



***Major United States Laws Relating to
Immigration and Naturalization: 1790–2005***

<u>DATE</u>	<u>ACT</u>	<u>PROVISION</u>
Mar. 26, 1790	1 Stat. 103	One visit to court; two-year residency; free white alien; children of naturalized citizens considered to be citizens.
Jan. 29, 1795	1 Stat. 414	Free white aliens of good moral character; five-year residency with one year in state; declaration of intention filed after two years; petition filed three years after declaration.
June 18, 1798	1 Stat. 566	14-year residency; declaration of intention filed 5 years before granting of citizenship.
July 14, 1798	1 Stat. 570	Ordered the removal of aliens considered to be dangerous to the peace and safety of the U.S.; passenger lists to be given to collector of customs.
Apr. 14, 1802	2 Stat. 153	Reasserted residency requirements of 1795 act; children of naturalized citizens considered to be citizens.
Mar. 2, 1819	3 Stat. 489	Passenger lists to be given to collector of customs.
May 26, 1824	4 Stat. 69	Alien minors naturalized upon reaching 21 years of age if alien had lived in U.S. for five years.
Feb. 10, 1855	10 Stat. 604	Alien women married to U.S. citizens considered to be citizens.
July 17, 1862	12 Stat. 597	Aliens who received honorable discharges from U.S. Army were not required to file declarations.
Mar. 3, 1875	18 Stat. 477	Residency permits required of Asians.
May 6, 1882	22 Stat. 58	10-year suspension of immigration of Chinese laborers; certificates required of Chinese laborers who came to the U.S. prior to 1882; Chinese immigrants, other than laborers, must have certificates before immigrating to U.S.; Chinese not allowed to become citizens.
July 5, 1884	24 Stat. 115	Extended 10-year suspension of 1882 act.
Sept. 13, 1888	25 Stat. 476	Indefinite suspension of immigration by Chinese laborers
Mar. 3, 1891	26 Stat. 1084	Established office of superintendent of immigration; Classes of persons denied right to immigrate to U.S.—insane, paupers, persons with contagious diseases, persons convicted of felonies or misdemeanors of moral turpitude, and polygamists.
May 5, 1892	7 Stat. 25	All Chinese immigrants excluded from U.S. for 10 years; Chinese illegally in U.S. could be removed.

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<u>DATE</u>	<u>ACT</u>	<u>PROVISION</u>
Nov. 3, 1893	28 Stat. 7	Chinese legally in U.S. must apply to directors of internal revenue for certificates of residence or be removed.
July 26, 1894	28 Stat. 124	Aliens who received honorable discharges from U.S. Navy and Marines are not required to file declarations.
June 29, 1906	32 Stat. 596	Bureau of Immigration and Naturalization established. Naturalization papers become standardized and contain more detail about aliens. Any court having common law jurisdiction could naturalize aliens.
Mar. 2, 1907	34 Stat. 1228	American-born women who married foreign-born men took the citizenship status of their husbands. Once the marital relationship was terminated, the women could regain their American citizenship, but no mechanism for regaining citizenship was identified.
May 9, 1918	40 Stat. 542	Aliens currently in U.S. military permitted to file for citizenship after serving three years.
May 19, 1921	42 Stat. 5	Quota Act of 1921 established annual immigrant admissions per country using a formula based on the 1910 federal population census.
Sept. 22, 1922	42 Stat. 1021	Allowed alien wives of U.S. citizens to file for citizenship after one year of residency; stopped removals of citizenship status from native-born American women who had married aliens not eligible for U.S. citizenship.
May 26, 1924	43 Stat. 153	Ceiling placed on number of immigrants in permanent status; aliens to obtain visas, in advance, from U.S. embassies; courts no longer allowed to determine naturalization eligibility. The law was aimed at further restricting the Southern and Eastern Europeans who were immigrating in large numbers starting in the 1890s, as well as prohibiting the immigration of Middle Easterners, East Asians, and Asian Indians.
June 2, 1924	43 Stat. 253	American Indians were granted full U.S. citizenship to America's indigenous peoples, called "Indians" in this Act. The 14th Amendment guarantees citizenship to persons born in the U.S., but only if "subject to the jurisdiction thereof"; this latter clause excludes certain indigenous peoples.
Mar. 2, 1929	45 Stat. 1513	Certificates of arrival showing date and place of arrival and method of arrival to be issued to immigrants; persons wishing to become citizens required to file certificates of arrival with declarations of intention. If they arrived before certificates of arrival were required, they must be located on a passenger arrival manifest, and retroactive certificates would be issued.
June 25, 1936	49 Stat. 1917	Allowed American women who had lost their citizenship because they married aliens to regain citizenship by taking oaths of allegiance to the U.S.
June 27, 1952	66 Stat. 163	Established national origins minimum quota of 100 persons

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		per country; lowered age requirements for naturalization to 18 years.
Oct. 3, 1965	9 Stat. 911	"National quotas" replaced with "annual ceilings" for number of immigrants. There was a limitation on Western Hemisphere immigration (120,000 per year), with the Eastern Hemisphere limited to 170,000. Because of the family preferences put into immigration law, immigration is now mostly "chain immigration" wherein recent immigrants who are already in the U.S. sponsor their relatives.
Apr. 1, 1980	PL 96-212	Created to provide a permanent and systematic procedure for the admission to the U.S. of refugees of special humanitarian concern to the U.S., and to provide comprehensive and uniform provisions for the effective resettlement and absorption of those refugees who are admitted. It established explicit procedures on how to deal with refugees in the U.S. by creating a uniform and effective resettlement and absorption policy.
Nov. 6, 1986	100 Stat. 3359	Required employers to attest to their employees' immigration status and made it illegal to hire unauthorized immigrants. Did grant amnesty to some illegal immigrants.
Nov. 29, 1990	104 Stat. 4978	Increased the number of illegal immigrants allowed into the U.S. each year. It also provided for exceptions to the English testing process required by the 1906 act.
Sept. 30, 1996	110 Stat. 3009-456	Immigrants unlawfully present in the U.S. for more than 180 days must stay outside U.S. for certain period of time unless they get a pardon or waiver.
May 11, 2005	119 Stat. 302	Set requirements for state driver's licenses and ID cards to be accepted by the Federal Government for official purposes as defined by Homeland Security.

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Legislation from 1790 - 1900

1 Act of March 26, 1790 (1 Statutes-at-Large 103)

The first federal activity in an area previously under the control of the individual states, this act established a uniform rule for naturalization by setting the residence requirement at two years.

2 Act of January 29, 1795 (1 Statutes-at-Large 414)

Repealed the 1790 act, raised the residence requirement to five years and required a declaration of intention to seek citizenship at least three years before naturalization.

3 Naturalization Act of June 18, 1798 (1 Statutes-at-Large 566)

Provisions:

- a. Clerks of court must furnish information about each record of naturalization to the Secretary of State.
- b. Registry of each alien residing in the United States at that time, as well as those arriving thereafter.
- c. Raised the residence requirement for naturalization to fourteen years.

4 Aliens Act of June 25, 1798 (1 Statutes-at-Large 570)

Represented the first Federal law pertinent to immigration rather than naturalization. Provisions:

- a. Authorized the President to arrest and/or deport any alien whom he deemed dangerous to the United States.
- b. Required the captain of any vessel to report the arrival of aliens on board such vessel to the Collector, or other chief officer, of the Customs of the Port.

This law expired two years after its enactment.

5 Alien Enemy Act of July 6, 1798 (1 Statutes-at-Large 577)

Provided that in the case of declared war or invasion the President shall have the power to restrain or remove alien enemy males of fourteen years and upwards, but with due protection of their property rights as stipulated by treaty.

6 Naturalization Act of April 14, 1802 (2 Statutes-at-Large 153)

Provisions:

- a. Reduced the residence period for naturalization from fourteen to five years.
- b. Established basic requirements for naturalization, including good moral character, allegiance to the Constitution, a formal declaration of intention, and witnesses.

7 Steerage Act of March 2, 1819 (3 Statutes-at-Large 488)

First significant Federal law relating to immigration. Provisions:

- a. Established the continuing reporting of immigration to the United States by requiring that passenger lists or manifests of all arriving vessels be delivered to the local Collector of Customs, copies transmitted to the Secretary of State, and the information reported to Congress.
- b. Set specific sustenance rules for passengers of ships leaving U.S. ports for Europe.
- c. Somewhat restricted the number of passengers on all vessels either coming to or leaving the United States.

8 Act of May 26, 1824 (4 Statutes-at-Large 36)

Facilitated the naturalization of certain aliens who had entered the United States as minors, by setting a two-year instead of a three-year interval between declaration of intention and admission to citizenship.

