

(June 27, 1952, ch. 477, title II, ch. 6, §258, as added Pub. L. 101-649, title II, §203(a)(1), Nov. 29, 1990, 104 Stat. 5015; amended Pub. L. 102-232, title III, §303(a)(4), Dec. 12, 1991, 105 Stat. 1747; Pub. L. 103-198, §8(a), (b), Dec. 17, 1993, 107 Stat. 2313, 2315; Pub. L. 103-206, title III, §323(a), (b), Dec. 20, 1993, 107 Stat. 2428, 2430; Pub. L. 103-416, title II, §219(f), (gg), Oct. 25, 1994, 108 Stat. 4317, 4319; Pub. L. 104-208, div. C, title VI, §671(e)(4)(B), Sept. 30, 1996, 110 Stat. 3009-723.)

## REFERENCES IN TEXT

Section 4106 of the Oil Pollution Act of 1990, referred to in subsec. (b)(2), is section 4106 of Pub. L. 101-380, title IV, Aug. 18, 1990, 104 Stat. 513, which amended section 1228 of Title 33, Navigation and Navigable Waters, and sections 6101 and 9101 of Title 46, Shipping.

The National Labor Relations Act, referred to in subsec. (d)(1)(D)(i), is act July 5, 1935, ch. 372, 49 Stat. 452, as amended, which is classified generally to subchapter II (§151 et seq.) of chapter 7 of Title 29, Labor. For complete classification of this Act to the Code, see section 167 of Title 29 and Tables.

## AMENDMENTS

1996—Subsec. (b)(2). Pub. L. 104-208 substituted “section 5103(b), 5104, 5106, 5107, or 5110 of title 49” for “section 105 or 106 of the Hazardous Materials Transportation Act (49 U.S.C. App. 1804, 1805)”.

1994—Subsecs. (a), (c)(4)(A), (5). Pub. L. 103-416, §219(gg), repealed Pub. L. 103-198, §8(b), which had made amendments identical to those made by Pub. L. 103-206, §323(b). See 1993 Amendment note below.

Subsec. (d). Pub. L. 103-416, §219(gg), repealed Pub. L. 103-198, §8(a), which had made an amendment substantially identical to that made by Pub. L. 103-206, §323(a). See 1993 Amendment note below.

Subsec. (d)(3)(B). Pub. L. 103-416, §219(f), substituted “subparagraph (A)(iii)” for “subparagraph (A)”.

Subsec. (e). Pub. L. 103-416, §219(gg), repealed Pub. L. 103-198, §8(a), which had made an amendment substantially identical to that made by Pub. L. 103-206, §323(a). See 1993 Amendment note below.

1993—Subsec. (a). Pub. L. 103-206, §323(b)(1), substituted “subsection (c), (d), or (e) of this section” for “subsection (c) of this section or subsection (d) of this section”. Pub. L. 103-198, §8(b)(1), which amended subsec. (a) identically, was repealed by Pub. L. 103-416, §219(gg).

Subsec. (c)(4)(A). Pub. L. 103-206, §323(b)(2), inserted “or subsection (d)(1) of this section” after “paragraph (1)” in two places. Pub. L. 103-198, §8(b)(2), which amended subpar. (A) identically, was repealed by Pub. L. 103-416, §219(gg).

Subsec. (c)(5). Pub. L. 103-206, §323(b)(3), added par. (5). Pub. L. 103-198, §8(b)(3), which amended subsec. (c) identically, was repealed by Pub. L. 103-416, §219(gg).

Subsecs. (d), (e). Pub. L. 103-206, §323(a), added subsec. (d) and redesignated former subsec. (d) as (e). Pub. L. 103-198, §8(a), which made substantially identical amendments to this section, was repealed by Pub. L. 103-416, §219(gg).

1991—Subsec. (c)(2)(B). Pub. L. 102-232 substituted “each list” for “each such list”.

## EFFECTIVE DATE OF 1994 AMENDMENT

Amendment by Pub. L. 103-416 effective as if included in the enactment of the Immigration Act of 1990, Pub. L. 101-649, see section 219(dd) of Pub. L. 103-416, set out as a note under section 1101 of this title.

## EFFECTIVE DATE OF 1991 AMENDMENT

Amendment by Pub. L. 102-232 effective as if included in the enactment of the Immigration Act of 1990, Pub. L. 101-649, see section 310(1) of Pub. L. 102-232, set out as a note under section 1101 of this title.

## EFFECTIVE DATE

Section applicable to services performed on or after 180 days after Nov. 29, 1990, see section 203(d) of Pub. L.

101-649, set out as an Effective Date of 1990 Amendment note under section 1101 of this title.

## REGULATIONS

Section 323(c) of Pub. L. 103-206 provided that:

“(1) The Secretary of Labor shall prescribe such regulations as may be necessary to carry out this section [amending this section].

“(2) Attestations filed pursuant to section 258(c) (8 U.S.C. 1288(c)) with the Secretary of Labor before the date of enactment of this Act [Dec. 20, 1993] shall remain valid until 60 days after the date of issuance of final regulations by the Secretary under this section.”

Similar provisions were contained in Pub. L. 103-198, §8(c), Dec. 17, 1993, 107 Stat. 2315, prior to repeal by Pub. L. 103-416, title II, §219(gg), Oct. 25, 1994, 108 Stat. 4319.

## 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.

## INAPPLICABILITY OF AMENDMENT BY PUB. L. 101-649

Section 203(a)(2) of Pub. L. 101-649 provided that: “This section [enacting this section, amending section 1101 of this title, and enacting provisions set out as a note under section 1101 of this title] does not affect the performance of longshore work in the United States by citizens or nationals of the United States.”

## PART VII—REGISTRATION OF ALIENS

## § 1301. Alien seeking entry; contents

No visa shall be issued to any alien seeking to enter the United States until such alien has been registered in accordance with section 1201(b) of this title.

(June 27, 1952, ch. 477, title II, ch. 7, §261, 66 Stat. 223; Pub. L. 99-653, §8, Nov. 14, 1986, 100 Stat. 3657; Pub. L. 100-525, §8(g), Oct. 24, 1988, 102 Stat. 2617.)

## AMENDMENTS

1988—Pub. L. 100-525 made technical correction to Pub. L. 99-653. See 1986 Amendment note below.

1986—Pub. L. 99-653, as amended by Pub. L. 100-525, amended section generally, striking out “and fingerprinted” after “has been registered” and substituting “section 1201(b) of this title” for “section 1201(b) of this title, unless such alien has been exempted from being fingerprinted as provided in that section”.

## EFFECTIVE DATE OF 1988 AMENDMENT

Amendment by 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.

## § 1302. Registration of aliens

(a) It shall be the duty of every alien now or hereafter in the United States, who (1) is fourteen years of age or older, (2) has not been registered and fingerprinted under section 1201(b) of this title or section 30 or 31 of the Alien Registration Act, 1940, and (3) remains in the United