

§ 1644. Communication between State and local government agencies and Immigration and Naturalization Service

Notwithstanding any other provision of Federal, State, or local law, no State or local government entity may be prohibited, or in any way restricted, from sending to or receiving from the Immigration and Naturalization Service information regarding the immigration status, lawful or unlawful, of an alien in the United States.

(Pub. L. 104-193, title IV, § 434, Aug. 22, 1996, 110 Stat. 2275.)

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.

§ 1645. Qualifying quarters

For purposes of this chapter, in determining the number of qualifying quarters of coverage under title II of the Social Security Act [42 U.S.C. 401 et seq.] an alien shall be credited with—

- (1) all of the qualifying quarters of coverage as defined under title II of the Social Security Act worked by a parent of such alien before the date on which the alien attains age 18, and
- (2) all of the qualifying quarters worked by a spouse of such alien during their marriage and the alien remains married to such spouse or such spouse is deceased.

No such qualifying quarter of coverage that is creditable under title II of the Social Security Act for any period beginning after December 31, 1996, may be credited to an alien under paragraph (1) or (2) if the parent or spouse (as the case may be) of such alien received any Federal means-tested public benefit (as provided under section 1613 of this title) during the period for which such qualifying quarter of coverage is so credited. Notwithstanding section 6103 of title 26, the Commissioner of Social Security is authorized to disclose quarters of coverage information concerning an alien and an alien's spouse or parents to a government agency for the purposes of this chapter.

(Pub. L. 104-193, title IV, § 435, Aug. 22, 1996, 110 Stat. 2275; Pub. L. 105-33, title V, § 5573, Aug. 5, 1997, 111 Stat. 641.)

REFERENCES IN TEXT

The Social Security Act, referred to in text, is act Aug. 14, 1935, ch. 531, 49 Stat. 620, as amended. Title II of the Act is classified generally to subchapter II (§ 401 et seq.) of chapter 7 of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see section 1305 of Title 42 and Tables.

AMENDMENTS

1997—Pub. L. 105-33, § 5573(a), inserted at end “Notwithstanding section 6103 of title 26, the Commissioner of Social Security is authorized to disclose quarters of coverage information concerning an alien and an alien's spouse or parents to a government agency for the purposes of this chapter.”

Par. (1). Pub. L. 105-33, § 5573(b), substituted “before the date on which the alien attains age 18,” for “while the alien was under age 18.”

EFFECTIVE DATE OF 1997 AMENDMENT

Amendment by Pub. L. 105-33 effective as if included in the enactment of title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Pub. L. 104-193, see section 5582 of Pub. L. 105-33, set out as a note under section 1367 of this title.

§ 1646. Derivative eligibility for benefits

Notwithstanding any other provision of law, an alien who under the provisions of this chapter is ineligible for benefits under the food stamp program (as defined in section 1612(a)(3)(B) of this title) shall not be eligible for such benefits because the alien receives benefits under the supplemental security income program (as defined in section 1612(a)(3)(A) of this title).

(Pub. L. 104-193, title IV, § 436, as added Pub. L. 105-33, title V, § 5305(a), Aug. 5, 1997, 111 Stat. 601.)

EFFECTIVE DATE

Section effective, except as otherwise provided, as if included in the enactment of title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Pub. L. 104-193, see section 5308 of Pub. L. 105-33, set out as an Effective Date of 1997 Amendment note under section 1612 of this title.

CHAPTER 15—ENHANCED BORDER SECURITY AND VISA ENTRY REFORM

Sec.

1701.

Definitions.

SUBCHAPTER I—FUNDING

1711.

Authorization of appropriations for hiring and training Government personnel.

1712.

Authorization of appropriations for improvements in technology and infrastructure.

1713.

Machine-readable visa fees.

1714.

Surcharges related to consular services.

SUBCHAPTER II—INTERAGENCY INFORMATION SHARING

1721.

Interim measures for access to and coordination of law enforcement and other information.

1722.

Interoperable law enforcement and intelligence data system with name-matching capacity and training.

1723.

Commission on Interoperable Data Sharing.

1724.

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

SUBCHAPTER III—VISA ISSUANCE

1731.

Implementation of an integrated entry and exit data system.

1732.

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

1733.

Terrorist lookout committees.

1734.

Improved training for consular officers.

1735.

Restriction on issuance of visas to nonimmigrants from countries that are state sponsors of international terrorism.

1736.

Check of lookout databases.

1737.

Tracking system for stolen passports.

1738.

Identification documents for certain newly admitted aliens.

SUBCHAPTER IV—INSPECTION AND ADMISSION OF ALIENS

1751.

Study of the feasibility of a North American National Security Program.

1752.

Staffing levels at ports of entry.