Public Law 100-525
100th Congress

An Act

To amend the Immigration and Nationality Act to make technical corrections in immigration-related laws.

Oct. 24, 1988
[S. 2479]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Immigration Technical Corrections Act of 1988.
8 USC 1101 note.

SECTION 1. SHORT TITLE; SHORT REFERENCES TO ACTS.

(a) SHORT TITLE.—This Act may be cited as the "Immigration Technical Corrections Act of 1988".

(b) ABBREVIATED REFERENCES USED IN ACT.—In this Act:

(1) The term "IRCA" refers to the Immigration Reform and Control Act of 1986 (Public Law 99-603).

(2) The term "DOJAA" refers to the Department of Justice Appropriation Act, 1987 (as contained in section 101(b) of Public Law 99-500).

(3) The term "IMFA" refers to the Immigration Marriage Fraud Amendments of 1986 (Public Law 99-639).

(4) The term "INAA" refers to the Immigration and Nationality Act Amendments of 1986 (Public Law 99-653).

SEC. 2. CORRECTIONS RELATING TO THE IMMIGRATION REFORM AND CONTROL ACT OF 1986 (PUBLIC LAW 99-603).

(a) SECTION 101 OF IRCA.—

(1) Section 274A of the Immigration and Nationality Act (8 U.S.C. 1324a), added by section 101(a) of IRCA, is amended as follows:

(A) In the third sentence of subsection (b)(1)(A), strike "such sentence" and insert "the first sentence of this paragraph" and strike "such a document" and insert "such another document".

(B) In subsection (d)(3)(D), strike "REQUIRING TWO YEARS NOTICE AND CONGRESSIONAL REVIEW" and insert "DEFINED".

(C) In subsection (e)—

(i) in paragraphs (1) and (3), insert "or (g)(1)" after "subsection (a)" each place it appears,

(ii) in paragraph (3), strike "or (5)" each place it appears and insert ", (5), or (6)",

(iii) redesignate paragraphs (6) through (8) as paragraphs (7) through (9), respectively, and

(iv) insert after paragraph (5) the following new paragraph:

"(6) ORDER FOR PROHIBITED INDEMNITY BONDS.—With respect to a violation of subsection (g)(1), the order under this subsection may provide for the remedy described in subsection (g)(2).".

(D) In subsection (e)(4)(A), strike "subparagraph" each place it appears in clauses (ii) and (iii) and insert "paragraph".

(E) In subsection (g)(2), insert "under subsection (e)" after "administrative hearing".

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(F) In subsection (i)(3)(B)(iii)—

(i) strike "a order" and insert "an order", and

(ii) strike "paragraph (1)(A)" and insert "subsection (a)(1)(A)".

(G) In subsection (j)(1), strike "Act" and insert "section" and strike "of the United States".

(H) In subsection (j)(2), strike "that section" and insert "this section".

29 USC 1802 note.

(2) Section 101(b)(2) of IRCA is amended by inserting before the period the following: "; except that if the provisions of section 274A of the Immigration and Nationality Act are terminated as of a date under subsection (l) of such section, then such amendments shall no longer apply as of such date".

(b) SECTION 102 OF IRCA.—Section 274B of the Immigration and Nationality Act (8 U.S.C. 1324b), added by section 102(a) of IRCA, is amended—

(1) in subsection (a)(1), by inserting ", as defined in section 274A(h)(3)" after "unauthorized alien";

(2) in subsection (e)(3), by striking "said";

(3) in subsection (g)(2)(A), by striking "that that" and inserting "that";

(4) in subsection (g)(2)(B)(ii), by striking "274(b)(5)" and inserting "274A(b)(5)";

(5) in subsection (g)(3), by striking "has not engaged or" and inserting "has not engaged and"; and

(6) in subsection (h), by striking "ATTORNEYS' " and inserting "ATTORNEY'S".

18 USC 1546.

(c) SECTION 103 OF IRCA.—Section 103(a)(4) of IRCA is amended by inserting "not more than" immediately before "$2,000".

(d) SECTION 112 OF IRCA.—

(1) Section 274(a)(1) of the Immigration and Nationality Act (8 U.S.C. 1324(a)(1)), as amended by section 112(a) of IRCA, is amended—

(A) by striking "this subsection" and inserting "this paragraph", and

(B) by inserting "or" after "Code,".

(2) Section 112(b) of IRCA is amended—

(A) in paragraph (5)—

(i) by striking "Federal Maritime Commission" and inserting "Maritime Administration", and

(ii) by inserting "(40 U.S.C. 484(i))" after "1949"; and

(B) in paragraph (8)—

(i) by inserting "(A)" after "(8)", and

(ii) by adding at the end the following new subparagraph:

"(B) by striking out 'was not entitled to enter, or reside within, the United States' in paragraph (5)(C) and inserting in lieu thereof 'had not received prior official authorization to come to, enter, or reside in the United States or that such alien had come to, entered, or remained in the United States in violation of law', and".

