TITLE 8—ALIENS AND NATIONALITY

Chap.		Sec.
1.	General Provisions [Repealed or Omitted]	1
2.	Elective Franchise [Transferred]	31
3.	Civil Rights [Transferred or Repealed]	41
4.	Freedmen [Omitted]	61
5.	Alien Ownership of Land [Transferred or Omitted]	71
6.	Immigration [Transferred, Omitted, or Repealed]	100
7.	Exclusion of Chinese [Omitted or Repealed]	261
8.	The Cooly Trade [Repealed]	331
9.	Miscellaneous Provisions [Repealed or Transferred]	351
10.	Alien Registration [Repealed]	451
11.	Nationality [Repealed or Transferred]	501
12.	Immigration and Nationality	1101
13.	Immigration and Naturalization Service	1551
14.	Restricting Welfare and Public Benefits for Aliens	1601
15.	Enhanced Border Security and Visa Entry Reform	1701

CHAPTER 1—GENERAL PROVISIONS

§§ 1 to 18. Repealed or Omitted

These sections, relating to citizenship, were affected by the Nationality Act of 1940, former section 501 et seq. of this title.

That act was passed on Oct. 14, 1940, to consolidate and restate the laws of the United States regarding citizenship, naturalization, and expatriation, and, in addition to certain specific repeals thereby, all acts or parts of acts in conflict with its provisions were repealed by former section 904 of this title. See the notes below for history of individual sections.

Section 1, relating to citizenship of persons born in the United States, was repealed by act Oct. 14, 1940, ch. 876, title I, subch. V, § 504, 54 Stat. 1172. It was from R.S. § 1992, which was revised from act Apr. 9, 1866, ch. 31, § 1, 14 Stat. 27. Similar provisions were contained in former section 601(a) of this title. See section 1401 of this title.

Section 2, relating to citizenship of persons born in Territory of Oregon, was from R.S. § 1995, which was revised from act May 18, 1872, ch. 172, § 3, 17 Stat. 134.

Sections 3 to 3c, related to citizenship of Indians. Section 3 was from acts Feb. 8, 1887, ch. 119, § 6, 24 Stat. 390; Mar. 3, 1901, ch. 868, 31 Stat. 1447; May 8, 1906, ch. 2348, 34 Stat. 182; Nov. 6, 1919, ch. 95, 41 Stat. 350; Mar. 3, 1921, ch. 120, § 3, 41 Stat. 1250; June 2, 1924, ch. 233, 43 Stat. 253; Oct. 14, 1940, ch. 876, title I, subch. V, § 504, 54 Stat. 1173. Section 3a was from act June 19, 1930, ch. 544, 46 Stat. 787. Section 3b was from acts May 7, 1934, ch. 221, § 1, 48 Stat. 667; July 23, 1947, ch. 304, § 1, 61 Stat. 414. Section 3c was from act May 7, 1934, ch. 221, § 2, 48 Stat. 667.

Section 4, relating to citizenship of Hawaiians, was from act Apr. 30, 1900, ch. 339, § 4, 31 Stat. 141. See section 1405 of this title.

Sections 5 and 5a, relating to citizenship of Puerto Ricans, were from act Mar. 2, 1917, ch. 145, §§ 5, 5a, respectively, 39 Stat. 953, as amended Mar. 4, 1927, ch. 503, § 2, 44 Stat. 1418; May 17, 1932, ch. 190, 47 Stat. 158. See section 1402 of this title.

Section 5a–1, making a further extension of time for Puerto Ricans to become citizens in cases of misinformation regarding status, was repealed by act Oct. 14, 1940, ch. 876, title I, subch. V, § 504, 54 Stat. 1174. It was from act May 16, 1938, ch. 225, 52 Stat. 377. See section 1402 of this title.

Sections 5b and 5c, relating to citizenship of inhabitants of the Virgin Islands, were from act Feb. 25, 1927, ch. 192, §§ 1, 3, respectively, 44 Stat. 1234, 1235, as amended May 17, 1932, ch. 190, 47 Stat. 158; June 28, 1932, ch. 283, § 5, 47 Stat. 336. See section 1406 of this title.