9 Act of February 22, 1847 (9 Statutes-at-Large 127)

“Passenger Acts,” provided specific regulations to safeguard passengers on merchant vessels. Subsequently amended by the Act of March 2, 1847 expanding the allowance of passenger space.

10 Passenger Act of March 3, 1855 (10 Statutes-at-Large 715)

Provisions:

- a. Repealed the Passenger Acts (see the 1847 act) and combined their provisions in a codified form.
- b. Reaffirmed the duty of the captain of any vessel to report the arrival of alien passengers.
- c. Established separate reporting to the Secretary of State distinguishing permanent and temporary immigration.

11 Act of February 19, 1862 (12 Statutes-at-Large 340)

Prohibited the transportation of Chinese “coolies” on American vessels.

12 Act of July 4, 1864 (13 Statutes-at-Large 385)

First Congressional attempt to centralize control of immigration. Provisions:

- a. A Commissioner of Immigration was appointed by the President to serve under the authority of the Secretary of State.
- b. Authorized immigrant labor contracts whereby would-be immigrants would pledge their wages to pay for transportation.

On March 30, 1868, the Act of July 4, 1864 was repealed.

13 Naturalization Act of July 14, 1870 (16 Statutes-at-Large 254)

Provisions:

- a. Established a system of controls on the naturalization process and penalties for fraudulent practices.
- b. Extended the naturalization laws to aliens of African nativity and to persons of African descent.

14 Act of March 3, 1875 (18 Statutes-at-Large 477)

Established the policy of direct federal regulation of immigration by prohibiting for the first time entry to undesirable immigrants. Provisions:

- a. Excluded criminals and prostitutes from admission.
- b. Prohibited the bringing of any Oriental persons without their free and voluntary consent; declared the contracting to supply “coolie” labor a felony.
- c. Entrusted the inspection of immigrants to collectors of the ports.

15 Chinese Exclusion Act of May 6, 1882 (22 Statutes-at-Large 58)

Provisions:

- a. Suspended immigration of Chinese laborers to the United States for ten years.
- b. Permitted Chinese laborers already in the United States to remain in the country after a temporary absence.
- c. Provided for deportation of Chinese illegally in the United States.
- d. Barred Chinese from naturalization.
- e. Permitted the entry of Chinese students, teachers, merchants, or those “proceeding to the United States ... from curiosity.”

On December 17, 1943, the Chinese exclusion laws were repealed.

16 Immigration Act of August 3, 1882 (22 Statutes-at-Large 214)

First general immigration law, established a system of central control of immigration through State Boards under the Secretary of the Treasury. Provisions:

- a. Broadened restrictions on immigration by adding to the classes of inadmissible aliens, including persons likely to become a public charge.
- b. Introduced a tax of 50 cents on each passenger brought to the United States.

17 Act of February 26, 1885 (23 Statutes-at-Large 332)

The first “Contract Labor Law,” made it unlawful to import aliens into the United States under contract for the performance of labor or services of any kind. Exceptions were for aliens temporarily in the United States engaging other foreigners as secretaries, servants, or domestics;

actors, artists, lecturers, and domestic servants; and skilled aliens working in an industry not yet established in the United States.

18 Act of February 23, 1887 (24 Statutes-at-Large 414)

Amended the Contract Labor Law to render it enforceable by charging the Secretary of the Treasury with enforcement of the act and providing that prohibited persons be sent back on arrival.

19 Act of March 3, 1887 (24 Statutes-at-Large 476)

Restricted the ownership of real estate in the United States to American citizens and those who have lawfully declared their intentions to become citizens, with certain specific exceptions.

20 Act of October 19, 1888 (25 Statutes-at-Large 566)

First measure since the Aliens Act of 1798 to provide for expulsion of aliens—directed the return within one year after entry of any immigrant who had landed in violation of the contract labor laws (see acts of February 26, 1885 and February 23, 1887).

21 Immigration Act of March 3, 1891 (26 Statutes-at-Large 1084)

The first comprehensive law for national control of immigration. Provisions:

- a. Established the Bureau of Immigration under the Treasury Department to administer all immigration laws (except the Chinese Exclusion Act).
- b. Further restricted immigration by adding to the inadmissible classes persons likely to become public charges, persons suffering from certain contagious disease, felons, persons convicted of other crimes or misdemeanors, polygamists, aliens assisted by others by payment of passage, and forbade the encouragement of immigration by means of advertisement.
- c. Allowed the Secretary of the Treasury to prescribe rules for inspection along the borders of Canada, British Columbia, and Mexico so as not to obstruct or unnecessarily delay, impede, or annoy passengers in ordinary travel between these countries and the United States.
- d. Directed the deportation of any alien who entered the United States unlawfully.

22 Act of March 3, 1893 (27 Statutes-at-Large 570)

Provisions:

- a. Added to the reporting requirements regarding alien arrivals to the United States such new information as occupation, marital status, ability to read or write, amount of money in possession, and facts regarding physical and mental health. This information was needed to determine admissibility according to the expanding list of grounds for exclusion.
- b. Established boards of special inquiry to decide the admissibility of alien arrivals.



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Legislation from 1901-1940

1 Act of April 29, 1902 (32 Statutes-at-Large 176)

Extended the existing Chinese exclusion acts until such time as a new treaty with China was negotiated, and extended the application of the exclusion acts to insular territories of the United States, including the requirement of a certificate of residence, except in Hawaii.

2 Act of February 14, 1903 (32 Statutes-at-Large 825)

Transferred the Bureau of Immigration to the newly-created Department of Commerce and Labor, and expanded the authority of the Commissioner-General of Immigration in the areas of rulemaking and enforcement of immigration laws.

3 Immigration Act of March 3, 1903 (32 Statutes-at-Large 1213)

An extensive codification of existing immigration law. Provisions:

- a. Added to the list of inadmissible immigrants.
- b. First measure to provide for the exclusion of aliens on the grounds of proscribed opinions by excluding “anarchists, or persons who believe in, or advocate, the overthrow by force or violence the government of the United States, or of all government, or of all forms of law, or the assassination of public officials.”
- c. Extended to three years after entry the period during which an alien who was inadmissible at the time of entry could be deported.
- d. Provided for the deportation of aliens who became public charges within two years after entry from causes existing prior to their landing.
- e. Reaffirmed the contract labor law (see the 1885 act).

4 Act of April 27, 1904 (33 Statutes-at-Large 428)

Reaffirmed and made permanent the Chinese exclusion laws. In addition, clarified the territories from which Chinese were to be excluded.

5 Naturalization Act of June 29, 1906 (34 Statutes-at-Large 596)

Provisions:

- a. Combined the immigration and naturalization functions of the federal government, changing the Bureau of Immigration to the Bureau of Immigration and Naturalization.
- b. Established fundamental procedural safeguards regarding naturalization, such as fixed fees and uniform naturalization forms.
- c. Made knowledge of the English language a requirement for naturalization.

6 Immigration Act of February 20, 1907 (34 Statutes-at-Large 898)

A major codifying act that incorporated and consolidated earlier legislation:

- a. Required aliens to declare intention of permanent or temporary stay in the United States and officially classified arriving aliens as immigrants and nonimmigrants, respectively.
- b. Increased the head tax to \$4.00 (established by the Act of August 3, 1882 and raised subsequently).
- c. Added to the excludable classes imbeciles, feeble-minded persons, persons with physical or mental defects which may affect their ability to earn a living, persons afflicted with tuberculosis, children unaccompanied by their parents, persons who admitted the commission of a crime involving moral turpitude, and women coming to the United States for immoral purposes.
- d. Exempted from the provisions of the contract labor law professional actors, artists, singers, ministers, professors, and domestic servants.
- e. Extended from two to three years after entry authority to deport an alien who had become a public charge from causes which existed before the alien's entry.
- f. Authorized the President to refuse admission to certain persons when he was satisfied that their immigration was detrimental to labor conditions in the United States. This was aimed mainly at Japanese laborers.
- g. Created a Joint Commission on Immigration to make an investigation of the immigration system in the United States. The findings of this Commission were the basis for the comprehensive Immigration Act of 1917.
- h. Reaffirmed the requirement for manifesting of aliens arriving by water and added a like requirement with regard to departing aliens.

7 White Slave Traffic Act of June 25, 1910 (36 Statutes-at-Large 825)

The Mann Act, prohibited the importation or interstate transportation of women for immoral purposes.

8 Act of March 4, 1913 (37 Statutes-at-Large 737)

Divided the Department of Commerce and Labor into separate departments and transferred the Bureau of Immigration and Naturalization to the Department of Labor. It further divided the Bureau of Immigration and Naturalization into a separate Bureau of Immigration and Bureau of Naturalization, each headed by its own Commissioner.