100 Stat. 3384.

(e) SECTION 116 OF IRCA.—Section 116 of IRCA is amended-

(1) by inserting ", as amended by section 1751(d) of the Anti-Drug Abuse Act of 1986," after "1357)", and

(2) by redesignating the subsection added by such section as subsection (e).

(f) SECTION 117 OF IRCA.—(1) Section 245(c)(2) of the Immigration and Nationality Act (8 U.S.C. 1255(c)(2)), as amended by section 117 of IRCA, is amended—

(A) by inserting "or (I)" after "101(a)(27)(H)",

(B) by inserting "or" after "no fault of his own",

(C) by striking "not in legal" and inserting "in unlawful", and

(D) by striking "legal status" and inserting "lawful status".

(2) The amendments made by paragraph (1) and by section 117 of IRCA shall apply to applications for adjustment of status filed on or after November 6, 1986. 8 USC 1255 note.

(g) SECTION 121 OF IRCA.—Section 484 of the Higher Education Act of 1965 (20 U.S.C. 1091), as amended by section 121(a)(3) of IRCA, is amended—

(1) by redesignating the subsections (c) through (e) added by section 121(a)(3) of IRCA as subsections (h) through (j), respectively;

(2) by inserting the following headings after the subsection designation of each such redesignated subsection:

(A) subsection (h): "IMMIGRATION STATUS VERIFICATION REQUIRED.—";

(B) subsection (i): "LIMITATIONS OF ENFORCEMENT ACTIONS AGAINST INSTITUTIONS.—"; and

(C) subsection (j): "VALIDITY OF LOAN GUARANTEES FOR LOAN PAYMENTS MADE BEFORE IMMIGRATION STATUS VERIFICATION COMPLETED.—";

(3) in subsection (i), as so redesignated, by striking "(c)(4)(A)(ii)", "(c)(4)(B)(ii)", and "(c)(5)(B)" in paragraphs (2), (3), and (4), respectively, and inserting "(h)(4)(A)(ii)", "(h)(4)(B)(ii)", and "(h)(5)(B)", respectively; and

(4) in subsection (j), as so redesignated—

(A) by striking "subsection (c)" both places it appears and inserting "subsection (h)", and

(B) by striking "date of" and inserting "date".

(h) SECTION 201 OF IRCA.—

(1) Section 245A of the Immigration and Nationality Act (8 U.S.C. 1255a), as added by section 201 of IRCA, is amended—

(A) in subsection (a)(1)(B), by striking "18-month" and inserting "12-month";

(B) in subsection (b)(1)(D)(ii)—

(i) by inserting "OR DEVELOPMENTALLY DISABLED" after "ELDERLY" in the heading, and

(ii) by inserting "or who is developmentally disabled" after "65 years of age or older";

(C) in subsection (c)(1), by amending the second sentence to read as follows: "As used in this section, the term 'qualified designated entity' means an organization or person designated under paragraph (2).";

(D) in the first sentence of subsection (c)(5)—

(i) in subparagraph (A), by inserting "or for the preparation of reports to Congress under section 404 of the Immigration Reform and Control Act of 1986" after "paragraph (6)"; and

(ii) by striking the period at the end and inserting a semicolon and the following:

"except that the Attorney General may provide, in the Attorney General's discretion, for the furnishing of information furnished under this section in the same manner and circumstances as

census information may be disclosed by the Secretary of Commerce under section 8 of title 13, United States Code."; and

(E) in subsection (d)(2)(B)(ii)—

(i) in subclause (II), by striking "by an alien other than" and all that follows through "subsection (a)"; and

(ii) by adding at the end the following: "Subclause (II) (prohibiting the waiver of section 212(a)(15)) shall not apply to an alien who is or was an aged, blind, or disabled individual (as defined in section 1614(a)(1) of the Social Security Act).".

8 USC 1255a note.

(2) The first sentence of section 201(c)(2) of IRCA is amended by striking "annuity" and inserting "pay and annuity".

8 USC 1255a note.

(i) SECTION 202 OF IRCA.—Section 202(a)(2) of IRCA is amended by inserting before the semicolon the following: "and the Attorney General may, in his discretion, waive the grounds for exclusion specified in paragraph (19) of such section".

8 USC 1259.

(j) SECTION 203 OF IRCA.—Section 203(a) of IRCA is amended—

(1) by striking "and" at the end of paragraph (1),

(2) by redesignating paragraph (2) as paragraph (3), and

(3) by inserting after paragraph (1) the following new paragraph:

"(2) by inserting 'under section 212(a)(33) or' after 'inadmissible', and".

8 USC 1255a note.

(k) SECTION 204 OF IRCA.—Section 204 of IRCA is amended as follows:

(1) In subsection (a)(2)(D), strike "for that year" the second place it appears.

(2) In subsection (b)(2), strike "the succeeding fiscal year" and insert "any succeeding fiscal year (before fiscal year 1995)".