Sections 5d to 9a were repealed by act Oct. 14, 1940, ch. 876, title I, subch. V, § 504, 54 Stat. 1174. Sections 5d and 5e, relating to citizenship of persons born in Canal Zone or Panama, were from act Aug. 4, 1937, ch. 563, §§ 1, 2, respectively, 50 Stat. 558; see section 1403 of this title. Section 6, relating to citizenship of children born outside the United States, was from R.S. § 1993 (revised from acts Apr. 14, 1802, ch. 28, § 4, 2 Stat. 155; Feb. 10, 1855, ch. 71, § 1, 10 Stat. 604); act Mar. 2, 1907, ch. 2534, §§ 6, 7, 34 Stat. 1229, as amended May 24, 1934, ch. 344, § 1, 48 Stat. 797; see sections 1431 to 1433 of this title. Section 7, relating to citizenship of children of persons naturalized under certain laws, was from R.S. § 2172, which was revised from act Apr. 14, 1802, ch. 28, § 4, 2 Stat. 155. Section 8, relating to citizenship, upon parent's naturalization, of children born abroad of alien parents, was from act Mar. 2, 1907, ch. 2534, § 5, 34 Stat. 1229, as amended May 24, 1934, ch. 344, § 2, 48 Stat. 797. Section 9, relating to citizenship of women citizens as affected by marriage, was from acts Sept. 22, 1922, ch. 411, § 3(a), 42 Stat. 1022; July 3, 1930, ch. 835, § 1, 46 Stat. 854; Mar. 3, 1931, ch. 442, § 4(a), 46 Stat. 1511; see section 1435 of this title. Section 9a, relating to repatriation of native-born women married to aliens prior to Sept. 22, 1922, was from act June 25, 1936, ch. 801, 49 Stat. 1917, as amended July 2, 1940, ch. 509, 54 Stat. 715; see section 1435(c) of this title.

Section 10, relating to effect of certain repeals on citizenship of women marrying citizens, was from act Sept. 22, 1922, ch. 411, § 6, 42 Stat. 1022.

Sections 11 and 12, relating to forfeiture of citizenship for desertion from armed forces, were repealed by acts Aug. 10, 1956, ch. 1041, § 53, 70A Stat. 644, and Sept. 6, 1966, Pub. L. 89–554, § 8, 80 Stat. 632. Section 11 was from R.S. § 1998 (revised from act Mar. 3, 1865, ch. 79, § 21, 13 Stat. 490) as amended by acts Aug. 22, 1912, ch. 336, § 1, 37 Stat. 356; Oct. 14, 1940, ch. 876, title I, subch. V, § 504, 54 Stat. 1172. Section 12 was from R.S. §§ 1996, 1997, which were revised from acts Mar. 3, 1865, ch. 79, § 21, 13 Stat. 490, and July 19, 1867, ch. 28, 15 Stat. 14, respectively; see sections 1481 and 1483 of this title.

Sections 13 and 14, relating to protection of citizens when abroad, were transferred to sections 1731 and 1732 of Title 22, Foreign Relations and Intercourse.

Section 15, R.S. § 1999, which relates to right of expatriation, is now set out as a note under section 1481 of this title.

Sections 16 to 18, relating to loss of citizenship, were repealed by act Oct. 14, 1940, ch. 876, title I, subch. V,

§ 504, 54 Stat. 1172. Section 16 was from act Mar. 2, 1907, ch. 2534, § 2, 34 Stat. 1228. Section 17 was from act Mar. 2, 1907, ch. 2534, §§ 2, 7, 34 Stat. 1228, 1229; see sections 1481(a), 1482 and 1484 of this title. Section 17a was from act May 24, 1934, ch. 344, § 3, 48 Stat. 797; see section 1481(a) of this title. Section 18 was from acts June 29, 1906, ch. 3592, § 4(12), 34 Stat. 596; May 9, 1918, ch. 69, § 1, 40 Stat. 545; June 21, 1930, ch. 559, 46 Stat. 791; see sections 1438(a), 1454, 1455, and 1459 of this title.

CHAPTER 2—ELECTIVE FRANCHISE

§§ 31, 32. Transferred

CODIFICATION

Sections 31 and 32 transferred to sections 1971 and 1972, respectively, of Title 42, The Public Health and Welfare.

CHAPTER 3—CIVIL RIGHTS

§§ 41 to 43. Transferred

CODIFICATION

Sections 41 to 43 transferred to sections 1981 to 1983, respectively, of Title 42, The Public Health and Welfare.

§§ 44, 45. Repealed. June 25, 1948, ch. 645, § 21, 62 Stat. 862, eff. Sept. 1, 1948

Section 44, act Mar. 1, 1875, ch. 114, § 4, 18 Stat. 336, related to exclusion of jurors on account of race or color. See section 243 of Title 18, Crimes and Criminal Procedure.

Section 45, acts Mar. 1, 1875, ch. 114, § 3, 18 Stat. 336; May 28, 1896, ch. 252, § 19, 29 Stat. 184, related to prosecutions for banning jurors because of race or color. See section 243 of Title 18.

§§ 46 to 51. Transferred

CODIFICATION

Sections 46 to 51 transferred to sections 1984 to 1987, 1989, and 1990, respectively, of Title 42, The Public Health and Welfare.