9 Immigration Act of February 5, 1917 (39 Statutes-at-Large 874)

Codified all previously enacted exclusion provisions. In addition:

- a. Excluded illiterate aliens from entry.
- b. Expanded the list of aliens excluded for mental health and other reasons.
- c. Further restricted the immigration of Asian persons, creating the "barred zone" (known as the Asia-Pacific triangle), natives of which were declared inadmissible.
- d. Considerably broadened the classes of aliens deportable from the United States and introduced the requirement of deportation without statute of limitation in certain more serious cases.

10 Act of May 22, 1918 (40 Statutes-at-Large 559)

"Entry and Departure Controls Act," authorized the President to control the departure and entry in times of war or national emergency of any alien whose presence was deemed contrary to public safety.

11 Quota Law of May 19, 1921 (42 Statutes-at-Large 5)

The first quantitative immigration law. Provisions:

- a. Limited the number of aliens of any nationality entering the United States to three percent of the foreign-born persons of that nationality who lived in the United States in 1910. Approximately 350,000 such aliens were permitted to enter each year as quota immigrants, mostly from Northern and Western Europe.
- b. Exempted from this limitation aliens who had resided continuously for at least one year immediately preceding their application in one of the independent countries of the Western Hemisphere; nonimmigrant aliens such as government officials and their households, aliens in transit through the United States, and temporary visitors for business and pleasure; and aliens whose immigration is regulated by immigration treaty.
- c. Actors, artists, lecturers, singers, nurses, ministers, professors, aliens belonging to any recognized learned profession, and aliens employed as domestic servants were placed on a nonquota basis.

12 Act of May 11, 1922 (42 Statutes-at-Large 540)

Extended the Act of May 19, 1921 for two years, with amendments:

- a. Changed from one year to five-years the residency requirement in a Western Hemisphere country.
- b. Authorized fines of transportation companies for transporting an inadmissible alien unless it was deemed that inadmissibility was not known to the company and could not have been discovered with reasonable diligence.

13 Immigration Act of May 26, 1924 (43 Statutes-at-Large 153)

The first permanent limitation on immigration, established the “national origins quota system.” In conjunction with the Immigration Act of 1917, governed American immigration policy until 1952 (see the Immigration and Nationality Act of 1952).

Provisions:

- a. Contained two quota provisions:
 1. In effect until June 30, 1927—set the annual quota of any quota nationality at two percent of the number of foreign-born persons of such nationality resident in the continental United States in 1890 (total quota - 164,667).
 2. From July 1, 1927 (later postponed to July 1, 1929) to December 31, 1952—used the national origins quota system: the annual quota for any country or nationality had the same relation to 150,000 as the number of inhabitants in the continental United States in 1920 having that national origin had to the total number of inhabitants in the continental United States in 1920.

Preference quota status was established for: unmarried children under 21; parents; spouses of U.S. citizens aged 21 and over; and for quota immigrants aged 21 and over who are skilled in agriculture, together with their wives and dependent children under age 16.

- b. Nonquota status was accorded to: wives and unmarried children under 18 of U.S. citizens; natives of Western Hemisphere countries, with their families; nonimmigrants; and certain others. Subsequent amendments eliminated certain elements of this law’s inherent discrimination against women but comprehensive elimination was not achieved until 1952 (see the Immigration and Nationality Act of 1952).

- c. Established the “consular control system” of immigration by mandating that no alien may be permitted entrance to the United States without an unexpired immigration visa issued by an American consular officer abroad. Thus, the State Department and the Immigration and Naturalization Service shared control of immigration.
- d. Introduced the provision that, as a rule, no alien ineligible to become a citizen shall be admitted to the United States as an immigrant. This was aimed primarily at Japanese aliens.
- e. Imposed fines on transportation companies who landed aliens in violation of U.S. Immigration laws.
- f. Defined the term “immigrant” and designated all other alien entries into the United States as “nonimmigrant” (temporary visitor). Established classes of admission for nonimmigrant entries.

14 Act of May 28, 1924 (43 Statutes-at-Large 240)

An appropriations law, provided for the establishment of the U.S. Border Patrol.

15 Act of March 31, 1928 (45 Statutes-at-Large 400)

Provided more time to work out computation of the quotas established by the Immigration Act of 1924 by postponing introduction of the quotas until July 1, 1929.

16 Act of April 2, 1928 (45 Statutes-at-Large 401)

Provided that the Immigration Act of 1924 was not to be construed to limit the right of American Indians to cross the border, but with the proviso that the right does not extend to members of Indian tribes by adoption.

17 Registry Act of March 2, 1929 (45 Statutes-at-Large 1512)

Amended existing immigration law authorizing the establishment of a record of lawful admission for certain aliens not ineligible for citizenship when no record of admission for permanent residence could be found and the alien could prove entrance to the United States before July 1, 1924 (subsequently amended to June 3, 1921 by the Act of August 7, 1939—53 Statutes-at-Large 1243). Later incorporated into the Alien Registration Act of 1940.

18 Act of March 4, 1929 (45 Statutes-at-Large 1551)

Provisions:

- a. Added two deportable classes, consisting of aliens convicted of carrying any weapon or bomb and sentenced to any term of six months or more, and aliens convicted of violation of the prohibition law for which a sentence of one year or more is received.
- b. Made reentry of a previously deported alien a felony punishable by fine or imprisonment or both.
- c. Made entry by an alien at other than at a designated place or by fraud to be a misdemeanor punishable by fine or imprisonment or both.
- d. Deferred the deportation of an alien sentenced to imprisonment until the termination of the imprisonment.

19 Act of February 18, 1931 (46 Statutes-at-Large 1171)

Provided for the deportation of any alien convicted of violation of U.S. laws concerning the importation, exportation, manufacture, or sale of heroin, opium, or coca leaves.

20 Act of March 17, 1932 (47 Statutes-at-Large 67)

Provisions:

- a. The contract labor laws were applicable to alien instrumental musicians whether coming for permanent residence or temporarily.
- b. Such aliens shall not be considered artists or professional actors under the terms of the Immigration Act of 1917, and thereby exempt from the contract labor laws, unless they are recognized to be of distinguished ability and are coming to fulfill professional engagements corresponding to such ability.
- c. If the alien qualifies for exemption under the above proviso, the Secretary of Labor later may prescribe such conditions, including bonding, as will insure the alien's departure at the end of his engagement.

21 Act of May 2, 1932 (47 Statutes-at-Large 145)

Amended the Immigration Act of 1917, doubling the allocation for enforcement of the contract labor laws.

22 Act of July 1, 1932 (47 Statutes-at-Large 524)

Amended the Immigration Act of 1924, providing that the specified classes of nonimmigrant aliens be admitted for a prescribed period of time and under such conditions, including bonding where deemed necessary, as would ensure departure at the expiration of the prescribed time or upon failure to maintain the status under which admitted.

23 Act of July 11, 1932 (47 Statutes-at-Large 656)

Provided exemption from quota limits (i.e., give nonquota status) the husbands of American citizens, provided that the marriage occurred prior to issuance of the visa and prior to July 1, 1932. Wives of citizens were accorded nonquota status regardless of the time of marriage.

24 Act of June 15, 1935 (49 Statutes-at-Large 376)

Designated as a protection for American seamen, repealed the laws giving privileges of citizenship regarding service on and protection by American vessels to aliens having their first papers (i.e., having made declaration of intent to become American citizens).

25 Act of May 14, 1937 (50 Statutes-at-Large 164)

Made deportable any alien who at any time after entering the United States:

- a. was found to have secured a visa through fraud by contracting a marriage which subsequent to entry into the United States had been judicially annulled retroactively to the date of the marriage; or
- b. failed or refused to fulfill his promises for a marital agreement made to procure his entry as an immigrant.

26 Act of June 14, 1940 (54 Statutes-at-Large 230)

Presidential Reorganization Plan, transferred the Immigration and Naturalization Service from the Department of Labor to the Department of Justice as a national security measure.

27 Alien Registration Act of June 28, 1940 (54 Statutes-at-Large 670)

Provisions:

- a. Required registration of all aliens and fingerprinting those over 14 years of age.
- b. Established additional deportable classes, including aliens convicted of smuggling, or assisting in the illegal entry of, other aliens.
- c. Amended the Act of October 16, 1919, making past membership—in addition to present membership—in proscribed organizations and subversive classes of aliens grounds for exclusion and deportation.
- d. Amended the Immigration Act of 1917, authorizing, in certain meritorious cases, voluntary departure in lieu of deportation, and suspension of deportation.