(3) In subsection (b)(3), strike "(1)(A)" and insert "(1)".

(4) In subsection (b)(4), strike "any of the following fiscal years" and insert "a fiscal year".

(5) In subsection (c)(1)(B), strike "under section 245A(a) of such Act".

(6) In subsection (c)(2)(B), insert ", subject to subparagraph (C)," after "shall".

(7) In subsection (c)(3)(A), strike "section 245A(a) of".

(8) In subsection (e)(1)(A)(ii), strike the first comma.

(9) In subsection (f)(2), inserting "of" before "public health".

(10) In subsection (j)(4)—

(A) by inserting "210, 210A, or" before "245A", and

(B) by inserting "first" before "granted such status".

8 USC 1184.

(l) SECTION 301 OF IRCA.—(1) Section 301(b) of IRCA is amended by striking "section 216" and inserting "section 218".

8 USC 1186, 1188.

(2) Section 301(c) of IRCA is amended—

(A) by striking "by adding after section 215" and inserting "by adding at the end", and

(B) by striking "Sec. 216." and inserting "Sec. 218.".

8 USC 1188.

(3) Section 216(c)(4) of the Immigration and Nationality Act (as added by section 301(c) of IRCA) is amended by striking "accomodations" each place it appears and inserting "accommodations".

8 USC 1188 note.

(4) Subsections (d), (e), and (f) of section 301 of IRCA are amended by striking "216" and inserting "218".

100 Stat. 3417.

(5) Section 301(g) of IRCA is amended—

(A) by striking "after the item relating to section 215" and inserting "at the end of the items relating to chapter 2 of title II", and

(B) by striking "Sec. 216." and inserting "Sec. 218.".

(m) SECTION 302 OF IRCA.—Section 210(g) of the Immigration and Nationality Act (8 U.S.C. 1160(g)), added by section 302 of IRCA, is amended by striking "(b)(3)" and inserting "(a)(5)".

(n) SECTION 303 OF IRCA.—(1) Section 210A(a)(8) of the Immigration and Nationality Act (8 U.S.C. 1161(a)(8)), as added by section 303(a) of IRCA, is amended by striking "OVER-SUPPLY" in the heading and inserting "OVERSUPPLY".

(2) Section 241(a)(20) of the Immigration and Nationality Act (8 U.S.C. 1251(a)(20)), added by section 303(b)(3) of IRCA, is amended by striking "who becomes".

(3) Section 303 of IRCA is amended by striking subsection (c) and by redesignating subsection (d) as subsection (c). 8 USC 1255a note.

(o) SECTION 312 OF IRCA.—(1) Section 101(a)(27)(I) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(27)(I)), as added by section 312(a) of IRCA, is amended—

(A) by striking "the date this subparagraph is enacted" each place it appears and inserting "the date of the enactment of the Immigration Technical Corrections Act of 1988", and

(B) by striking "applies for admission" each place it appears and inserting "applies for a visa or adjustment of status".

(2) Only for purposes of section 101(a)(27)(I) of the Immigration and Nationality Act, an alien who is or was an officer or employee of an international organization (or is the unmarried son or daughter or surviving spouse of such an officer or employee or former officer or employee) is considered to be residing and physically present in the United States during a period in which the alien is residing in the United States but is absent from the United States because of the officer's or employee's need to conduct official business on behalf of the organization or because of customary leave, but only if during the period of the absence the officer or employee continues to have a duty station in the United States and, in the case of such an unmarried son or daughter, the son or daughter is not enrolled in a school outside the United States. International organizations. 8 USC 1101 note.

(p) SECTION 313 OF IRCA.—(1) Section 313(a) of IRCA is amended by striking ", as amended by section 301(c), is further amended by adding after section 216" and inserting "is amended by inserting after section 215". 8 USC 1187.

(2) Section 217(a) of the Immigration and Nationality Act (8 U.S.C. 1187(a)), as added by section 313(a) of IRCA, is amended by striking "hereafter" and inserting "hereinafter".

(3) Section 313(c) of IRCA is amended— 8 USC 1255.

(A) by striking ", as amended by section 312(b), is further" and inserting "is", and

(B) by striking "(4)" and "(5)" and inserting "(3)" and "(4)", respectively.

(4) Section 313(e) of IRCA is amended by striking "216" and inserting "215".

(q) SECTION 315 OF IRCA.—Section 315 of IRCA is amended—

(1) in subsection (b)—

(A) by striking "244(b)" and all that follows through "(3)" and inserting "244 (8 U.S.C. 1254) is amended—

"(1) in subsection (b), by inserting '(1)' after '(b)' and by adding at the end of subsection (b) the following new paragraph:

" '(2)"; and

(B) by striking the period at the end and inserting "; and" and the following:

"(2) in subsection (c), by striking '(1)' in paragraph (1) and by striking all that follows the first sentence of paragraph (1).";

and

(2) by adding at the end the following new subsection:

8 USC 1254 note.

"(e) The amendment made by subsection (b)(1) shall apply to applications submitted under section 244 of the Immigration and Nationality Act before, on, or after the date of the enactment of this Act; but shall not apply to aliens removed from the United States before the date of the enactment of this Act.".