§ 52. Repealed. June 25, 1948, ch. 646, § 39, 62 Stat. 992, eff. Sept. 1, 1948

Section, R.S. § 1986; acts May 28, 1896, ch. 252, § 6, 29 Stat. 179; Feb. 26, 1919, ch. 49, § 1, 40 Stat. 1182; Feb. 11, 1921, ch. 46, 41 Stat. 1099, related to fees of district attorneys, marshals, and clerks of court.

§§ 53 to 56. Transferred

CODIFICATION

Sections 53 to 56 transferred to sections 1991, 1992, former section 1993, and section 1994, respectively, of Title 42, The Public Health and Welfare.

CHAPTER 4—FREEDMEN

§§ 61 to 65. Omitted

CODIFICATION

Section 61, R.S. 2032, related to continuation of laws then in force.

Section 62, R.S. 2033, related to enforcement of laws by former Secretary of War.

Section 63, acts Mar. 3, 1879, ch. 182, § 2, 20 Stat. 402; Feb. 1, 1888, ch. 4, § 1, 25 Stat. 9; July 1, 1898, ch. 546, 30 Stat. 640, related to claims for pay or bounty.

Section 64, act July 1, 1902, ch. 1351, 32 Stat. 556, related to retained bounty fund.

Section 65, R.S. § 2037, related to wives and children of colored soldiers.

CHAPTER 5—ALIEN OWNERSHIP OF LAND

§§ 71 to 78. Transferred

CODIFICATION

Sections 71 to 78 transferred to sections 1501 to 1508, respectively, of Title 48, Territories and Insular Possessions.

§§ 79 to 82. Omitted

CODIFICATION

Sections 79 to 82 related to alien ownership of real estate in the District of Columbia. Sections 79 to 81 were from act Mar. 3, 1887, ch. 340, §§ 1, 2, 4, respectively, 24 Stat. 476, 477, as specifically excepted from amendment by act Mar. 2, 1897, ch. 363, 29 Stat. 618 (for said act Mar. 3, 1887, as amended by the 1897 act, see sections 1501 to 1507 of Title 48, Territories and Insular Possessions); and section 82 was from act Mar. 9, 1888, ch. 30, 25 Stat. 45.

§§ 83 to 86. Transferred

CODIFICATION

Sections 83 to 86 transferred to sections 1509 to 1512, respectively, of Title 48, Territories and Insular Possessions.

CHAPTER 6—IMMIGRATION

SUBCHAPTER I—IMMIGRATION AND NATURALIZATION AGENCIES, OFFICERS, AND STATIONS

§§ 100, 101. Transferred

CODIFICATION

Section 100 transferred to section 1551 of this title.

Section 101 transferred to section 1552 of this title.

§ 102. Repealed. June 27, 1952, ch. 477, title IV, § 403(a)(13), 66 Stat. 279, eff. Dec. 24, 1952

Section, acts Feb. 5, 1917, ch. 29, § 23, 39 Stat. 892; May 14, 1937, ch. 181, 50 Stat. 164; Oct. 29, 1945, ch. 438, 59 Stat. 551; Oct. 15, 1949, ch. 695, § 5(a), 63 Stat. 880, related to administration of immigration laws. See sections 1103, 1223(a), and 1260 of this title.

§§ 103, 103a. Omitted

CODIFICATION

Section 103, acts Mar. 2, 1895, ch. 177, § 1, 28 Stat. 780; Mar. 4, 1913, ch. 141, § 3, 37 Stat. 737; Ex. Ord. No. 6166, § 14, June 10, 1933; 1940 Reorg. Plan No. V, eff. June 14, 1940, 5 F.R. 2423, 54 Stat. 1238, which related to administration of alien contract laws, was transferred to section 342h of former Title 5, Executive Departments and Government Officers and Employees, and subsequently eliminated from the Code on enactment of Title 5, Government Organization and Employees, by Pub. L. 89–554, Sept. 6, 1966, 80 Stat. 378. See section 1103 of this title.

Section 103a, act July 9, 1947, ch. 211, title II, 61 Stat. 292, which related to reimbursement by Attorney General of certain expenses incurred by other agencies in connection with administration and enforcement of laws relating to immigration, etc., was from the Department of Justice Appropriation Act, 1948, and was not repeated in the Department of Justice Appropriation Act, 1949, act June 3, 1948, ch. 400, title II, 62 Stat. 316. Similar provisions were contained in the following prior appropriation acts:

July 5, 1946, ch. 541, title II, 60 Stat. 462.
May 21, 1945, ch. 129, title II, 59 Stat. 185.
June 28, 1944, ch. 294, title II, 58 Stat. 412.
July 1, 1943, ch. 182, title II, 57 Stat. 288.