

Subsec. (a)(4). Pub. L. 99-653, §18(e), (f), as amended by Pub. L. 100-525, §8(m)(3), inserted “after attaining the age of eighteen years” after “political subdivision thereof,” in subpars. (A) and (B).

Subsecs. (b), (c). Pub. L. 99-653, §19, as amended by Pub. L. 100-525, §8(n), redesignated former subsec. (c) as (b) and substituted “Any” for “Except as provided in subsection (b) of this section, any”, and struck out former subsec. (b) which read as follows: “Any person who commits or performs any act specified in subsection (a) of this section shall be conclusively presumed to have done so voluntarily and without having been subjected to duress of any kind, if such person at the time of the act was a national of the state in which the act was performed and had been physically present in such state for a period or periods totaling ten years or more immediately prior to such act.”

1981—Subsec. (a). Pub. L. 97-116 struck out “(a)” designation as added by section 4 of Pub. L. 95-432, which was not executed since it would have resulted in a subsec. (a) designation of “(a)(a)”, and substituted in par. (1) “special immigrant” for “nonquota immigrant”.

1978—Subsec. (a)(5). Pub. L. 95-432, §§2, 4, redesignated par. (6) as (5). Former par. (5), which dealt with expatriation of persons who voted in a political election in a foreign state or participated in an election or plebiscite to determine sovereignty over foreign territory, was struck out.

Subsec. (a)(6), (7). Pub. L. 95-432, §4, redesignated pars. (7) and (9) as (6) and (7), respectively. Former pars. (6) and (7) redesignated (5) and (6), respectively.

Subsec. (a)(8). Pub. L. 95-432, §2, struck out par. (8) which dealt with expatriation of persons who were dismissed or dishonorably discharged as result of deserting the military, air, or naval forces of the United States in time of war.

Subsec. (a)(9). Pub. L. 95-432, §4, redesignated par. (9) as (7).

1976—Subsec. (a)(10). Pub. L. 94-412 struck out par. (10) which dealt with the expatriation of persons who remained outside of the jurisdiction of the United States in time of war or national emergency to avoid service in the military.

1961—Subsec. (c). Pub. L. 87-301 added subsec. (c).

1954—Subsec. (a)(9). Act Sept. 3, 1954, provided for forfeiture of citizenship of persons advocating the overthrow of the Government by force or violence.

EFFECTIVE DATE OF 1988 AMENDMENT

Amendment by section 8(m), (n) 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

Pub. L. 99-653, §23(g), as added by Pub. L. 100-525, §8(r), Oct. 24, 1988, 102 Stat. 2619, provided that: “The amendments made by sections 18, 19, and 20 [amending this section and section 1483 of this title] shall apply to actions taken before, on, or after November 14, 1986.”

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.

SHORT TITLE

Act Sept. 3, 1954, ch. 1256, §1, 68 Stat. 1146, provided: “That this Act [amending this section] may be cited as the ‘Expatriation Act of 1954.’”

SAVINGS PROVISION

Amendment by Pub. L. 94-412 not to affect any action taken or proceeding pending at the time of amendment, see section 501(h) of Pub. L. 94-412, set out as a note under section 1601 of Title 50, War and National Defense.

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.

RIGHT OF EXPATRIATION

R.S. §1999 provided that: “Whereas the right of expatriation is a natural and inherent right of all people, indispensable to the enjoyment of the rights of life, liberty, and the pursuit of happiness; and whereas in the recognition of this principle this Government has freely received emigrants from all nations, and invested them with the rights of citizenship; and whereas it is claimed that such American citizens, with their descendants, are subjects of foreign states, owing allegiance to the governments thereof; and whereas it is necessary to the maintenance of public peace that this claim of foreign allegiance should be promptly and finally disavowed: Therefore any declaration, instruction, opinion, order, or decision of any officer of the United States which denies, restricts, impairs, or questions the right of expatriation, is declared inconsistent with the fundamental principles of the Republic.”

§ 1482. Repealed. Pub. L. 95-432, § 1, Oct. 10, 1978, 92 Stat. 1046

Section, act June 27, 1952, ch. 477, title III, ch. 3, §350, 66 Stat. 269, provided that an individual with dual nationality who voluntarily claims the benefits of the foreign state nationality loses his United States nationality by having continuous residence in the foreign state for 3 years after having attained 22 years of age unless prior to the 3 year period he takes an oath of allegiance to the United States, or his residence in the foreign state was for a reason specified in section 1485(1), (2), (4), (5), (6), (7), or (8) of this title or section 1486(1) or (2) of this title.

EFFECTIVE DATE OF REPEAL

Pub. L. 95-432, §1, Oct. 10, 1978, 92 Stat. 1046, provided that repeal of this section is effective Oct. 10, 1978.

§ 1483. Restrictions on loss of nationality

(a) Except as provided in paragraphs (6) and (7) of section 1481(a) of this title, no national of the United States can lose United States nationality under this chapter while within the United States or any of its outlying possessions, but loss of nationality shall result from the performance within the United States or any of its outlying possessions of any of the acts or the fulfillment of any of the conditions specified in this Part if and when the national thereafter takes up a residence outside the United States and its outlying possessions.

(b) A national who within six months after attaining the age of eighteen years asserts his claim to United States nationality, in such manner as the Secretary of State shall by regulation prescribe, shall not be deemed to have lost United States nationality by the commission, prior to his eighteenth birthday, of any of the acts specified in paragraphs (3) and (5) of section 1481(a) of this title.

(June 27, 1952, ch. 477, title III, ch. 3, §351, 66 Stat. 269; Pub. L. 97-116, §18(r), Dec. 29, 1981, 95 Stat. 1621; Pub. L. 99-653, §20, Nov. 14, 1986, 100 Stat. 3658; Pub. L. 100-525, §8(o), Oct. 24, 1988, 102 Stat. 2618; Pub. L. 103-416, title I, §105(a), Oct. 25, 1994, 108 Stat. 4308; Pub. L. 104-208, div. C, title VI, §671(b)(3), Sept. 30, 1996, 110 Stat. 3009-721.)