8 USC 1101 note.

(r) SECTION 601 OF IRCA.—Section 601(d)(1) of IRCA is amended by adding at the end the following sentence: "Not more than 1 percent of the amounts appropriated for the Commission may be used, at the sole discretion of the Chairman, for official entertainment.".

8 USC 1101 note.

(s) EFFECTIVE DATE.—The amendments made by this section shall be effective as if they were included in the enactment of the Immigration Reform and Control Act of 1986.

SEC. 3. PUBLIC LAW 99-396.

Effective date.

Effective as if included in the enactment of Public Law 99-396:

8 USC 1182.

(1) Section 14 of such Act is amended—

(A) by inserting closing quotation marks and a period at the end of the paragraph designated (3),

8 USC 1182 note.

(B) by striking quotation marks before "(b)" and before "(c)", and

8 USC 1182 note.

(C) by striking the closing quotation marks and period that follows "Senate.".

8 USC 1408.

(2) Section 15 of such Act is amended by inserting after "is amended" the following: "by striking out 'and' at the end of paragraph (2), by striking out the period at the end of paragraph (3) and inserting in lieu thereof '; and', and".

SEC. 4. DEPARTMENT OF JUSTICE APPROPRIATION ACT, 1987 (PUBLIC LAW 99-500).

(a) SECTION 205 OF DOJAA.—

(1) Section 286 of the Immigration and Nationality Act (8 U.S.C. 1356), as amended by section 205 of the Department of Justice Appropriation Act, 1987 (as contained in section 101(b) of Public Law 99-500), is amended as follows:

(A) In subsection (f)(3), strike "1954" and insert "1986".

(B) In subsection (g), strike "section 1353(a) of this title" and insert "the Act of March 2, 1931, 46 Stat. 1467 (8 U.S.C. 1353b)".

(C) In subsection (h)—

(i) in paragraph (1)(A), strike "Treasury of the United States" and all the follows through "Such account" and insert "Treasury of the United States, to remain available until expended. Such account",

(ii) in paragraph (1)(A), strike "Account.' " and insert "Account'.",

(iii) in paragraph (1)(B), strike "fines, penalties, liquidated damages or expenses" and insert "civil fines or penalties",

(iv) in paragraph (1)(B), insert after "this title" the following: "and all liquidated damages and expenses collected pursuant to this Act",

(v) in paragraph (1)(B), strike " 'Immigration User Fee Account.' " and insert "Immigration User Fee Account."; and

(vi) in paragraph (2)(A), strike the colon and insert "in—" and insert "and" at the end of clause (iv).

(D) In subsection (i), insert after "(i)" the following: "REIMBURSEMENT.—".

(E) Strike subsection (l).

(2) Section 205 of the Department of Justice Appropriation Act, 1987 (as contained in section 101(b) of Public Law 99-500) is amended— 8 USC 1356.

(A) by inserting "(a)" after "SEC. 205.", and

(B) by adding at the end the following new subsection:

"(b)(1) The amendments made by subsection (a) shall apply with respect to immigration inspection services rendered after November 30, 1986. 8 USC 1356 note.

"(2) Fees may be charged under section 286(d) of the Immigration and Nationality Act only with respect to immigration inspection services rendered in regard to arriving passengers using transportation for which documents or tickets were issued after November 30, 1986.".

(b) SECTION 206 OF DOJAA.—Section 206 of the Department of Justice Appropriation Act, 1987 (as contained in section 101(b) of Public Law 99-500) is amended— 8 USC 1222, 1223.

(1) by inserting "(a)" after "SEC. 206.",

(2) by inserting "of the Immigration and Nationality Act" after "232",

(3) by inserting "of such Act" after "233", and

(4) by adding at the end the following new subsection:

"(b)(1) The item in the table of contents of the Immigration and Nationality Act relating to section 233 is repealed.

"(2) Section 237(b) of the Immigration and Nationality Act (8 U.S.C. 1227(b)) is amended by striking 'or section 233 of this title' and 'or of section 233 of this title'.".

(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall be effective as if they were included in the enactment of the Department of Justice Appropriation Act, 1987 (as contained in section 101(b) of Public Law 99-500). 8 USC 1227 note.

(d) CLARIFICATION OF DUPLICATE ENACTMENT.—Effective as of the date of the enactment of Public Law 99-591, sections 205 and 206 of the Department of Justice Appropriation Act, 1987 (as contained in section 101(b) of such Public Law), which were also contained in identical form in section 101(b) of Public Law 99-500, are repealed. Effective date.

SEC. 5. NARCOTICS TRAFFICKERS DEPORTATION ACT (PUBLIC LAW 99-570).