28 Act of July 1, 1940 (54 Statutes-at-Large 711)

Amended the Immigration Act of 1924, requiring aliens admitted as officials of foreign governments to maintain their status or depart.



Legislation from 1941-1960

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Legislation from 1941-1960

1 Nationality Act of October 14, 1940 (Effective January 13, 1941 as 54 Statutes-at-Large 1137)

Codified and revised the naturalization, citizenship, and expatriation laws to strengthen the national defense. The naturalization and nationality regulations were rewritten and the forms used in naturalization proceedings were revised.

2 Public Safety Act of June 20, 1941 (55 Statutes-at-Large 252)

Directed a consular officer to refuse a visa to any alien seeking to enter the United States for the purpose of engaging in activities which would endanger the safety of the United States.

3 Act of June 21, 1941 (55 Statutes-at-Large 252)

Extended the Act of May 22, 1918—gave the President power, during a time of national emergency or war, to prevent departure from or entry into the United States.

4 Act of December 8, 1942 (56 Statutes-at-Large 1044)

Amended the Immigration Act of 1917, altering the reporting procedure in suspension of deportation cases to require the Attorney General to report such suspensions to Congress on the first and fifteenth of each month that Congress is in session.

5 Act of April 29, 1943 (57 Statutes-at-Large 70)

Provided for the importation of temporary agricultural laborers to the United States from North, South, and Central America to aid agriculture during World War II. This program was later extended through 1947, then served as the legal basis of the Mexican “Bracero Program,” which lasted through 1964.

6 Act of December 17, 1943 (57 Statutes-at-Large 600)

Amended the Alien Registration Act of 1940, adding to the classes eligible for naturalization Chinese persons or persons of Chinese descent. A quota of 105 per year was established (effectively repealing the Chinese Exclusion laws—see the Act of May 6, 1882).

7 Act of February 14, 1944 (58 Statutes-at-Large 11)

Provided for the importation of temporary workers from countries in the Western Hemisphere pursuant to agreements with such countries for employment in industries and services essential to the war efforts. Agreements were subsequently made with British Honduras, Jamaica, Barbados, and the British West Indies.

8 War Brides Act of December 28, 1945 (59 Statutes-at-Large 659)

Waived visa requirements and provisions of immigration law excluding physical and mental defectives when they concerned members of the American armed forces who, during World War II, had married nationals of foreign countries.

9 G.I. Fiancees Act of June 29, 1946 (60 Statutes-at-Large 339)

Facilitated the admission to the United States of fiance(e)s of members of the American armed forces.

10 Act of July 2, 1946 (60 Statutes-at-Large 416)

Amended the Immigration Act of 1917, granting the privilege of admission to the United States as quota immigrants and eligibility for naturalization races indigenous to India and persons of Filipino descent.

11 Act of August 9, 1946 (60 Statutes-at-Large 975)

Gave nonquota status to Chinese wives of American citizens.

12 Act of June 28, 1947 (61 Statutes-at-Large 190)

Extended by six months the Attorney General's authority to admit alien fiance(e)s of veterans as temporary visitors pending marriage.

13 Act of May 25, 1948 (62 Statutes-at-Large 268)

Amended the Act of October 16, 1918, providing for the expulsion and exclusion of anarchists and similar classes, and gave the Attorney General similar powers to exclude as the Secretary of State had through the refusal of immigration visas.

14 Displaced Persons Act of June 25, 1948 (62 Statutes-at-Large 1009)

First expression of U.S. policy for admitting persons fleeing persecution. Permitted the admission of up to 205,000 displaced persons during the two-year period beginning July 1, 1948 (chargeable against future year's quotas). Aimed at reducing the problem created by the presence in Germany, Austria, and Italy of more than one million displaced persons.

15 Act of July 1, 1948 (62 Statutes-at-Large 1206)

Amended the Immigration Act of 1917. Provisions:

- a. Made available suspension of deportation to aliens even though they were ineligible for naturalization by reason of race.
- b. Set condition for suspension of deportation that an alien shall have proved good moral character for the preceding five years, and that the Attorney General finds that deportation would result in

serious economic detriment to a citizen or legal resident and closely related alien, or the alien has resided continuously in the United States for seven years or more.

16 Central Intelligence Agency Act of June 20, 1949 (63 Statutes-at-Large 208)

Authorized the admission of a limited number of aliens in the interest of national security. Provided that whenever the Director of the Central Intelligence Agency, the Attorney General, and the Commissioner of Immigration determine that the entry of a particular alien into the United States for permanent residence is in the national security or essential to the furtherance of the national intelligence mission, such alien and his immediate family may be given entry into the United States for permanent residence without regard to their admissibility under any laws and regulations or to their failure to comply with such laws and regulations pertaining to admissibility. The number was not to exceed 100 persons per year.

17 Agricultural Act of October 31, 1949 (63 Statutes-at-Large 1051)

Facilitated the entry of seasonal farm workers to meet labor shortages in the United States. Further extension of the Mexican Bracero Program.

18 Act of June 16, 1950 (64 Statutes-at-Large 219)

Amended the Displaced Persons Act of 1948. Provisions:

- a. Extended the act to June 30, 1951 and its application to war orphans and German expellees and refugees to July 1, 1952.
- b. Increased the total of persons who could be admitted under the act to 415,744.

19 Act of June 30, 1950 (64 Statutes-at-Large 306)

Provided relief to the sheepherding industry by authorizing that, during a one-year period, 250 special quota immigration visas be issued to skilled sheepherders chargeable to oversubscribed quotas.

20 Act of August 19, 1950 (64 Statutes-at-Large 464)

Made spouses and minor children of members of the American armed forces, regardless of the alien's race, eligible for immigration and nonquota status if marriage occurred before March 19, 1952.

21 Internal Security Act of September 22, 1950 (64 Statutes-at-Large 987)

Amended various immigration laws with a view toward strengthening security screening in cases of aliens in the United States or applying for entry.

Provisions:

- a. Present and former membership in the Communist party or any other totalitarian party or its affiliates was specifically made a ground for inadmissibility.

- b. Aliens in the United States who, at the time of their entry or by reason of subsequent actions, would have been inadmissible under the provisions of the Internal Security Act, were made deportable regardless of the length of their residence in the United States.
- c. The discretion of the Attorney General in admitting otherwise inadmissible aliens temporarily, and in some instances permanently, was curtailed or eliminated.
- d. The Attorney General was given authority to exclude and deport without a hearing an alien whose admission would be prejudicial to the public interest if the Attorney General's finding was based on confidential information the disclosure of which would have been prejudicial to the public interest of the United States.
- e. The Attorney General was given authority to supervise deportable aliens pending their deportation and also was given greater latitude in selecting the country of deportation. However, deportation of an alien was prohibited to any country in which the alien would be subject to physical persecution.
- f. Any alien deportable as a subversive criminal, or member of the immoral classes who willfully failed to depart from the United States within six months after the issuance of the deportation order was made liable to criminal prosecution and could be imprisoned for up to ten years.
- g. Every alien residing in the United States subject to alien registration was required to notify the Commissioner of Immigration and Naturalization of his address within ten days of each January 1st in which he resided in the United States.

22 Act of March 28, 1951 (65 Statutes-at-Large 28)

Provisions:

- a. Gave the Attorney General authority to amend the record of certain aliens who were admitted only temporarily because of affiliations other than Communist.
- b. Interpreted the Act of October 16, 1918 regarding exclusion and expulsion of aliens to include only voluntary membership or affiliation with a Communist organization and to exclude cases where the person in question was under sixteen years of age, or where it was for the purpose of obtaining employment, food rations, or other necessities.

23 Act of July 12, 1951 (65 Statutes-at-Large 119)

Amended the Agricultural Act of 1949, serving as the basic framework under which the Mexican Bracero Program operated until 1962. Provided that:

- a. The U.S. government establish and operate reception centers at or near the Mexican border; provide transportation, subsistence, and medical care from the Mexican recruiting centers to the U.S. reception centers; and guarantee performance by employers in matters relating to transportation and wages, including all forms of remuneration.
- b. U.S. employers pay the prevailing wages in the area; guarantee the workers employment for three-fourths of the contract period; and provide workers with free housing and adequate meals at a reasonable cost.

24 Act of March 20, 1952 (66 Statutes-at-Large 26)

Provisions:

- a. Amended the Immigration Act of 1917, making it a felony to bring in or willfully induce an alien unlawfully to enter or reside in the United States. However, the usual and normal practices incident to employment were not deemed to constitute harboring.
- b. Defined further the powers of the Border Patrol, giving officers of the Immigration and Naturalization Service authority to have access to private lands, but not dwellings, within 25 miles

of an external boundary for the purpose of patrolling the border to prevent the illegal entry of aliens.

