

Section 1006, act Oct. 14, 1940, ch. 876, title III, §706, as added Dec. 28, 1945, ch. 590, §1(c)(2), 59 Stat. 658, related to time of service limitation. See section 1440 of this title.

CHAPTER 12—IMMIGRATION AND NATIONALITY

SUBCHAPTER I—GENERAL PROVISIONS

- Sec.
1101. Definitions.
1102. Diplomatic and semidiplomatic immunities.
1103. Powers and duties of the Secretary, the Under Secretary, and the Attorney General.
1104. Powers and duties of Secretary of State.
1105. Liaison with internal security officers; data exchange.
1105a. Employment authorization for battered spouses of certain nonimmigrants.
1106. Repealed.
1107. Additional report.

SUBCHAPTER II—IMMIGRATION

PART I—SELECTION SYSTEM

1151. Worldwide level of immigration.
1151a. Repealed.
1152. Numerical limitations on individual foreign states.
1153. Allocation of immigrant visas.
1154. Procedure for granting immigrant status.
1155. Revocation of approval of petitions; effective date.
1156. Unused immigrant visas.
1157. Annual admission of refugees and admission of emergency situation refugees.
1158. Asylum.
1159. Adjustment of status of refugees.
1160. Special agricultural workers.
1161. Repealed.

PART II—ADMISSION QUALIFICATIONS FOR ALIENS; TRAVEL CONTROL OF CITIZENS AND ALIENS

1181. Admission of immigrants into the United States.
1182. Inadmissible aliens.
1182a to 1182c. Repealed.
1182d. Denial of visas to confiscators of American property.
1182e. Denial of entry into United States of foreign nationals engaged in establishment or enforcement of forced abortion or sterilization policy.
1182f. Denial of entry into United States of Chinese and other nationals engaged in coerced organ or bodily tissue transplantation.
1183. Admission of aliens on giving bond or undertaking; return upon permanent departure.
1183a. Requirements for sponsor's affidavit of support.
1184. Admission of nonimmigrants.
1184a. Philippine Traders as nonimmigrants.
1185. Travel control of citizens and aliens.
1186. Transferred.
1186a. Conditional permanent resident status for certain alien spouses and sons and daughters.
1186b. Conditional permanent resident status for certain alien entrepreneurs, spouses, and children.
1187. Visa waiver program for certain visitors.
1187a. Provision of assistance to non-program countries.
1188. Admission of temporary H-2A workers.
1189. Designation of foreign terrorist organizations.

PART III—ISSUANCE OF ENTRY DOCUMENTS

1201. Issuance of visas.

- Sec.
1201a. Repealed.
1202. Application for visas.
1203. Reentry permit.
1204. Immediate relative and special immigrant visas.
1205. Repealed.

PART IV—INSPECTION, APPREHENSION, EXAMINATION, EXCLUSION, AND REMOVAL

1221. Lists of alien and citizen passengers arriving and departing.
1222. Detention of aliens for physical and mental examination.
1223. Entry through or from foreign territory and adjacent islands.
1224. Designation of ports of entry for aliens arriving by aircraft.
1225. Inspection by immigration officers; expedited removal of inadmissible arriving aliens; referral for hearing.
1225a. Preinspection at foreign airports.
1226. Apprehension and detention of aliens.
1226a. Mandatory detention of suspected terrorists; habeas corpus; judicial review.
1227. Deportable aliens.
1228. Expedited removal of aliens convicted of committing aggravated felonies.
1229. Initiation of removal proceedings.
1229a. Removal proceedings.
1229b. Cancellation of removal; adjustment of status.
1229c. Voluntary departure.
1230. Records of admission.
1231. Detention and removal of aliens ordered removed.
1232. Enhancing efforts to combat the trafficking of children.

PART V—ADJUSTMENT AND CHANGE OF STATUS

1251. Transferred.
1251a. Repealed.
1252. Judicial review of orders of removal.
1252a, 1252b. Transferred or Repealed.
1252c. Authorizing State and local law enforcement officials to arrest and detain certain illegal aliens.
1253. Penalties related to removal.
1254. Repealed.
1254a. Temporary protected status.
1254b. Collection of fees under temporary protected status program.
1255. Adjustment of status of nonimmigrant to that of person admitted for permanent residence.
1255a. Adjustment of status of certain entrants before January 1, 1982, to that of person admitted for lawful residence.
1255b. Adjustment of status of certain nonimmigrants to that of persons admitted for permanent residence.
1256. Rescission of adjustment of status; effect upon naturalized citizen.
1257. Adjustment of status of certain resident aliens to nonimmigrant status; exceptions.
1258. Change of nonimmigrant classification.
1259. Record of admission for permanent residence in the case of certain aliens who entered the United States prior to January 1, 1972.
1260. Removal of aliens falling into distress.

PART VI—SPECIAL PROVISIONS RELATING TO ALIEN CREWMEN

1281. Alien crewmen.
1282. Conditional permits to land temporarily.
1283. Hospital treatment of alien crewmen afflicted with certain diseases.
1284. Control of alien crewmen.
1285. Employment on passenger vessels of aliens afflicted with certain disabilities.