The subsection (d) of section 287 of the Immigration and Nationality Act (8 U.S.C. 1357), added by section 1751(d) of Public Law 99-570, is amended by amending the matter following paragraph (2) to read as follows:

"(3) requests the Service to determine promptly whether or not to issue a detainer to detain the alien,

the officer or employee of the Service shall promptly determine whether or not to issue such a detainer. If such a detainer is issued

and the alien is not otherwise detained by Federal, State, or local officials, the Attorney General shall effectively and expeditiously take custody of the alien.".

SEC. 6. REFUGEE ASSISTANCE EXTENSION ACT OF 1986 (PUBLIC LAW 99-605).

(a) SECTION 2.—Section 414(a)(1) of the Immigration and Nationality Act (8 U.S.C. 1524(a)(1)), as amended by section 2(b)(1) of the Refugee Assistance Extension Act of 1986, is amended by striking "through (5)" and inserting "through (4)".

(b) SECTION 13.—The paragraph designated as "(g)" in section 412 of the Immigration and Nationality Act (8 U.S.C. 1522), as amended by section 13 of the Refugee Assistance Extension Act of 1986, is amended—

(1) by redesignating such paragraph as paragraph (5);

(2) by striking "all appropriate Federal, State, and county officials referred to in section 13 of this Act" and inserting "all other appropriate Federal officials and all appropriate State and county officials referred to in paragraph (2)";

(3) by striking "such persons defined in subsection (f)(1)" and inserting "Cuban nationals described in paragraph (1)"; and

(4) by striking "hereafter authorized by this section" and inserting "authorized to carry out this subsection".

8 USC 1522 note.

(c) EFFECTIVE DATE.—The amendments made by this section shall be effective as if they were included in the enactment of the Refugee Assistance Extension Act of 1986.

SEC. 7. IMMIGRATION MARRIAGE FRAUD AMENDMENTS OF 1986 (PUBLIC LAW 99-639).

8 USC 1186a.

(a) SECTION 2 OF IMFA.—Section 2 of the Immigration Marriage Fraud Amendments of 1986 is amended—

(1) in subsection (a), by striking "adding at the end" and inserting "inserting after section 215", and

(2) in subsection (c)(3)(A) of the section added by subsection (a), by striking "90-days" and inserting "90 days".

8 USC 1255.

Children and youth.

(b) SECTION 3(b) OF IMFA.—Section 3(b) of IMFA is amended by striking all that follows "is amended" and inserting the following: "by adding at the end the following: 'The Attorney General may not adjust, under subsection (a), the status of a nonimmigrant alien described in section 101(a)(15)(K) (relating to an alien fiancee or fiance or the minor child of such alien) except to that of an alien lawfully admitted to the United States on a conditional basis under section 216 as a result of the marriage of the nonimmigrant (or, in the case of a minor child, the parent) to the citizen who filed the petition to accord that alien's nonimmigrant status under section 101(a)(15)(K).'.".

(c) SECTION 6 OF IMFA.—Section 6 of IMFA is amended—

8 USC 1182.

(1) in subsection (a), by striking "1152(a)" and inserting "1182(a)";

8 USC 1182 note.

(2) in subsection (b)—

(A) by striking "subsection (a)" and inserting "this section", and

(B) by redesignating the subsection as subsection (c); and

(3) by inserting after subsection (a) the following new subsection:

"(b) CONFORMING AMENDMENT.—Section 212(i) of such Act (8 U.S.C. 1182(i)) is amended by inserting 'or other benefit under this Act' after 'United States,'.".

(d) EFFECTIVE DATE.—The amendments made by this section shall be effective as if they were included in the enactment of the Immigration Marriage Fraud Amendments of 1986. 8 USC 1182 note.

SEC. 8. IMMIGRATION AND NATIONALITY ACT AMENDMENTS OF 1986 (PUBLIC LAW 99-653).

(a) FIRST SECTION OF INAA.—The first section of the Immigration and Nationality Act Amendments of 1986 is amended—

(1) by inserting "(a)" after "That", and 8 USC 1101 note.

(2) by adding at the end the following new subsection:

"(b) Except as otherwise specifically provided, whenever in this Act a section or other provision is amended or repealed, such amendment or repeal shall be considered to be made to that section or other provision of the Immigration and Nationality Act.".

(b) SECTION 3 OF INAA.—Section 3 of INAA is repealed and the language stricken by such section is revived as of November 14, 1986. Effective date. 8 USC 1101 and note.

(c) SECTION 4 OF INAA.—Section 4 of the INAA is amended by inserting "and" immediately before "(4) an alien born". 8 USC 1152.

(d) SECTION 5 OF INAA.—Section 4 of INAA is amended—

(1) by redesignating paragraphs (a) through (c) as paragraphs (1) through (3), and 8 USC 1201.

(2) by redesignating paragraph (d) as subsection (b). 8 USC 1201a.

