complied with the requirements
17 under section 2 of Public Law 105–173 (8 U.S.C.
18 1376) relating to the collection of data and the sub-
19 mission of reports to Congress on nonimmigrant visa
20 overstay rates; and

21 (2) should collect such data and submit such
22 reports as are required under that section.

23 (g) EVALUATION OF ELECTRONIC SYSTEM FOR
24 TRAVEL AUTHORIZATION.—Not later than 90 days after
25 the date of the enactment of this Act, the Secretary of

1 Homeland Security, in consultation with the Secretary of
2 State, shall submit to Congress an evaluation of the auto-
3 mated electronic travel authorization system (commonly
4 referred to as the “Electronic System for Travel Author-
5 ization”) under section 217(h)(3) of the Immigration and
6 Nationality Act (8 U.S.C. 1187(h)(3)), which shall in-
7 clude—

8 (1) an evaluation of the security risks of aliens
9 who enter the United States without an approved
10 Electronic System for Travel Authorization
11 verification; and

12 (2) an evaluation of any improvements needed
13 to strengthen the Electronic System for Travel Au-
14 thorization, including technological enhancements to
15 ensure efficient, accurate, and comprehensive vetting
16 of aliens seeking to travel to the United States
17 against all relevant United States Government data-
18 bases.

19 (h) SENSE OF CONGRESS ON PRIORITY FOR REVIEW
20 OF PROGRAM COUNTRIES.—It is the sense of Congress
21 that the Secretary of Homeland Security, in the process
22 of conducting evaluations of countries participating in the
23 secure travel partnership program under section 217 of
24 the Immigration and Nationality Act (8 U.S.C. 1187),
25 should prioritize the reviews of countries in which cir-

1 cumstances indicate that such a review is necessary or de-
2 sirable.

3 **SEC. 4. VISA PROCESSING.**

4 (a) IN GENERAL.—Not later than 90 days after the
5 date of the enactment of this Act, the Secretary of State
6 shall—

7 (1) require United States diplomatic and con-
8 sular missions to conduct visa interviews for non-
9 immigrant visa applications determined to require a
10 consular interview—

11 (A) in an expeditious manner;

12 (B) consistent with national security re-
13 quirements; and

14 (C) in recognition of resource allocation
15 considerations, such as the need to ensure pro-
16 vision of consular services to citizens of the
17 United States; and

18 (2) set a goal of interviewing 90 percent of all
19 nonimmigrant visa applicants not later than 10 days
20 after receiving their application, subject to the condi-
21 tions described in paragraph (1).

22 (b) REPORTS.—

23 (1) SEMIANNUAL REPORTS.—Not later than
24 210 days after the implementation of subsection (a),
25 and not later than 30 days after June 30 and after

1 December 31 of each subsequent year, the Secretary
2 of State shall submit a report to the appropriate
3 congressional committees that provides—

4 (A) data substantiating the efforts of the
5 Secretary of State to meet the requirements
6 and goals described in subsection (a);

7 (B) any factors that have negatively im-
8 pacted the efforts of the Secretary to meet such
9 requirements and goals; and

10 (C) any measures that the Secretary plans
11 to implement to meet such requirements and
12 goals.

13 (2) ANNUAL REPORTS.—The Secretary of State
14 shall annually submit a strategic plan to the appro-
15 priate congressional committees that describes the
16 resources needed to carry out subsection (a), includ-
17 ing a 10-year forecast of demand for nonimmigrant
18 visas in the key high-growth markets, including—

19 (A) a description of the methodology used
20 to make such forecasts that—

21 (i) describes the internal and external
22 studies utilized to prepare such forecasts;
23 and

24 (ii) indicates whether such method-
25 ology utilizes the Department of Com-

1 merce’s analysis of visitor arrival projec-
2 tions;

3 (B) a comparison of the Department of
4 State’s nonimmigrant visa demand projections
5 and the Department of Commerce’s visitor ar-
6 rival projections by country; and

7 (C) a description of the practices and pro-
8 cedures currently used by each United States
9 diplomatic and consular mission to manage
10 nonimmigrant visa workload.

