

Index

ABANDONMENT

- Amnesty, application under Family Unity Program, § 9:385
- H nonimmigrants, residence in foreign country that alien has no intent of abandoning, § 4:466, 4:471, 4:506
- Permanent Residents, this index
- Temporary visitors for business, residence in foreign county that alien has no intention of abandoning, § 4:109-4:161

ABANDONMENT OF CITIZENSHIP

- Expatriation, this index

ABANDONMENT OF MINOR CHILD

- Inadmissibility, denial of admission or visa, § 3:20

ABC SETTLEMENT

- Removal, this index

ABDUCTION

- Removal, § 13:33

ABILITY OR INABILITY

- Employment-Based Immigration, this index
- H Nonimmigrants, this index
- Permanent residents, inability to enter U.S. as result of specific terrorist activity, § 9:136
- Temporary visitors for business, financial ability, § 4:111

ABORTION

- Forced, § 3:121, 10:88-10:90
- Foreign nationals involved in forced abortion, inadmissibility, § 3:121
- Refugees
 - Generally, § 10:88
 - Annual numerical limitations on asylum grants eliminated, § 10:88
 - Degree of resistance required, § 10:90
 - Fear of forced abortion, § 10:88
 - Gender-based asylum claims, § 10:151

ABORTION—Cont'd

- Refugees—Cont'd
 - Location of applicant, § 10:7
 - Ninth Circuit position, § 10:89
 - Religious persecution claims, § 10:131

ABROAD

- H nonimmigrants, residence abroad that alien has no intent of abandoning, § 4:466, 4:471, 4:506
- Intracompany transferees, employment abroad, § 4:509-4:599
- Temporary Visitors for Business, this index
- Treaty traders and investors, application with consular office abroad, § 4:196

ABSENCES

- Amnesty, temporary resident status eligibility, § 9:313
- Clarification, 2012 legislation, § 1:125
- Naturalization, this index
- Permanent residents, abandonment of status, § 9:278

ABUSE OF DISCRETION

- Employment-Based Immigration, this index
- Parole of noncitizens into United States, federal court review, § 2:180
- Permanent residents, adjustment of status under INA § 245, § 9:208
- Waiver of inadmissibility, review of denial of, § 3:225

ACCEPTANCE OR REJECTION

- Employment-Based Immigration, this index
- H Nonimmigrants, this index
- Permanent Residents, this index
- Temporary Visitors for Business, this index

ACCESS

- H Nonimmigrants, this index

ACCESSORIES TO CRIME

Inadmissibility, denial of admission or visa, § 3:27

ACCOMPANYING PERSONS

Derivative Status, this index
O Nonimmigrants, this index

ACCREDITATION

Board of Immigration Appeals (BIA), representation before BIA, § 1:235
H nonimmigrants, credentialing organizations for nurses, § 4:350-4:363

ACCRUAL OF PROFITS

Temporary visitors for business, § 4:113

ACCURACY FOR ADOPTEES ACT

2014, § 1:130

ACHIEVEMENT

O Nonimmigrants, this index

ACTIONS BY OR AGAINST ALIENS

Generally, § 16:7-16:13
Declaratory judgment of U.S. nationality. Nationality, this index
Enemy aliens, § 16:8, 16:11
H Nonimmigrants, this index
Nonresident aliens
Actions against, § 16:13
Actions by, § 16:10, 16:11, 16:11
Resident aliens
Actions against, § 16:12
Actions by, § 16:7-16:9
Unemployment compensation benefit rights, action to enforce alien's, § 16:105

ACTIVE DUTY

Foreign enlistees with honorable active duty records, fourth preference employment-based immigration, § 8:75-8:81
Permanent residents, armed forces foreign enlistees with honorable active duty records and fourth preference employment-based immigration, § 9:198

ACTIVITY OR ACTIVITIES

H Nonimmigrants, this index
Nonimmigrant visas, automatic extension of stay for aliens disabled as

ACTIVITY OR ACTIVITIES—Cont'd

result of 9/11/01 terrorist activity, § 4:75-4:77

Temporary Visitors for Business, this index

TN nonimmigrants, § 4:710-4:730

Treaty traders, activities must constitute trade, § 4:175-4:177

ACTS

Legislation to Control Immigration, this index

ACTUAL WAGE

H nonimmigrants, labor condition application for H-1B nonimmigrants, § 4:264, 4:272