(e) SECTION 6 OF INAA.—Section 6 of the INAA is amended— 8 USC 1202.

(1) by striking the period before paragraph (b) and inserting ", and",

(2) by striking "(e)" before "Except".

(f) SECTION 7 OF INAA.—Section 7 of the INAA is amended by adding at the end the following:

"(d)(1) Section 286(a) (8 U.S.C. 1356(a)) is amended by striking '238(c)' and inserting '238(b)'.

"(2) Section 212(d)(4) (8 U.S.C. 1182(d)(4)) is amended by striking '238(d)' and inserting '238(c)'.".

(g) SECTION 8 OF INAA.—Section 8 of INAA is amended by striking "Section" and inserting "The text of section". 8 USC 1301.

(h) SECTION 9 OF INAA.—Section 9 of INAA is amended to read as follows:

"SEC. 9. Section 262 (8 U.S.C. 1302) is amended by adding at the end the following new subsection:

" '(c) The Attorney General may, in his discretion and on the basis of reciprocity pursuant to such regulations as he may prescribe, waive the requirement of fingerprinting specified in subsection (a) and (b) in the case of any nonimmigrant.' ".

(i) SECTION 10 OF INAA.—Section 10 of INAA is amended by striking "(a)" before "The". 8 USC 1304.

(j) SECTION 11 OF INAA.—Section 11 of INAA is amended— 8 USC 1153 notes.

(1) by striking "Sections (1) and (2)" and inserting "The first section and section 2", and

(2) by striking "section 25(a)" and inserting "subsection (a) of section 25".

(k) SECTION 13 OF INAA.—Section 13 of INAA is amended by striking the dash and all that follows through the end and inserting the following: "to read as follows: 8 USC 1409.

" '(a) The provisions of paragraphs (c), (d), (e), and (g) of section 301, and of paragraph (2) of section 308, shall apply as of the date of birth to a person born out of wedlock if—

" '(1) a blood relationship between the person and the father is established by clear and convincing evidence,

" '(2) the father had the nationality of the United States at the time of the person's birth,

" '(3) the father (unless deceased) has agreed in writing to provide financial support for the person until the person reaches the age of 18 years, and

" '(4) while the person is under the age of 18 years—

" '(A) the person is legitimated under the law of the person's residence or domicile,

" '(B) the father acknowledges paternity of the person in writing under oath, or

" '(C) the paternity of the person is established by adjudication of a competent court.' ".

(l) SECTIONS 14, 15, AND 16 OF INAA.—Sections 14, 15, and 16 of INAA are repealed.

8 USC 1431-1433.

(m) SECTION 18 OF INAA.—Section 18 of INAA is amended—

8 USC 1481.

(1) in paragraph (a), by striking the colon inserted by such paragraph,

(2) in paragraph (d), by striking "(a)" and "(b)" (inserted by such paragraph) and inserting "(A)" and "(B)", respectively, instead, and

(3) by inserting "and" at the end of paragraph (e).

(n) SECTION 19 OF INAA.—Section 19 of INAA is amended to read as follows:

"SEC. 19. Section 349 (8 U.S.C. 1481) is further amended—

"(1) by striking subsection (b), and

"(2) in subsection (c)—

"(A) by striking 'Except as otherwise provided in subsection (b), any' and inserting 'Any', and

"(B) by redesignating such subsection as subsection (b).".

8 USC 1483.

(o) SECTION 20 OF INAA.—Section 20 of INAA is amended by striking "paragraph" and inserting "paragraphs".

(p) SECTION 21 OF INAA.—Section 21 of INAA is amended to read as follows:

"SEC. 21. Section 1709 of the Revised Statutes of the United States, as amended by the Act of July 12, 1940 (54 Stat. 758; 22 U.S.C. 4195) is amended, in the paragraph designated 'Second.', by striking ', article by article,'.".

8 USC 1452.

(q) SECTION 22 OF INAA.—Section 22 of INAA is amended—

(1) by striking "is amended" and all that follows through "(b)(1)" and inserting the following: "is amended by adding at the end the following new subsection:

" '(c)(1)", and

(2) by indenting by two ems the left margins of subparagraphs (A) through (C) of the paragraph (2) added by such section.

(r) EFFECTIVE DATES.—INAA is further amended by adding at the end the following new section:

"EFFECTIVE DATES

8 USC 1101 note.

"SEC. 23. (a) The amendments made by sections 2, 4, and 7 apply to visas issued, and admissions occurring, on or after November 14, 1986.

"(b) The amendments made by sections 5, 6, 8, 9, and 10 apply to applications for immigrant visas made, and visas issued, on or after November 14, 1986. 8 USC 1201 note.

"(c) The amendments made by section 11 take effect on November 14, 1986. 8 USC 1153 note.

"(d) The amendment made by section 12 shall apply to persons born on or after November 14, 1986. 8 USC 1401 note.