25 Act of April 9, 1952 (66 Statutes-at-Large 50)

Added the issuance of 500 immigration visas to sheepherders.

26 Immigration and Nationality Act of June 27, 1952 (INA) (66 Statutes-at-Large 163)

Brought into one comprehensive statute the multiple laws which, before its enactment, governed immigration and naturalization in the United States. In general, perpetuated the immigration policies from earlier statutes with the following significant modifications:

- a. Made all races eligible for naturalization, thus eliminating race as a bar to immigration.
- b. Eliminated discrimination between sexes with respect to immigration.
- c. Revised the national origins quota system of the Immigration Act of 1924 by changing the national origins quota formula: set the annual quota for an area at one-sixth of one percent of the number of inhabitants in the continental United States in 1920 whose ancestry or national origin was attributable to that area. All countries were allowed a minimum quota of 100, with a ceiling of 2,000 on most natives of countries in the Asia-Pacific triangle, which broadly encompassed the Asian countries.
- d. Introduced a system of selected immigration by giving a quota preference to skilled aliens whose services are urgently needed in the United States and to relatives of U.S. citizens and aliens.
- e. Placed a limit on the use of the governing country's quota by natives of colonies and dependent areas.
- f. Provided an "escape clause" permitting the immigration of certain former voluntary members of proscribed organizations.
- g. Broadened the grounds for exclusion and deportation of aliens.
- h. Provided procedures for the adjustment of status of nonimmigrant aliens to that of permanent resident aliens.
- i. Modified and added significantly to the existing classes of nonimmigrant admission.
- j. Afforded greater procedural safeguards to aliens subject to deportation.
- k. Introduced the alien address report system whereby all aliens in the United States (including most temporary visitors) were required annually to report their current address to the INS.
- l. Established a central index of all aliens in the United States for use by security and enforcement agencies.
- m. Repealed the ban on contract labor (see Act of March 30, 1868) but added other qualitative exclusions.

27 Act of September 3, 1954 (68 Statutes-at-Large 1145)

Provisions:

- a. Made special nonquota immigrant visas available to certain skilled sheepherders for a period of up to one year.
- b. Exempted from inadmissibility to the United States aliens who had committed no more than one petty offense.

28 Act of September 3, 1954 (68 Statutes-at-Large 1146)

Provided for the expatriation of persons convicted of engaging in a conspiracy to overthrow or levy war against the U.S. government.

29 Act of July 24, 1957 (71 Statutes-at-Large 311)

Permitted enlistment of aliens into the regular Army.

30 Act of August 30, 1957 (71 Statutes-at-Large 518)

Exempted aliens who were survivors of certain deceased members of the U.S. armed forces from provisions of the Social Security Act which prohibited the payment of benefits to aliens outside the United States.

31 Refugee-Escapee Act of September 11, 1957 (71 Statutes-at-Large 639)

Provisions:

- a. Addressed the problem of quota oversubscription by removing the “mortgaging” of immigrant quotas imposed under the Displaced Persons Act of 1948 and other subsequent acts.
- b. Provided for the granting of nonquota status to aliens qualifying under the first three preference groups on whose behalf petitions had been filed by a specified date.
- c. Facilitated the admission into the United States of stepchildren, illegitimate children, and adopted children.
- d. Conferred first preference status on spouse and children of first preference immigrants if following to join the immigrant.
- e. Set an age limit of fourteen for the adoption of orphans to qualify for nonquota status and further defined which orphans were eligible under the act.
- f. Gave the Attorney General authority to admit certain aliens formerly excludable from the United States.

32 Act of July 25, 1958 (72 Statutes-at-Large 419)

Granted admission for permanent residence to Hungarian parolees of at least two years’ residence in the United States, on condition that the alien was admissible at time of entry and still admissible.

33 Act of August 21, 1958 (72 Statutes-at-Large 699)

Authorized the Attorney General to adjust nonimmigrant aliens from temporary to permanent resident status subject to visa availability.

34 Act of September 22, 1959 (73 Statutes-at-Large 644)

Facilitated the entry of fiance(e)s and relatives of alien residents and citizens of the United States by reclassifying certain categories of relatives into preference portions of the immigration quotas. This was designed to assist in reuniting families both on a permanent basis, through the amendments to the Immigration and Nationality Act of 1952, and through temporary programs.



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Legislation from 1961-1980

1 Act of July 14, 1960 (74 Statutes-at-Large 504)

“Fair Share Refugee Act.”

Provisions:

- a. Authorized the Attorney General to parole up to 500 alien refugee-escapees and make them eligible for permanent residence.
- b. Amended the Act of September 2, 1958 to extend it to June 30, 1962.
- c. Amended the Act of September 11, 1957, which provided special nonquota immigrant visas for adopted or to-be-adopted orphans under 14 years of age, extending it to June 30, 1961.
- d. Amended the Immigration and Nationality Act of 1952, adding possession of marijuana to the sections concerning excludable and deportable offenses.
- e. Made alien seamen ineligible for adjustment from temporary to permanent resident status.

2 Act of August 17, 1961 (75 Statutes-at-Large 364)

Provided that, in peacetime, no volunteer is to be accepted into the Army or Air Force unless the person is a citizen or an alien admitted for permanent residence.

3 Act of September 26, 1961 (75 Statutes-at-Large 650)

Liberalized the quota provisions of the Immigration and Nationality Act of 1952:

- a. Eliminated the ceiling of 2,000 on the aggregate quota of the Asia-Pacific triangle.
- b. Provided that whenever one or more quota areas have a change of boundaries which might lessen their aggregate quota, they were to maintain the quotas they had before the change took place.
- c. Codified and made permanent the law for admission of adopted children.
- d. Established a single statutory form of judicial review of orders of deportation.
- e. Insured a minimum quota of 100 for newly independent nations.
- f. Called for the omission of information on race and ethnic origin from the visa application.
- g. Strengthened the law against the fraudulent gaining of nonquota status by marriage.
- h. Authorized the Public Health Service to determine which diseases are dangerous and contagious in constituting grounds for exclusion.

4 Act of October 24, 1962 (76 Statutes-at-Large 1247)

Provisions:

- a. Granted nonquota immigrant visas for certain aliens eligible for fourth preference (i.e., brothers, sisters, and children of citizens) and for first preference (i.e., aliens with special occupational skills).
- b. Called for a semimonthly report to Congress from the Attorney General of first preference petitions approved.
- c. Created a record of lawful entry and provided for suspension of deportation for aliens who have been physically present in the United States for at least seven years in some cases and ten years in others.

5 Act of December 13, 1963 (77 Statutes-at-Large 363)

Extended the Mexican Bracero Program one additional year to December 31, 1964.

6 Immigration and Nationality Act Amendments of October 3, 1965 (79 Statutes-at-Large 911)

Provisions:

- a. Abolished the national origins quota system (see the Immigration Act of 1924 and the Immigration and Nationality Act of 1952), eliminating national origin, race, or ancestry as a basis for immigration to the United States.
- b. Established allocation of immigrant visas on a first come, first served basis, subject to a seven-category preference system for relatives of U.S. citizens and permanent resident aliens (for the reunification of families) and for persons with special occupational skills, abilities, or training (needed in the United States).
- c. Established two categories of immigrants not subject to numerical restrictions:
 1. Immediate relatives (spouses, children, parents) of U.S. citizens, and
 2. Special immigrants: certain ministers of religion; certain former employees of the U.S. government abroad; certain persons who lost citizenship (e.g., by marriage or by service in foreign armed forces); and certain foreign medical graduates.
- d. Maintained the principle of numerical restriction, expanding limits to world coverage by limiting Eastern Hemisphere immigration to 170,000 and placing a ceiling on Western Hemisphere immigration (120,000) for the first time. However, neither the preference categories nor the 20,000 per-country limit were applied to the Western Hemisphere.
- e. Introduced a prerequisite for the issuance of a visa of an affirmative finding by the Secretary of Labor that an alien seeking to enter as a worker will not replace a worker in the United States nor adversely affect the wages and working conditions of similarly employed individuals in the United States.

7 Freedom of Information Act of July 4, 1966 (80 Statutes-at-Large 250)

Provisions:

- a. Established that the record of every proceeding before the INS in an individual's case be made available to the alien or his attorney of record.
- b. Required that public reading rooms be established in each Central and District office of the INS, where copies of INS decisions could be made available to the public.

Effective July 4, 1967.

8 Act of November 2, 1966 (80 Statutes-at-Large 1161)

Authorized the Attorney General to adjust the status of Cuban refugees to that of permanent resident alien, chargeable to the 120,000 annual limit for the Western Hemisphere.