ADDICTION

Inadmissibility, denial of admission or visa, § 3:8
Waiver of ineligibility not available, § 3:165

ADJOURNMENT OF HEARING

Permanent residents, rescission of status, § 9:292
Removal, § 13:186

ADJUDICATION

Decisions, this index
Intracompany transferees, petitions for visas, § 4:565, 4:569, 4:571, 4:575
Permanent Residents, this index

ADJUDICATIONS FIELD MANUAL

Source of law, § 1:177

ADJUSTERS

Economists, § 4:721.50
TN nonimmigrants, disaster relief insurance claims adjusters, § 4:721

ADJUSTMENT OF STATUS

Amnesty, § 9:305-9:387
Asylees, § 10:288
Change of Status, this index
Employment-based immigration, preference petitions, § 8:183, 8:185, 8:213
Intracompany transferees, effect on adjudication of petitions for visas, § 4:571
Permanent Residents, this index
Refugees and Asylum, this index

INDEX

ADJUSTMENT OF STATUS—Cont'd

- Removal, this index
- Temporary visitors for business, forfeiture of bond, § **4:153**

ADMINISTRATIVE APPEALS OFFICE (AAO) DECISIONS

- Source of law, § **1:168**

ADMINISTRATIVE CLOSURE OF PROCEEDINGS

- Removal, § **13:187**

ADMINISTRATIVE DECISIONS

- Sources of Law, this index

ADMINISTRATIVE LAW JUDGES (ALJ)

- Employer Sanctions and Unfair Immigration Related Employment Practices, this index
- Ethics manual and guides, § **1:181**

ADMINISTRATIVE NOTICE

- Refugees and Asylum, this index

ADMINISTRATIVE PROCEEDINGS

- Employer Sanctions and Unfair Immigration Related Employment Practices, this index
- H Nonimmigrants, this index
- Review. Administrative Review, this index

ADMINISTRATIVE REVIEW

- Amnesty, this index
- Employer sanctions and unfair immigration related employment practices, § **12:63, 12:168**
- Employment-Based Immigration, this index
- H Nonimmigrants, this index
- Nonimmigrant Visas, this index
- Permanent residents, refusal of visa, § **9:142**
- Removal, this index
- Treaty traders and investors, § **4:202**

ADMISSION

- Amnesty, this index
- Certain applicants, migrant protection protocols, southwest border, § **2:163**
- Crew Members, this index

ADMISSION—Cont'd

- Crimes and related conduct
 - Controlled substances offenses, admissions to commission of, § **3:30**
 - Crimes involving moral turpitude (CMTs), admissions to
 - Generally, § **3:22**
 - Interrogation by Consular Officers, § **3:23**
 - False claim of citizenship or nationality, § **17:192**
- Definition, § **13:3**
- Due process rights of inadmissible aliens, § **16:40**
- H Nonimmigrants, this index
- Inadmissibility, this index
- Inspection and Admission of Arriving Aliens, this index
- Intracompany transferees, § **4:509 et seq.**
- K Visa Nonimmigrants, this index
- O nonimmigrants, § **4:600 et seq.**
- Permanent Residents, this index
- P nonimmigrants, § **4:690**
- Religious workers, § **4:694, 4:709**
- Temporary Visitors for Business, this index
- TN nonimmigrants, § **4:710-4:730**
- Treaty traders and investors, § **4:203, 4:204**
- Withdrawal of application for, § **13:161**

ADOPTED CHILDREN

- Adoptive Family Relief Act, § **1:133**
- B-2 visitors for pleasure visas for prospective adoptees, § **6:250**
- Definition, 1999 amendment, § **1:43**
- Derivative status for child accompanying or following to join refugee, § **10:14, 10:15**
- Intercountry Adoption Information Act of 2019, § **1:149**
- Intercountry Adoption Universal Accreditation Act of 2012, § **1:126**
- International Adoption Simplification Act, § **1:119**
- Naturalization, this index
- Permanent residents, medical examination of applicants for immigrant visas, § **9:97, 9:98**

