

dress and places of previous residence; whether married or single, and the names and places of residence of spouse and children, if any; calling or occupation; personal description (including height, complexion, color of hair and eyes, and marks of identification); languages he can speak, read, or write; names and addresses of parents, and if neither parent living then the name and address of his next of kin in the country from which he comes; port of entry into the United States; final destination, if any, beyond the port of entry; whether he has a ticket through to such final destination; whether going to join a relative or friend, and, if so, the name and complete address of such relative or friend; the purpose for which he is going to the United States; the length of time he intends to remain in the United States; whether or not he intends to remain in the United States permanently; whether he was ever arrested, convicted or was ever in prison or almshouse; whether he has ever been the beneficiary of a pardon or an amnesty; whether he has ever been treated in an institution or hospital or other place for insanity or other mental disease; if he claims to be an immediate relative within the meaning of section 1151(b) of this title or a preference or special immigrant, the facts on which he bases such claim; whether or not he is a member of any class of individuals excluded from admission into the United States, or whether he claims to be exempt from exclusion under the immigration laws;" before "and such additional information".

1988—Subsec. (a). Pub. L. 100-525, §9(j), substituted "whether or not he intends" for "whether or not be intends".

Subsecs. (b), (e). Pub. L. 100-525, §8(e), made technical correction to Pub. L. 99-653, §6. See 1986 Amendment note below.

1986—Subsec. (b). Pub. L. 99-653, §6(a), as amended by Pub. L. 100-525, §8(e)(1), substituted "a copy of" for "two copies of", "immigrant; a certified copy of" for "immigrant; two certified copies of", "and a certified copy of" for "and two certified copies of", "The copy of each" for "One copy of each", and "attached to the" for "attached to each copy of the".

Subsec. (e). Pub. L. 99-653, §6(b), as amended by Pub. L. 100-525, §8(e)(2), substituted "each application" for "each copy of an application", "The application for" for "One copy of the application for", and "the immigrant visa" for "the immigrant visa, and the other copy shall be disposed of as may be by regulations prescribed".

1965—Subsec. (a). Pub. L. 89-236 substituted "an immediate relative within the meaning of section 1151 (b) of this title or a preference or special immigrant", for "preference quota or a nonquota immigrant".

1961—Subsecs. (a), (c). Pub. L. 87-301 struck out requirement to state applicant's race and ethnic classification.

EFFECTIVE DATE OF 2004 AMENDMENT

Pub. L. 108-458, title V, §5303, Dec. 17, 2004, 118 Stat. 3736, provided that: "Notwithstanding section 1086 [Pub. L. 108-458 does not contain a section 1086] or any other provision of this Act [see Tables for classification], sections 5301 and 5302 [amending this section] shall take effect 90 days after the date of enactment of this Act [Dec. 17, 2004]."

Pub. L. 108-458, title VII, §7219, Dec. 17, 2004, 118 Stat. 3835, provided that: "Notwithstanding any other provision of this Act [see Tables for classification], this subtitle [subtitle B (§§7201-7220) of title VII of Pub. L. 108-458, see Tables for classification] shall take effect on the date of enactment of this Act [Dec. 17, 2004]."

EFFECTIVE DATE OF 1996 AMENDMENT

Pub. L. 104-208, div. C, title VI, §632(b), Sept. 30, 1996, 110 Stat. 3009-701, provided that:

"(1) VISAS.—Section 222(g)(1) of the Immigration and Nationality Act [8 U.S.C. 1202(g)(1)], as added by subsection (a), shall apply to a visa issued before, on, or after the date of the enactment of this Act [Sept. 30, 1996].

"(2) ALIENS SEEKING READMISSION.—Section 222(g)(2) of the Immigration and Nationality Act, as added by subsection (a), shall apply to any alien applying for re-admission to the United States after the date of the enactment of this Act, except an alien applying for readmission on the basis on a visa that—

"(A) was issued before such date; and

"(B) is not void through the application of section 222(g)(1) of the Immigration and Nationality Act, as added by subsection (a)."

EFFECTIVE DATE OF 1994 AMENDMENT

Pub. L. 103-416, title II, §205(b), Oct. 25, 1994, 108 Stat. 4311, provided that: "The amendments made by subsection (a) [amending this section] shall apply to applications made on or after the date of the enactment of this Act [Oct. 25, 1994]."

EFFECTIVE DATE OF 1988 AMENDMENT

Amendment by section 8(e) of Pub. L. 100-525 effective as if included in the enactment of the Immigration and Nationality Act Amendments of 1986, Pub. L. 99-653, see section 309(b)(15) of Pub. L. 102-232, set out as an Effective and Termination Dates of 1988 Amendments note under section 1101 of this title.

EFFECTIVE DATE OF 1986 AMENDMENT

Amendment by Pub. L. 99-653 applicable to applications for immigrant visas made, and visas issued, on or after Nov. 14, 1986, see section 23(b) of Pub. L. 99-653, set out as a note under section 1201 of this title.

EFFECTIVE DATE OF 1965 AMENDMENT

For effective date of amendment by Pub. L. 89-236, see section 20 of Pub. L. 89-236, set out as a note under section 1151 of this title.

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.

SHARING OF CERTAIN INFORMATION

Pub. L. 109-162, title VIII, §834, Jan. 5, 2006, 119 Stat. 3077, provided that: "Section 222(f) of the Immigration and Nationality Act (8 U.S.C. 1202(f)) shall not be construed to prevent the sharing of information regarding a United States petitioner for a visa under clause (i) or (ii) of section 101(a)(15)(K) of such Act (8 U.S.C. 1101(a)(15)(K)) for the limited purposes of fulfilling disclosure obligations imposed by the amendments made by section 832(a) [amending section 1184 of this title] or by section 833 [enacting section 1375a of this title], including reporting obligations of the Comptroller General of the United States under section 833(f)."