9 Act of November 6, 1966 (80 Statutes-at-Large 1322)

Provisions:

- a. Extended derivative citizenship to children born on or after December 24, 1952 of civilian U.S. citizens serving abroad.
- b. Provided that time spent abroad by U.S. citizens (or their dependent children) in the employ of the U.S. Government or certain international organizations could be treated as physical presence in the United States for the purpose of transmitting U.S. citizenship to children born abroad.

10 Act of December 18, 1967 (81 Statutes-at-Large 661)

Facilitated the expeditious naturalization of certain noncitizen employees of U.S. nonprofit organizations.

11 Act of June 19, 1968 (82 Statutes-at-Large 197)

Omnibus crimes control and safe streets legislation, declared it illegal for aliens who are illegally in the country and for former citizens who have renounced their citizenship to receive, possess, or transport a firearm.

12 Act of October 24, 1968 (82 Statutes-at-Large 1343)

Amended the Immigration and Nationality Act of 1952, providing for expeditious naturalization of noncitizens who have rendered honorable services in the U.S. armed forces during the Vietnam conflict, or in other periods of military hostilities.

13 Act of April 7, 1970 (84 Statutes-at-Large 116)

Provisions:

- a. Created two new classes of nonimmigrant admission—fiance(e)s of U.S. citizens and intracompany transferees.
- b. Modified the H1 temporary worker class of nonimmigrant admission (workers of distinguished merit and ability).
- c. Altered the provisions of the law regarding the two-year residence requirement, making it easier for nonimmigrants who have been in the United States as exchange visitors to adjust to a different nonimmigrant status or to permanent resident status.

14 Act of August 10, 1971 (85 Statutes-at-Large 302)

Amended the Communications Act of 1934, providing that lawful permanent resident aliens be permitted to operate amateur radio stations in the United States and hold licenses for their stations.

15 Act of September 28, 1971 (85 Statutes-at-Large 348)

Amended the Selective Service Act of 1967. Provided that:

- a. Registration for the selective service shall not be applicable to any alien admitted to the United States as a nonimmigrant as long as he continues to maintain a lawful nonimmigrant status in the United States.
- b. No alien residing in the United States for less than one year shall be inducted for training and service into the U.S. armed forces.

16 Act of October 27, 1972 (86 Statutes-at-Large 1289)

Reduced restrictions concerning residence requirements for retention of U.S. citizenship acquired by birth abroad through a U.S. citizen parent and an alien parent.

17 Social Security Act Amendments of October 30, 1972 (86 Statutes-at-Large 1329)

Amended the Social Security Act, providing that Social Security numbers be assigned to aliens at the time of their lawful admission to the United States for permanent residence or temporarily to engage in lawful employment.

18 Act of October 20, 1974 (88 Statutes-at-Large 1387)

Repealed the “Coolie Trade” legislation of 1862. Such legislation, passed to protect Chinese and Japanese aliens from exploitation caused by discriminatory treatment from immigration laws then in effect, had become virtually inoperative because most of the laws singling out oriental peoples had been repealed or modified.

19 Indochina Migration and Refugee Assistance Act of May 23, 1975 (89 Statutes-at-Large 87)

Established a program of domestic resettlement assistance for refugees who have fled from Cambodia and Vietnam.

20 Act of June 21, 1976 (90 Statutes-at-Large 691)

Made Laotians eligible for programs established by the Indochina Migration and Refugee Assistance Act of 1975.

21 Act of October 12, 1976 (90 Statutes-at-Large 2243)

Placed restrictions on foreign medical school graduates (both immigrants and nonimmigrants) coming to the United States for practice or training in the medical profession. Effective January 10, 1977.

22 Immigration and Nationality Act Amendments of October 20, 1976 (90 Statutes-at-Large 2703)

Provisions:

- a. Applied the same 20,000 per-country limit to the Western Hemisphere as applied to the Eastern Hemisphere.
- b. Slightly modified the seven-category preference system and applied it to the Western Hemisphere.
- c. Amended the 1966 act, providing that Cuban refugees who are adjusted to permanent resident status will not be charged to any numerical limitation, provided they were physically present in the United States on or before the effective date of these amendments.

23 Act of October 20, 1976 Effective January 1, 1978 (90 Statutes-at-Large 2706)

Denied unemployment compensation to aliens not lawfully admitted for permanent residence or otherwise permanently residing in the United States under color of law. Eased restrictions on foreign medical school graduates, e.g., exempted aliens who are of national or international renown in the field of medicine, and exempted certain alien physicians already in the United States from the examination requirement. (See Act of October 12, 1976.)

24 Act of August 1, 1977 (91 Statutes-at-Large 394)

Eased restrictions on foreign medical school graduates, e.g., exempted aliens who are of national or international renown in the field of medicine, and exempted certain alien physicians already in the United States from the examination requirement. (See Act of October 12, 1976.)

25 Act of October 28, 1977 (91 Statutes-at-Large 1223)

Provisions:

- a. Permitted adjustment to permanent resident status for Indochinese refugees who are natives or citizens of Vietnam, Laos, or Cambodia, were physically present in the United States for at least two years, and were admitted or paroled into the United States during specified periods of time.
- b. Extended the time limit during which refugee assistance may be provided to such refugees.

26 Act of October 5, 1978 (92 Statutes-at-Large 907)

Combined the separate ceilings for Eastern and Western Hemisphere immigration into one worldwide limit of 290,000.

27 Act of October 5, 1978 (92 Statutes-at-Large 917)

Provisions:

- a. Made several changes pertaining to the adoption of alien children, including permission for U.S. citizens to petition for the classification of more than two alien orphans as immediate relatives.
- b. Eliminated the requirement of continuous residence in the United States for two years prior to filing for naturalization.

28 Act of October 7, 1978 (92 Statutes-at-Large 963)

Made permanent the President's authority to regulate the entry of aliens and to require U.S. citizens to bear valid passports when entering or leaving the United States:

- a. Called for unrestricted use of passports to and in any country other than a country with which the United States is at war, where armed hostilities are in progress, or where there is imminent danger to the public health or the physical safety of U.S. travelers.

- b. Declared it the general policy of the United States to impose restrictions on travel within the United States by citizens of another country only when the government of that country imposes restrictions on travel of U.S. citizens within that country.

29 Act of October 14, 1978 (92 Statutes-at-Large 1263)

Required any alien who acquires or transfers any interest in agricultural land to submit a report to the Secretary of Agriculture within 90 days after acquisition or transfer.

30 Act of October 30, 1978 (92 Statutes-at-Large 2065)

Provided for the exclusion and expulsion of aliens who persecuted others on the basis of race, religion, national origin, or political opinion under the direction of the Nazi government of Germany or its allies.

31 Act of November 2, 1978 (92 Statutes-at-Large 2479)

Provided for the seizure and forfeiture of vessels, vehicles, and aircraft used in smuggling aliens or knowingly transporting aliens to the United States illegally. An exception was made where the owner or person in control did not consent to the illegal act.

32 Panama Canal Act of September 27, 1979 (93 Statutes-at-Large 452)

Allowed admission as permanent residents to certain aliens with employment on or before 1977 with the Panama Canal Company, the Canal Zone government, or the U.S. government in the Canal Zone, and their families.

33 Refugee Act of March 17, 1980 (94 Statutes-at-Large 102)

Provided the first permanent and systematic procedure for the admission and effective resettlement of refugees of special humanitarian concern to the United States:

- a. Eliminated refugees as a category of the preference system.
- b. Set the worldwide ceiling of immigration to the United States at 270,000, exclusive of refugees.
- c. Established procedures for annual consultation with Congress on numbers and allocations of refugees to be admitted in each fiscal year, as well as procedures for responding to emergency refugee situations.
- d. Defined the term “refugee” (to conform to the 1967 United Nations Protocol on Refugees) and made clear the distinction between refugee and asylee status.
- e. Established a comprehensive program for domestic resettlement of refugees.
- f. Provided for adjustment to permanent resident status of refugees who have been physically present in the United States for at least one year and of asylees one year after asylum is granted.

34 Refugee Education Assistance Act of October 10, 1980 (94 Statutes-at-Large 1799)

Established a program of formula grants to State education agencies for basic education of refugee children. Also provided for services to Cuban and Haitian entrants identical to those for refugees under the Refugee Act of 1980.



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Legislation from 1981-1996

1 Act of June 5, 1981 (95 Statutes-at-Large 14)

Supplemental appropriations and rescissions bill, reduced previously-appropriated funds for migration and refugee assistance, including funds provided for reception and processing of Cuban and Haitian entrants.

