

I, §133, title III, §308(d)(4)(L), (e)(1)(M), (g)(5)(A)(i), Sept. 30, 1996, 110 Stat. 3009-563, 3009-618, 3009-619, 3009-623; Pub. L. 109-162, title VIII, §826, Jan. 5, 2006, 119 Stat. 3065; Pub. L. 109-271, §6(g), Aug. 12, 2006, 120 Stat. 763.)

Editorial Notes

REFERENCES IN TEXT

This chapter, referred to in subsecs. (b) and (c), was in the original, “this Act”, meaning act June 27, 1952, ch. 477, 66 Stat. 163, known as the Immigration and Nationality Act, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 1101 of this title and Tables.

AMENDMENTS

2006—Subsecs. (h), (i). Pub. L. 109-271 redesignated subsec. (i) as (h).

Subsec. (i). Pub. L. 109-162, which directed the amendment of this section “as amended by section 726” by adding cl. (i) at end, was executed by adding subsec. (i) at end to reflect the probable intent of Congress. Pub. L. 109-162 does not contain a section 726.

1996—Subsec. (a)(2), (4). Pub. L. 104-208, §308(d)(4)(L)(i), substituted “expulsion, or removal” for “or expulsion”.

Subsec. (c). Pub. L. 104-208, §308(d)(4)(L)(ii), substituted “denial of admission to” for “exclusion from”.

Subsec. (f)(1). Pub. L. 104-208, §308(g)(5)(A)(i), substituted “section 1229a” for “section 1252”.

Subsec. (g). Pub. L. 104-208, §308(e)(1)(M), which directed amendment of subsec. (g) by substituting “removal” for “deportation” wherever appearing, could not be executed because the word “deportation” did not appear in subsec. (g).

Pub. L. 104-208, §133, added subsec. (g).

1991—Subsec. (a)(4). Pub. L. 102-232 substituted a semicolon for comma at end.

1990—Subsec. (a). Pub. L. 101-649, §503(a), struck out “and” at end of par. (3), substituted “United States, and” for “United States. Any such employee shall also have the power to execute any warrant or other process issued by any officer under any law regulating the admission, exclusion, or expulsion of aliens.” at end of par. (4), and added par. (5) and concluding provisions.

Subsec. (f). Pub. L. 101-649, §503(b)(1), added subsec. (f).

1988—Subsec. (d). Pub. L. 100-525, §5, added par. (3) and closing provisions and struck out former par. (3) which read as follows: “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.”

Subsec. (e). Pub. L. 100-525, §2(e)(2), made technical amendment to directory language of Pub. L. 99-603, §116, and redesignated the subsec. (d) added by such §116, as (e). See 1986 Amendment note below.

1986—Subsec. (d). Pub. L. 99-570 added subsec. (d).

Subsec. (e). Pub. L. 99-603, as amended by Pub. L. 100-525, §2(e), added subsec. (e), which prior to amendment by Pub. L. 100-525, was designated as a second subsec. (d) of this section.

1976—Subsec. (b). Pub. L. 94-550 inserted “(or who has executed an unsworn declaration, certificate, verification, or statement under penalty of perjury as permitted under section 1746 of title 28)” after “to whom such oath has been administered” and “(or subscribe under penalty of perjury as permitted under section 1746 of title 28)” after “give false evidence or swear”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1996 AMENDMENT

Amendment by section 308(d)(4)(L), (e)(1)(M), (g)(5)(A)(i) of Pub. L. 104-208 effective, with certain transitional provisions, on the first day of the first month beginning more than 180 days after Sept. 30, 1996, see section 309 of Pub. L. 104-208, set out as a note under section 1101 of this title.

EFFECTIVE DATE OF 1991 AMENDMENT

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

EFFECTIVE DATE OF 1988 AMENDMENT

Amendment by section 2(e) of Pub. L. 100-525 effective as if included in enactment of Immigration Reform and Control Act of 1986, Pub. L. 99-603, see section 2(s) of Pub. L. 100-525, set out as a note under section 1101 of this title.

ABOLITION OF IMMIGRATION AND NATURALIZATION SERVICE AND TRANSFER OF FUNCTIONS

For abolition of Immigration and Naturalization Service, transfer of functions, and treatment of related references, see note set out under section 1551 of this title.

§ 1358. Local jurisdiction over immigrant stations

The officers in charge of the various immigrant stations shall admit therein the proper State and local officers charged with the enforcement of the laws of the State or Territory of the United States in which any such immigrant station is located in order that such State and local officers may preserve the peace and make arrests for crimes under the laws of the States and Territories. For the purpose of this section the jurisdiction of such State and local officers and of the State and local courts shall extend over such immigrant stations.

(June 27, 1952, ch. 477, title II, ch. 9, §288, 66 Stat. 234.)

§ 1359. Application to American Indians born in Canada

Nothing in this subchapter shall be construed to affect the right of American Indians born in Canada to pass the borders of the United States, but such right shall extend only to persons who possess at least 50 per centum of blood of the American Indian race.

(June 27, 1952, ch. 477, title II, ch. 9, §289, 66 Stat. 234.)

§ 1360. Establishment of central file; information from other departments and agencies

(a) Establishment of central file

There shall be established in the office of the Commissioner, for the use of security and enforcement agencies of the Government of the United States, a central index, which shall contain the names of all aliens heretofore admitted or denied admission to the United States, insofar as such information is available from the existing records of the Service, and the names of all aliens hereafter admitted or denied admission to the United States, the names of their sponsors of record, if any, and such other rel-