§ 1203. Reentry permit

(a) Application; contents

(1) Any alien lawfully admitted for permanent residence, or (2) any alien lawfully admitted to the United States pursuant to clause 6 of section 3 of the Immigration Act of 1924, between July 1, 1924, and July 5, 1932, both dates inclusive, who intends to depart temporarily from the United States may make application to the Attorney General for a permit to reenter the United States, stating the length of his intended absence or absences, and the reasons therefor. Such applications shall be made under oath, and shall be in such form, contain such information, and be accompanied by such photographs of the applicant as may be by regulations prescribed.

(b) Issuance of permit; nonrenewability

If the Attorney General finds (1) that the applicant under subsection (a)(1) has been lawfully

admitted to the United States for permanent residence, or that the applicant under subsection (a)(2) has since admission maintained the status required of him at the time of his admission and such applicant desires to visit abroad and to return to the United States to resume the status existing at the time of his departure for such visit, (2) that the application is made in good faith, and (3) that the alien's proposed departure from the United States would not be contrary to the interests of the United States, the Attorney General may, in his discretion, issue the permit, which shall be valid for not more than two years from the date of issuance and shall not be renewable. The permit shall be in such form as shall be by regulations prescribed for the complete identification of the alien.

(c) Multiple reentries

During the period of validity, such permit may be used by the alien in making one or more applications for reentry into the United States.

(d) Presented and surrendered

Upon the return of the alien to the United States the permit shall be presented to the immigration officer at the port of entry, and upon the expiration of its validity, the permit shall be surrendered to the Service.

(e) Permit in lieu of visa

A permit issued under this section in the possession of the person to whom issued, shall be accepted in lieu of any visa which otherwise would be required from such person under this chapter. Otherwise a permit issued under this section shall have no effect under the immigration laws except to show that the alien to whom it was issued is returning from a temporary visit abroad; but nothing in this section shall be construed as making such permit the exclusive means of establishing that the alien is so returning.

(June 27, 1952, ch. 477, title II, ch. 3, § 223, 66 Stat. 194; Pub. L. 97-116, § 6, Dec. 29, 1981, 95 Stat. 1615.)

REFERENCES IN TEXT

Clause (6) of section 3 of the Immigration Act of 1924, referred to in subsec. (a), which was classified to section 203(6) of this title, was repealed by section 403(a)(2) of act June 27, 1952. See section 1101(a)(15)(E) of this title.

This chapter, referred to in subsec. (e), was in the original, "this Act", meaning act June 27, 1952, ch. 477, 66 Stat. 163, known as the Immigration and Nationality Act, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 1101 of this title and Tables.

AMENDMENTS

1981—Subsec. (b). Pub. L. 97-116 substituted "two years from the date of issuance and shall not be renewable" for "one year from the date of issuance: *Provided*, That the Attorney General may in his discretion extend the validity of the permit for a period or periods not exceeding one year in the aggregate".

EFFECTIVE DATE OF 1981 AMENDMENT

Amendment by Pub. L. 97-116 effective Dec. 29, 1981, see section 21(a) of Pub. L. 97-116, set out as a note under section 1101 of this title.

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.

§ 1204. Immediate relative and special immigrant visas

A consular officer may, subject to the limitations provided in section 1201 of this title, issue an immigrant visa to a special immigrant or immediate relative as such upon satisfactory proof, under regulations prescribed under this chapter, that the applicant is entitled to special immigrant or immediate relative status.

(June 27, 1952, ch. 477, title II, ch. 3, § 224, 66 Stat. 195; Pub. L. 89-236, § 11(d), Oct. 3, 1965, 79 Stat. 918.)

REFERENCES IN TEXT

This chapter, referred to in text, was in the original, "this Act", meaning act June 27, 1952, ch. 477, 66 Stat. 163, known as the Immigration and Nationality Act, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 1101 of this title and Tables.

AMENDMENTS

1965—Pub. L. 89-236 struck out reference to sections 1154 and 1155 of this title and substituted "special immigrant or immediate relative" for "nonquota immigrant".

EFFECTIVE DATE OF 1965 AMENDMENT

For effective date of amendment by Pub. L. 89-236, see section 20 of Pub. L. 89-236, set out as a note under section 1151 of this title.

§ 1205. Repealed. Pub. L. 87-301, § 24(a)(2), Sept. 26, 1961, 75 Stat. 657

Section, Pub. L. 85-316, § 4, Sept. 11, 1957, 71 Stat. 639; Pub. L. 86-253, § 2, Sept. 9, 1959, 73 Stat. 490; Pub. L. 86-648, § 7, July 14, 1960, 74 Stat. 505, related to nonquota immigrant visas for eligible orphans.

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

§ 1221. Lists of alien and citizen passengers arriving and departing

(a) Arrival manifests

For each commercial vessel or aircraft transporting any person to any seaport or airport of the United States from any place outside the United States, it shall be the duty of an appropriate official specified in subsection (d) to provide to any United States border officer (as defined in subsection (i)) at that port manifest information about each passenger, crew member, and other occupant transported on such vessel or aircraft prior to arrival at that port.

(b) Departure manifests

For each commercial vessel or aircraft taking passengers on board at any seaport or airport of the United States, who are destined to any place outside the United States, it shall be the duty of an appropriate official specified in subsection (d) to provide any United States border officer (as defined in subsection (i)) before departure from