"(e)(1) Except as provided in paragraph (2)(B), the new section 309(a) (as defined in paragraph (4)(A)) shall apply to persons who have not attained 18 years of age as of the date of the enactment of this Act. 8 USC 1409 note.

"(2) The old section 309(a) shall apply—

"(A) to any individual who has attained 18 years of age as of the date of the enactment of this Act, and

"(B) any individual with respect to whom paternity was established by legitimation before such date.

"(3) An individual who is at least 15 years of age, but under 18 years of age, as of the date of the enactment of this Act, may elect to have the old section 309(a) apply to the individual instead of the new section 309(a).

"(4) In this subsection:

"(A) The term 'new section 309(a)' means section 309(a) of the Immigration and Nationality Act, as amended by section 13 of this Act and as in effect after the date of the enactment of this Act.

"(B) The term 'old section 309(a)' means section 309(a) of the Immigration and Nationality Act, as in effect before the date of the enactment of this Act.

"(f) The amendment made by section 17 shall not apply to individuals who have taken up permanent residence outside the United States before November 14, 1986. 8 USC 1451 note.

"(g) The amendments made by sections 18, 19, and 20 shall apply to actions taken before, on, or after November 14, 1986. 8 USC 1481 note.

"(h) The amendment made by section 21 shall apply to individuals who die on or after November 14, 1986.". 22 USC 4195 note.

SEC. 9. MISCELLANEOUS TECHNICAL CORRECTIONS.

(a) Section 101 of the Immigration and Nationality Act (8 U.S.C. 1101) is amended—

(1) in subsection (a)(15)(J), by striking "Secretary of State" and inserting "Director of the United States Information Agency",

(2) by striking the second sentence of subsection (a)(38), and

(3) by striking subsection (d).

(b) Section 102(2) of such Act (8 U.S.C. 1102(2)) is amended by striking "documentaion" and inserting "documentation".

(c) Section 103 of such Act (8 U.S.C. 1103) is amended—

(1) in subsection (a)—

(A) by striking "intructions" and inserting "instructions", and

(B) by amending the fourth sentence to read as follows: "He may require or authorize any employee of the Service or the Department of Justice to perform or exercise any of the powers, privileges, or duties conferred or imposed by this Act or regulations issued thereunder upon any other employee of the Service."; and

(2) in subsection (b), by striking ", and shall receive compensation at the rate of $17,500 per annum".

(d) Section 104 of such Act (8 U.S.C. 1104) is amended by striking "SECURITY AND" in the heading, and the item in the table of contents relating to section 104 is amended by striking "Security and".

(e) Section 106(a) of such Act (8 U.S.C. 1105a) is amended—

(1) in the matter before paragraph (1), by striking "the Act of December 29, 1950, as amended (64 Stat. 1129; 68 Stat. 961; 5 U.S.C. 1031 et seq.)" and inserting "chapter 158 of title 28, United States Code", and

(2) in paragraph (1), by striking "or from the effective date of this section, whichever is the later".

(f) Section 202 of such Act (8 U.S.C. 1152) is amended—

(1) in subsection (c), by striking "section 202(a)" and inserting "subsection (a)", and

(2) in subsection (e), by striking "section 202" and inserting "this section".

(g) Section 204 of such Act (8 U.S.C. 1154) is amended—

(1) in subsection (c), by striking "a nonquota" and inserting "an immediate relative", and

(2) in subsection (g)(3)(A), by striking "(C)(i) of paragraph 2" and inserting "(C)(ii) of paragraph (2)".

8 USC 1157.

(h) Section 207(c)(1) of such Act (8 U.S.C. 1182) is amended by striking "otherwide" and inserting "otherwise".

(i) Section 212 of such Act (8 U.S.C. 1182) is amended—

(1) in subsection (a)(32), by striking "Commissioner of Education" and "Secretary of Health, Education, and Welfare" and inserting "Secretary of Education" and "Secretary of Health and Human Services", respectively;

(2) in subsection (e)—

(A) by striking "Secretary of State" the first place it appears and inserting "Director of the United States Information Agency", and

(B) by striking "Secretary of State" each subsequent place it appears and inserting "Director";

(3) in subsection (g), by striking "Surgeon General of the United States Public Health Service" each place it appears and inserting "Secretary of Health and Human Services"; and

(4) in subsection (h), by striking "paragraphs" and inserting "paragraph".

(j) Section 222(a) of such Act (8 U.S.C. 1202(a)) is amended by striking "whether or not be intends" and inserting "whether or not he intends".

(k) Section 234 of such Act (8 U.S.C. 1224) is amended by striking "Surgeon General of the United States Public Health Service" each place it appears and inserting "Secretary of Health and Human Services".

(l) Section 237(b)(5) of such Act (8 U.S.C. 1227(b)(5)) is amended by striking "to ke kept" and inserting "to be kept".

(m) Section 241(a)(17) of such Act (8 U.S.C. 1251(a)(17)) is amended by striking "amendment thereof; the Trading" and inserting "amendment, thereof, known as the Trading".