Sec.		Sec.	
1286.	Discharge of alien crewmen; penalties.	1368.	Increase in INS detention facilities; report on detention space.
1287.	Alien crewmen brought into the United States with intent to evade immigration laws; penalties.	1369.	Treatment of expenses subject to emergency medical services exception.
1288.	Limitations on performance of longshore work by alien crewmen.	1370.	Reimbursement of States and localities for emergency ambulance services.
	PART VII—REGISTRATION OF ALIENS	1371.	Reports.
1301.	Alien seeking entry; contents.	1372.	Program to collect information relating to nonimmigrant foreign students and other exchange program participants.
1302.	Registration of aliens.	1373.	Communication between government agencies and the Immigration and Naturalization Service.
1303.	Registration of special groups.	1374.	Information regarding female genital mutilation.
1304.	Forms for registration and fingerprinting.	1375.	Repealed.
1305.	Notices of change of address.	1375a.	Domestic violence information and resources for immigrants and regulation of international marriage brokers.
1306.	Penalties.	1375b.	Protections for domestic workers and other nonimmigrants.
	PART VIII—GENERAL PENALTY PROVISIONS	1375c.	Protections, remedies, and limitations on issuance for A-3 and G-5 visas.
1321.	Prevention of unauthorized landing of aliens.	1376.	Data on nonimmigrant overstay rates.
1322.	Bringing in aliens subject to denial of admission on a health-related ground; persons liable; clearance papers; exceptions; "person" defined.	1377.	Collection of data on detained asylum seekers.
1323.	Unlawful bringing of aliens into United States.	1378.	Collection of data on other detained aliens.
1324.	Bringing in and harboring certain aliens.	1379.	Technology standard to confirm identity.
1324a.	Unlawful employment of aliens.	1380.	Maintenance of statistics by the Department of Homeland Security.
1324b.	Unfair immigration-related employment practices.	1381.	Secretary of Labor report.
1324c.	Penalties for document fraud.		SUBCHAPTER III—NATIONALITY AND NATURALIZATION
1324d.	Civil penalties for failure to depart.		PART I—NATIONALITY AT BIRTH AND COLLECTIVE NATURALIZATION
1325.	Improper entry by alien.	1401.	Nationals and citizens of United States at birth.
1326.	Reentry of removed aliens.	1401a.	Birth abroad before 1952 to service parent.
1327.	Aiding or assisting certain aliens to enter.	1401b.	Repealed.
1328.	Importation of alien for immoral purpose.	1402.	Persons born in Puerto Rico on or after April 11, 1899.
1329.	Jurisdiction of district courts.	1403.	Persons born in the Canal Zone or Republic of Panama on or after February 26, 1904.
1330.	Collection of penalties and expenses.	1404.	Persons born in Alaska on or after March 30, 1867.
	PART IX—MISCELLANEOUS	1405.	Persons born in Hawaii.
1351.	Nonimmigrant visa fees.	1406.	Persons living in and born in the Virgin Islands.
1352.	Printing of reentry permits and blank forms of manifest and crew lists; sale to public.	1407.	Persons living in and born in Guam.
1353.	Travel expenses and expense of transporting remains of officers and employees dying outside of United States.	1408.	Nationals but not citizens of the United States at birth.
1353a.	Officers and employees; overtime services; extra compensation; length of working day.	1409.	Children born out of wedlock.
1353b.	Extra compensation; payment.		PART II—NATIONALITY THROUGH NATURALIZATION
1353c.	Immigration officials; service in foreign contiguous territory.	1421.	Naturalization authority.
1353d.	Disposition of money received as extra compensation.	1422.	Eligibility for naturalization.
1354.	Applicability to members of the Armed Forces.	1423.	Requirements as to understanding the English language, history, principles and form of government of the United States.
1355.	Disposal of privileges at immigrant stations; rentals; retail sale; disposition of receipts.	1424.	Prohibition upon the naturalization of persons opposed to government or law, or who favor totalitarian forms of government.
1356.	Disposition of moneys collected under the provisions of this subchapter.	1425.	Ineligibility to naturalization of deserters from the Armed Forces.
1357.	Powers of immigration officers and employees.	1426.	Citizenship denied alien relieved of service in Armed Forces because of alienage.
1358.	Local jurisdiction over immigrant stations.	1427.	Requirements of naturalization.
1359.	Application to American Indians born in Canada.	1428.	Temporary absence of persons performing religious duties.
1360.	Establishment of central file; information from other departments and agencies.	1429.	Prerequisite to naturalization; burden of proof.
1361.	Burden of proof upon alien.	1430.	Married persons and employees of certain nonprofit organizations.
1362.	Right to counsel.	1431.	Children born outside the United States and residing permanently in the United States; conditions under which citizenship automatically acquired; determinations of name and birth date.
1363.	Deposit of and interest on cash received to secure immigration bonds.		
1363a.	Undercover investigation authority.		
1363b.	Repealed		
1364.	Triennial comprehensive report on immigration.		
1365.	Reimbursement of States for costs of incarcerating illegal aliens and certain Cuban nationals.		
1365a.	Integrated entry and exit data system.		
1365b.	Biometric entry and exit data system.		
1366.	Annual report on criminal aliens.		
1367.	Penalties for disclosure of information.		