11 (3) APPROPRIATE CONGRESSIONAL COMMIT-
12 TEES.—In this section, the term “appropriate con-
13 gressional committees” means—

14 (A) the Committee on the Judiciary of the
15 Senate;

16 (B) the Committee on Foreign Relations of
17 the Senate;

18 (C) the Committee on Appropriations of
19 the Senate;

20 (D) the Committee on the Judiciary of the
21 House of Representatives;

22 (E) the Committee on Foreign Affairs of
23 the House of Representatives; and

24 (F) the Committee on Appropriations of
25 the House of Representatives.

1 (c) SAVINGS PROVISION.—

2 (1) IN GENERAL.—Nothing in subsection (a)
3 may be construed to affect a consular officer’s au-
4 thority—

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

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

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

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

14 Section 222 of the Immigration and Nationality Act
15 (8 U.S.C. 1202) is amended by adding at the end the fol-
16 lowing:

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

19 “(A) shall develop and conduct a pilot program
20 for processing visas for nonimmigrants described in
21 section 101(a)(15)(B), using secure remote
22 videoconferencing technology as a method for con-
23 ducting visa interviews of applicants; and

24 “(B) in consultation with other Federal agen-
25 cies that use such secure communications, shall help

1 ensure the security of the videoconferencing trans-
2 mission and encryption conducted under subpara-
3 graph (A).

4 “(2) Not later than 90 days after the termination of
5 the pilot program authorized under paragraph (1), the
6 Secretary of State shall submit a report to the Committee
7 on the Judiciary, the Committee on Foreign Relations,
8 and the Committee on Appropriations of the Senate, and
9 the Committee on the Judiciary, the Committee on For-
10 eign Affairs, and the Committee on Appropriations of the
11 House of Representatives that contains—

12 “(A) a detailed description of the results of
13 such program, including an assessment of the effi-
14 cacy, efficiency, and security of the remote
15 videoconferencing technology as a method for con-
16 ducting visa interviews of applicants; and

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

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

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

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

1 “(4) If the Secretary of State makes a determination
2 under paragraph (3), the Secretary shall submit a report
3 to the Committee on the Judiciary of the Senate, the Com-
4 mittee on Foreign Relations of the Senate, the Committee
5 on Appropriations of the Senate, the Committee on For-
6 eign Affairs of the House of Representatives, the Com-
7 mittee on the Judiciary of the House of Representatives,
8 and the Committee on Appropriations of the House of
9 Representatives that describes the reasons for such deter-
10 mination.

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

14 **SEC. 6. VISA AND TRUSTED TRAVELER APPLICATION CO-**
15 **ORDINATION.**

16 To the maximum extent possible, the Secretary of
17 State shall seek to coordinate enrollment and interview
18 processes for individuals eligible for both a United States
19 visa and enrollment in the Global Entry program operated
20 by U.S. Customs and Border Protection, including pro-
21 viding space for U.S. Customs and Border Protection
22 interviews and unified application fees.

1 **SEC. 7. ELECTRONIC PASSPORT REQUIREMENT FOR SE-**
2 **CURE TRAVEL PARTNERSHIP PROGRAM.**

3 (a) IN GENERAL.—Section 217 of the Immigration
4 and Nationality Act (8 U.S.C. 1187), as amended in sec-
5 tion 3, is further amended—

6 (1) by striking “visa waiver program” each
7 place it appears (including within any headings of
8 such section) and inserting “secure travel partner-
9 ship program”;

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

12 “(3) ELECTRONIC PASSPORT.—On or after the
13 date of enactment of the Jobs Originated through
14 Launching Travel Act of 2015, the alien at the time
15 of application is in possession of a valid, unexpired
16 electronic passport that incorporates biometric and
17 document authentication identifiers that comply with
18 internationally accepted practices.”; and

19 (3) in subsection (c)(2), by amending subpara-
20 graph (B) to read as follows:

21 “(B) ELECTRONIC PASSPORT PROGRAM.—
22 The government of the country certifies that it
23 issues to its citizens electronic passports that
24 satisfy the internationally accepted standards
25 for electronic passports.”.

1 (b) CONFORMING AMENDMENT.—Section
2 212(a)(7)(B)(iv) of the Immigration and Nationality Act
3 (8 U.S.C. 1182(a)(7)(B)(iv)) is amended by amending the
4 heading to read as follows: “SECURE TRAVEL PARTNER-
5 SHIP PROGRAM.”.

○