(n) Section 242(e) of such Act (8 U.S.C. 1252(e)) is amended by striking "or from the date of the enactment of the Subversive Activities Control Act of 1950, whichever is the later,".

(o) Section 265 of such Act (8 U.S.C. 1305) is amended by inserting above the text the following heading:

"NOTICES OF CHANGE OF ADDRESS".

(p) Section 283 of such Act (8 U.S.C. 1353) is amended by striking "the Act of August 2, 1946 (60 Stat. 806; 5 U.S.C., sec. 73b-1)" and inserting "subchapter II of chapter 57 of title 5, United States Code".

(q) Section 290(c) of such Act (8 U.S.C. 1360(c)) is amended by striking "Federal Security Administrator" and "The Administrator" and inserting "Secretary of Health and Human Services" and "The Secretary", respectively.

(r) Section 309 of such Act (8 U.S.C. 1409) is amended—

(1) in subsection (b)—

(A) by striking "prior to the effective date of this Act" and inserting "before December 24, 1952", and

(B) by striking "before or after the effective date of this Act and" and inserting "at any time"; and

(2) in subsection (c), by striking "on or after the effective date of this Act" and inserting "after December 23, 1952".

(s) Section 310 of such Act (8 U.S.C. 1421) is amended by striking subsection (e).

(t) Section 311 of such Act (8 U.S.C. 1422) is amended by striking the last sentence.

(u) Section 313(a)(2)(D) of such Act (8 U.S.C. 1424(a)(2)(D)) is amended by striking "totalitarian party or" and inserting "totalitarian party of".

(v) Section 315(b) of such Act (8 U.S.C. 1426(b)) is amended by striking "National Military Establishment" and inserting "Department of Defense".

(w) Section 320(b) of such Act (8 U.S.C. 1431(b)) is amended by striking "(a)(1)" and inserting "(a)".

(x) Section 324(a)(4) of such Act (8 U.S.C. 1435(a)(4)) is amended by striking "and the witnesses have" and inserting "has".

(y) Section 329 of such Act (8 U.S.C. 1440) is amended by striking subsection (d).

(z) Section 330 of such Act (8 U.S.C. 1441) is amended by striking subsection (b), paragraphs (2) and (3) of subsection (a), and "(a)(1)".

(aa) Section 335(d) of such Act (8 U.S.C. 1446(d)) is amended by striking "approve" in the fourth sentence and inserting "approves".

(bb) Section 335(f)(2) of such Act (8 U.S.C. 1446(f)(2)) is amended by striking ", except that" and all that follows through "date of such transfer".

(cc) Section 336 of such Act (8 U.S.C. 1447) is amended by striking "AND WITNESSES" in the heading.

(dd) Section 340 of such Act (8 U.S.C. 1451) is amended—

(1) in subsection (c), by striking "the effective date of this Act" and inserting "December 24, 1952",

(2) by striking subsection (e), and

(3) by redesignating subsections (f) through (j) as subsections (e) through (i), respectively.

(ee) Section 343 of such Act (8 U.S.C. 1454) is amended—

(1) by striking subsection (a), and

(2) by redesignating subsections (b) through (e) as subsections (a) through (d), respectively.

(ff) Section 344(a) of such Act (8 U.S.C. 1455(a)) is amended by striking "title V of the Independent Offices Appropriation Act, 1952 (65 Stat. 290)" and inserting "section 9701 of title 31, United States Code".

(gg) Section 348 of such Act (8 U.S.C. 1459) is amended—

(1) by striking subsection (a), and

(2) by redesignating subsections (b) and (c) as subsections (a) and (b), respectively.

(hh) Section 349(a) of such Act (8 U.S.C. 1481(a)) is amended by striking "From and after the effective date of this Act a" and inserting "A".

(ii) Section 357 of such Act (8 U.S.C. 1489) is amended by striking "upon the effective date of this title" and inserting "before December 25, 1952".

(jj) Section 413 of such Act (8 U.S.C. 1523) is amended—

(1) by striking subsections (b), (c), and (d), and

(2) in subsection (a)—

(A) in subparagraphs (D) and (E) of paragraph (2), by redesignating clauses (i) and (ii) as clauses (A) and (B), respectively,

(B) in paragraph (2), by redesignating subparagraphs (A) through (H) as paragraphs (1) through (8), respectively,

(C) by redesignating paragraph (2) as subsection (b), and

(D) in paragraph (1), by striking "(a)(1)" and inserting "(a)".

(kk) Section 13(b) of the Act of September 11, 1957 (8 U.S.C. 1255b(b)) is amended by striking "of" after "as of the date".

Approved October 24, 1988.

LEGISLATIVE HISTORY—S. 2479:

CONGRESSIONAL RECORD, Vol. 134 (1988):
June 7, considered and passed Senate.
Oct. 6, considered and passed House.