- Sec.
1432. Repealed.
1433. Children born and residing outside the United States; conditions for acquiring certificate of citizenship.
1434. Repealed.
1435. Former citizens regaining citizenship.
1436. Nationals but not citizens; residence within outlying possessions.
1437. Resident Philippine citizens excepted from certain requirements.
1438. Former citizens losing citizenship by entering armed forces of foreign countries during World War II.
1439. Naturalization through service in the armed forces.
1440. Naturalization through active-duty service in the Armed Forces during World War I, World War II, Korean hostilities, Vietnam hostilities, or other periods of military hostilities.
1440-1. Posthumous citizenship through death while on active-duty service in armed forces during World War I, World War II, the Korean hostilities, the Vietnam hostilities, or in other periods of military hostilities.
1440a to 1440d. Omitted.
1440e. Exemption from naturalization fees for aliens naturalized through service during Vietnam hostilities or other subsequent period of military hostilities; report by clerks of courts to Attorney General.
1440f. Fingerprints and other biometric information for members of the United States Armed Forces.
1440g. Provision of information on military naturalization.
1441. Constructive residence through service on certain United States vessels.
1442. Alien enemies.
1443. Administration.
1443a. Naturalization proceedings overseas for members of the Armed Forces and their spouses and children.
1444. Photographs; number.
1445. Application for naturalization; declaration of intention.
1446. Investigation of applicants; examination of applications.
1447. Hearings on denials of applications for naturalization.
1448. Oath of renunciation and allegiance.
1448a. Address to newly naturalized citizens.
1449. Certificate of naturalization; contents.
1450. Functions and duties of clerks and records of declarations of intention and applications for naturalization.
1451. Revocation of naturalization.
1452. Certificates of citizenship or U.S. non-citizen national status; procedure.
1453. Cancellation of certificates issued by Attorney General, the Commissioner or a Deputy Commissioner; action not to affect citizenship status.
1454. Documents and copies issued by Attorney General.
1455. Fiscal provisions.
1456. Repealed.
1457. Publication and distribution of citizenship textbooks; use of naturalization fees.
1458. Compilation of naturalization statistics and payment for equipment.
1459. Repealed.
- PART III—LOSS OF NATIONALITY
1481. Loss of nationality by native-born or naturalized citizen; voluntary action; burden of proof; presumptions.
1482. Repealed.
1483. Restrictions on loss of nationality.

- Sec.
1484 to 1487. Repealed.
1488. Nationality lost solely from performance of acts or fulfillment of conditions.
1489. Application of treaties; exceptions.

PART IV—MISCELLANEOUS

1501. Certificate of diplomatic or consular officer of United States as to loss of American nationality.
1502. Certificate of nationality issued by Secretary of State for person not a naturalized citizen of United States for use in proceedings of a foreign state.
1503. Denial of rights and privileges as national.
1504. Cancellation of United States passports and Consular Reports of Birth.

SUBCHAPTER IV—REFUGEE ASSISTANCE

1521. Office of Refugee Resettlement; establishment; appointment of Director; functions.
1522. Authorization for programs for domestic resettlement of and assistance to refugees.
1523. Congressional reports.
1524. Authorization of appropriations.
1525. Repealed.

SUBCHAPTER V—ALIEN TERRORIST REMOVAL PROCEDURES

1531. Definitions.
1532. Establishment of removal court.
1533. Removal court procedure.
1534. Removal hearing.
1535. Appeals.
1536. Custody and release pending removal hearing.
1537. Custody and release after removal hearing.

SUBCHAPTER I—GENERAL PROVISIONS

§ 1101. Definitions

(a) As used in this chapter—

(1) The term “administrator” means the official designated by the Secretary of State pursuant to section 1104(b) of this title.

(2) The term “advocates” includes, but is not limited to, advises, recommends, furthers by overt act, and admits belief in.

(3) The term “alien” means any person not a citizen or national of the United States.

(4) The term “application for admission” has reference to the application for admission into the United States and not to the application for the issuance of an immigrant or nonimmigrant visa.

(5) The term “Attorney General” means the Attorney General of the United States.

(6) The term “border crossing identification card” means a document of identity bearing that designation issued to an alien who is lawfully admitted for permanent residence, or to an alien who is a resident in foreign contiguous territory, by a consular officer or an immigration officer for the purpose of crossing over the borders between the United States and foreign contiguous territory in accordance with such conditions for its issuance and use as may be prescribed by regulations. Such regulations shall provide that (A) each such document include a biometric identifier (such as the fingerprint or handprint of the alien) that is machine readable and (B) an alien presenting a border crossing identification card is not permitted to cross over the border into the United States unless the biometric identifier contained on the card matches the appropriate biometric characteristic of the alien.