2 Act of August 13, 1981 (95 Statutes-at-Large 357)

Federal appropriations bill for fiscal year 1982, also contained items restricting the access of aliens to various publicly-funded benefits. Immigration-related provisions:

- a. Precluded the Secretary of HUD from making financial assistance available to any alien unless that alien is a resident of the United States by virtue of admission or adjustment as a permanent resident alien, refugee or asylee, parolee, conditional entrant, or pursuant to withholding of deportation. Alien visitors, tourists, diplomats, and students were specifically excluded.
- b. Severely restricted eligibility of aliens to Aid to Families with Dependent Children.

3 Immigration and Nationality Act Amendments of December 20, 1981 (95 Statutes-at-Large 1611)

“INS Efficiency Bill,” amended the Immigration and Nationality Act of 1952 and the Act of November 2, 1978:

- a. Authorized INS to seize vehicles without having to establish whether the owner was involved in the illegal activity in question.
- b. Eliminated the requirement that the government bear administrative and incidental expenses where an innocent owner is involved.
- c. Eliminated the requirement that the INS satisfy any valid lien or other third party interest in a vehicle without expense to the interest holder.
- d. Eliminated the required annual notification by aliens of their current address.

4 Act of September 30, 1982 (96 Statutes-at-Large 1157)

Allowed admission as permanent residents to certain nonimmigrant aliens residing in the Virgin Islands.

5 Act of October 2, 1982 (96 Statutes-at-Large 1186)

Greatly limited the categories of aliens to whom the Legal Services Corporation may provide legal assistance.

6 Act of October 22, 1982 (96 Statutes-at-Large 1716)

Provided that children born of U.S. citizen fathers in Korea, Vietnam, Laos, Kampuchea, or Thailand after 1950 and before enactment, may come to the United States as immediate relatives or as first or fourth preference immigrants.

7 Immigration Reform and Control Act of November 6, 1986 (IRCA) (100 Statutes-at-Large 3359)

Comprehensive immigration legislation:

- a. Authorized legalization (i.e., temporary and then permanent resident status) for aliens who had resided in the United States in an unlawful status since January 1, 1982 (entering illegally or as temporary visitors with authorized stay expiring before that date or with the Government's knowledge of their unlawful status before that date) and are not excludable.
- b. Created sanctions prohibiting employers from knowingly hiring, recruiting, or referring for a fee aliens not authorized to work in the United States.
- c. Increased enforcement at U.S. borders.
- d. Created a new classification of seasonal agricultural worker and provisions for the legalization of certain such workers.
- e. Extended the registry date (i.e., the date from which an alien has resided illegally and continuously in the United States and thus qualifies for adjustment to permanent resident status) from June 30, 1948 to January 1, 1972.
- f. Authorized adjustment to permanent resident status for Cubans and Haitians who entered the United States without inspection and had continuously resided in country since January 1, 1982.
- g. Increased the numerical limitation for immigrants admitted under the preference system for dependent areas from 600 to 5,000 beginning in fiscal year 1988.
- h. Created a new special immigrant category for certain retired employees of international organizations and their families and a new nonimmigrant status for parents and children of such immigrants.
- i. Created a nonimmigrant Visa Waiver Pilot program allowing certain aliens to visit the United States without applying for a nonimmigrant visa.
- j. Allocated 5,000 nonpreference visas in each of fiscal years 1987 and 1988 for aliens born in countries from which immigration was adversely affected by the 1965 act.

8 Immigration Marriage Fraud Amendments of November 10, 1986 (100 Statutes-at-Large 3537)

Provisions:

- a. Stipulated that aliens deriving their immigrant status based on a marriage of less than two years are conditional immigrants. To remove conditional status, the alien must apply within 90 days after their second-year anniversary of receiving conditional status.
- b. Required alien fiance(e)s of U.S. citizens to have met their citizen petitioner in person within two years of the date the petition was filed.

9 Amerasian Homecoming Act of December 22, 1987 (101 Statutes-at-Large 1329)

An appropriations law providing for admission of children born in Vietnam between specified dates to Vietnamese mothers and American fathers, together with their immediate relatives. They are admitted as nonquota immigrants but receive refugee program benefits.

10 Act of September 28, 1988 (102 Statutes-at-Large 1876)

United States-Canada Free-Trade Agreement Implementation Act:

- a. Facilitated temporary entry on a reciprocal basis between the United States and Canada.

- b. Established procedures for the temporary entry into the United States of Canadian citizen professional business persons to render services for remuneration.
- c. No nonimmigrant visa, prior petition, labor certification, or prior approval required, but appropriate documentation must be presented to the inspecting officer establishing Canadian citizenship and professional engagement in one of the occupations listed in the qualifying occupation schedule.

11 Act of November 15, 1988 (102 Statutes-at-Large 3908)

Provided for the extension of stay for certain nonimmigrant H-1 nurses.

12 Foreign Operations Act of November 21, 1989 (103 Statutes-at-Large 1195)

An appropriations law, provided for adjustment to permanent resident status for Soviet and Indochinese nationals who were paroled into the United States between certain dates after denial of refugee status.

13 Act of December 18, 1989 (103 Statutes-at-Large 2099)

The “Immigration Nursing Relief Act of 1989.” Provisions:

- a. Adjustment from temporary to permanent resident status, without regard to numerical limitation, of certain nonimmigrants who were employed in the United States as registered nurses for at least three years and meet established certification standards.
- b. Establishment of a new nonimmigrant category for the temporary admission of qualified registered nurses.

14 Immigration Act of November 29, 1990 (104 Statutes-at-Large 4978)

A major overhaul of immigration law:

- a. Increased total immigration under an overall flexible cap of 675,000 immigrants beginning in fiscal year 1995, preceded by a 700,000 level during fiscal years 1992 through 1994. The 675,000 level to consist of: 480,000 family-sponsored; 140,000 employment-based; and 55,000 “diversity immigrants.”
- b. Revised all grounds for exclusion and deportation, significantly rewriting the political and ideological grounds. For example, repealed the bar against the admission of communists as nonimmigrants and limited the exclusion of aliens on foreign policy grounds.
- c. Authorized the Attorney General to grant temporary protected status to undocumented alien nationals of designated countries subject to armed conflict or natural disasters.
- d. Revised and established new nonimmigrant admission categories:
 - 1. Redefined the H-1(b) temporary worker category and limited number of aliens who may be issued visas or otherwise provided nonimmigrant status under this category to 65,000 annually.
 - 2. Limited number of H-2(b) temporary worker category aliens who may be issued visas or otherwise provided nonimmigrant status to 66,000 annually.
 - 3. Created new temporary worker admission categories (O, P, Q, and R), some with annual caps on number of aliens who may be issued visas or otherwise provided nonimmigrant status.
- e. Revised, and extended the Visa Waiver Pilot Program through fiscal year 1994.
- f. Revised naturalization authority and requirements:

1. Transferred the exclusive jurisdiction to naturalize aliens from the Federal and State courts to the Attorney General.
 2. Amended the substantive requirements for naturalization: State residency requirements revised and reduced to 3 months; added another ground for waiving the English language requirement; lifted the permanent bar to naturalization for aliens who applied to be relieved from U.S. military service on grounds of alienage who previously served in the service of the country of the alien's nationality.
- g. Revised enforcement activities. For example:
1. Broadened the definition of "aggravated felony" and imposed new legal restrictions on aliens convicted of such crimes.
 2. Revised employer sanctions provisions of the Immigration Reform and Control Act of 1986.
 3. Authorized funds to increase Border Patrol personnel by 1,000.
 4. Revised criminal and deportation provisions.
- h. Recodified the 32 grounds for exclusion into nine categories, including revising and repealing some of the grounds (especially health grounds).

15 Armed Forces Immigration Adjustment Act of October 1, 1991 (105 Statutes-at-Large 555)

Provisions:

- a. Granted special immigrant status to certain types of aliens who honorably served in the Armed Forces of the United States for at least 12 years.
- b. Delayed until April 1, 1992 the implementation of provisions relating to O and P nonimmigrant visas. (See Act of November 29, 1990.)

16 Act of December 12, 1991 (105 Statutes-at-Large 1733)

Miscellaneous and Technical Immigration and Naturalization Amendments Act, amended certain elements of the Immigration Act of 1990. Revised provisions regarding the entrance of O and P nonimmigrants, including the repeal of numerical limits of visas for the P categories of admission, and made other technical corrections. (See Act of November 29, 1990.)

17 Chinese Student Protection Act of October 9, 1992 (106 Statutes-at-Large 1969)

Provided for adjustment to permanent resident status (as employment-based immigrants) by nationals of the People's Republic of China who were in the United States after June 4, 1989 and before April 11, 1990.

18 Soviet Scientists Immigration Act of October 10, 1992 (106 Statutes-at-Large 3316)

Provisions:

- a. Conferred permanent resident status (as employment-based immigrants) on a maximum of 750 scientists from the independent states of the former Soviet Union and the Baltic states. The limit does not include spouses and children.
- b. Stipulated that employment must be in the biological, chemical, or nuclear technical field or work in conjunction with a high technology defense project.

- c. Waived the requirement that workers with expertise in these fields were needed by an employer in the United States.

North American Free-Trade Agreement Implementation Act (supersedes the United States-Canada Free-Trade Agreement Act of September 28, 1988):

- a. Facilitated temporary entry on a reciprocal basis between the United States and Canada and Mexico.
- b. Established procedures for the temporary entry into the United States of Canadian and Mexican citizen professional business persons to render services for remuneration:
 - 1. For Canadians, no nonimmigrant visa, prior petition, labor certification, or prior approval required, but appropriate documentation must be presented to the inspecting officer establishing Canadian citizenship and professional engagement in one of the occupations listed in the qualifying occupation schedule;
 - 2. For Mexicans, nonimmigrant visa, prior petition by employer, and Department of Labor attestation are required in addition to proof of Mexican citizenship and professional engagement in one of the occupations listed in the qualifying occupation schedule;
 - 3. For Canadians, nonimmigrant visas are not required of spouses and minor children who possess Canadian citizenship;
 - 4. For Mexicans, nonimmigrant visas are required of spouses and minor children who possess Mexican citizenship;
 - 5. For Canadians, no limit to number of admissions;
 - 6. For Mexicans, a limit was set for a transition period for up to ten years at 5,500 initial petition approvals per year.

19 Act of December 8, 1993 (107 Statutes-at-Large 2057)

North American Free-Trade Agreement Implementation Act (supersedes the United States-Canada Free-Trade Agreement Act of September 28, 1988):

- a. Facilitated temporary entry on a reciprocal basis between the United States, Canada, and Mexico.
- b. Established procedures for the temporary entry into the United States of Canadian and Mexican citizen professional business persons to render services for remuneration:
 - 1. For Canadians, no nonimmigrant visa, prior petition, labor certification, or prior approval required, but appropriate documentation must be presented to the inspecting officer establishing Canadian citizenship and professional engagement in one of the occupations listed in the qualifying occupation schedule;
 - 2. For Mexicans, nonimmigrant visa, prior petition by employer, and Department of Labor attestation are required in addition to proof of Mexican citizenship and professional engagement in one of the occupations listed in the qualifying occupation schedule;
 - 3. For Canadians, nonimmigrant visas are not required of spouses and minor children who possess Canadian citizenship;
 - 4. For Mexicans, nonimmigrant visas are required of spouses and minor children who possess Mexican citizenship;
 - 5. For Canadians, no limit to number of admissions;
 - 6. For Mexicans, a limit was set for a transition period for up to ten years at 5,500 initial approvals per year.

20 Violent Crime Control and Law Enforcement Act of September 13, 1994 (108 Statutes-at-Large 1796)

Provisions:

- 1. Authorized establishment of a criminal alien tracking center.

2. Established a new nonimmigrant classification for alien witness cooperation and counterterrorism information.
3. Revised deportation procedures for certain criminal aliens who are not permanent residents and expanded special deportation proceedings.
4. Provided for expeditious deportation for denied asylum applicants.
5. Provided for improved border management through increased resources.
6. Strengthened penalties for passport and visa offenses.

21 Antiterrorism and Effective Death Penalty Act of April 24, 1996 (110 Statutes-at-Large 1214)

Provisions:

- a. Expedited procedures for removal of alien terrorists.
- b. Established specific measures to exclude members and representatives of terrorist organizations:
 1. Provided for the exclusion of alien terrorists;
 2. Waived authority concerning notice of denial application for visas;
 3. Denied other forms of relief for alien terrorists;
 4. Excluded from process aliens who have not been inspected and admitted.
- c. Modified asylum procedures to improve identification and processing of alien terrorists.
 1. Established mechanisms for denial of asylum to alien terrorists.
 2. Granted authority to inspection officers to both inspect and exclude asylee applicants.
 3. Improved judicial review process to expedite hearings and removal (if necessary) of alien terrorists.
- d. Provided for criminal alien procedural improvements.
 1. Provided access to certain confidential immigration and naturalization files through court order.
 2. Established a criminal alien identification system.
 3. Established certain alien smuggling-related crimes as RICO-predicate offenses.
 4. Granted authority for alien smuggling investigations.
 5. Expanded criteria for deportation for crimes of moral turpitude.
 6. Established an interior repatriation program.
 7. Allowed for deportation of nonviolent offenders prior to completion of sentence of imprisonment.
 8. Authorized State and Local law enforcement officials to arrest and detain certain illegal aliens.
 9. Expedited process of criminal alien removal.
 10. Limited collateral attacks on underlying deportation order.
 11. Established deportation procedures for certain criminal aliens who are not permanent residents.

22 Personal Responsibility and Work Opportunity Reconciliation Act of August 22, 1996 (110 Statutes-at-Large 2105)

Provisions:

- a. Established restrictions on the eligibility of legal immigrants for means-tested public assistance:
 1. Barred legal immigrants (with certain exceptions) from obtaining food stamps and Supplemental Security Income (SSI) and established screening procedures for current recipients of these programs;
 2. Barred legal immigrants (with certain exceptions) entering the U.S. after date of enactment from most federal means-tested programs for 5 years;
 3. Provided states with broad flexibility in setting public benefit eligibility rules for legal immigrants by allowing states to bar current legal immigrants from both major federal programs and state programs.
 4. Increased the responsibility of the immigrants' sponsors by: making the affidavit of support legally enforceable, imposing new requirements on sponsors, and expanding sponsor-deeming requirements to more programs and lengthening the deeming period.
- b. Broadened the restrictions on public benefits for illegal aliens and nonimmigrants.
 1. Barred illegal, or "not qualified aliens," from most federal, state and local public benefits.

2. Required INS to verify immigration status in order for aliens to receive most federal public benefits.

23 Illegal Immigration Reform and Immigrant Responsibility Act of September 30, 1996 (110 Statutes-at-Large 3009)

Provisions:

- a. Established measures to control U.S. borders, protect legal workers through worksite enforcement, and remove criminal and other deportable aliens:
 1. Increased border personnel, equipment, and technology as well as enforcement personnel at land and air ports of entry;
 2. Authorized improvements in barriers along the Southwest border;
 3. Increased anti-smuggling authority and penalties for alien smuggling;
 4. Increased penalties for illegal entry, passport and visa fraud, and failure to depart;
 5. Increased INS investigators for worksite enforcement, alien smuggling, and visa overstayers;
 6. Established three voluntary pilot programs to confirm the employment eligibility of workers and reduced the number and types of documents that may be presented to employers for identity and eligibility to work;
 7. Broadly reformed exclusion and deportation procedures, including consolidation into a single removal process as well as the institution of expedited removal to speed deportation and alien exclusion through more stringent grounds of admissibility;
 8. Increased detention space for criminal and other deportable aliens;
 9. Instituted 3- and 10-year bars to admissibility for aliens seeking to reenter after having been unlawfully present in the United States;
 10. Barred re-entry of individuals who renounced their U.S. citizenship in order to avoid U.S. tax obligations.
- b. Placed added restrictions on benefits for aliens:
 1. Provided for a pilot program on limiting issuance of driver's licenses to illegal aliens;
 2. Declared aliens not lawfully present ineligible for Social Security benefits;
 3. Established procedures for requiring proof of citizenship for Federal public benefits;
 4. Established limitations on eligibility for preferential treatment of aliens not lawfully present on the basis of residence for higher education benefits;
 5. Provided for verification of immigration status for purposes of Social Security and higher educational assistance;
 6. Tightened the requirement for an affidavit of support for sponsored immigrants, making the affidavit a legally binding contract to provide financial support;
 7. Provided authority of States and political subdivisions of States to limit assistance to aliens in providing general cash public assistance;
 8. Increased maximum criminal penalties for forging or counterfeiting the seal of a Federal department or agency to facilitate benefit fraud by an unlawful alien.
- c. Miscellaneous provisions:
 1. Recodified existing INS regulations regarding asylum;
 2. Provided that the Attorney General's parole authority may be exercised only on a case-by-case basis for urgent humanitarian reasons or significant public health.
 3. Created new limits on the ability of F-1 students to attend public schools without reimbursing those institutions;
 4. Established new mandates for educational institutions to collect information on foreign students' status and nationality and provide it to INS;
 5. Tightened restrictions regarding foreign physicians' ability to work in the United States;
 6. Added new consular processing provisions and revised the visa waiver program.