ADOPTED CHILDREN—Cont'd

Relatives of Citizens or Permanent Residents, this index

ADULTERY

Naturalization's good moral character requirement, impact on, § 14:158

ADVANCE AUTHORIZATION FOR PAROLE

Parole of Aliens Into United States, this index

ADVANCED DEGREES

Employment-Based Immigration, this index

ADVANCED PROCESSING APPLICATIONS

Relatives of Citizens or Permanent Residents, this index

ADVANCE PAROLE

Amnesty, Legal Immigration Family Equity (LIFE) Act, § 9:359, 9:385

Cuban sponsored, § 2:222

Family-based immigrants

Colombian sponsored, § 2:223

Ecuador, § 2:223

El Salvadorian sponsored, § 2:223

Guatemalan sponsored, § 2:223

Honduras, § 2:223

uniting for Ukraine parole program, § 2:221.50

Haitian sponsored, § 2:222

Keeping Families Together program
noncitizen spouses and stepchildren
of U.S. citizens, § 2:224

Nicaraguan sponsored, § 2:222

Permanent residents, eligibility for
adjustment of status under INA
§ 245, § 9:205-9:207

Russian nationals, Guam and Northern
Mariana Islands, § 2:221

Venezuelan sponsored, § 2:222

ADVERSE EFFECT STANDARD, H NONIMMIGRANTS

Positive recruitment efforts for H-2A
nonimmigrants, § 4:447

Wage rates, § 4:447

ADVERSE POSSESSION

Property rights of aliens, § 16:132

ADVERTISEMENTS

Employment-based immigration, labor
certification, § 8:125

H nonimmigrants, positive recruitment
efforts for H-2A nonimmigrants,
§ 4:442

ADVISORY OPINIONS

Employment-based immigration, prefer-
ence petitions, § 8:181

Nonimmigrant Visas, this index

O nonimmigrants, consultation require-
ments, § 4:620-4:624

Permanent residents, decision on
application for immigrant visa,
§ 9:120

P nonimmigrants, consultation require-
ment, § 4:669-4:677

Temporary visitors for business, eligibil-
ity for B-1 classification, § 4:147

AEDPA

Antiterrorism and Effective Death
Penalty Act (AEDPA), this index

AFFIDAVIT OF SUPPORT

Employment-based immigration, con-
sular proceedings for obtaining
permanent resident status, § 8:198

Forms

I-864, § 3:72-3:78

Permanent residents, applications for
immigrant visas, § 9:52, 9:83

AFFIDAVITS

Denaturalization

Generally, § 14:410

Necessity of filing both complaint and
affidavit, § 14:411

H nonimmigrants, petitions for H-2A
nonimmigrants, § 4:429

Permanent Residents, this index

Support. Affidavit of Support, this index

AFFILIATES

Denial, revocation, and appeal of peti-
tion, § 4:707

Intracompany transferees, affiliates of
primary employer, § 4:509-4:599

Religious worker, § 4:701

Religious workers, § 4:694

INDEX

AFFIRMATIVE MISCONDUCT

Permanent residents, applications for adjustment of status under INA § 245, § **9:225-9:227**

AFGHANISTAN

Afghan Special Immigrant Program, extension, § **1:131**
Migration and Refugee Assistance Act (MRAA), § **10:36**

AFRICAN NATIONAL CONGRESS

Act removing from designation as terrorist organization, § **1:106**

AGE

Amnesty, applicants for temporary resident status, § **9:316**
Expatriation, § **14:435**
Naturalization
Generally, § **14:104**
English language, understanding of, § **14:173**
Nonimmigrant Visas, this index
Permanent Residents, this index

AGENCIES

Executive Agencies, this index
H-1B nonimmigrants, State Workforce Agency (SWA) and labor condition application, § **4:265**
Judicial review, this index
Nonimmigrant visas, change to S classification at request of law enforcement agency, § **4:83**
Permanent residents, documentation for eligibility for adjustment of status under INA § 245, § **9:189**
Policy and procedure memoranda as source of law, § **1:174**

AGENTS

Employment-based immigration, concurrent immigrant petitions, § **8:213**
H Nonimmigrants, this index
Nonimmigrant visas, Foreign Agents Registration Act, § **4:94**
O nonimmigrants, filing petition for determination of eligibility for classification, § **4:606, 4:607**
Permanent residents, applications for immigrant visas, § **9:51, 9:52**

AGENTS—Cont'd

P nonimmigrants, filing petition, § **4:649, 4:650**

AGGRAVATED FELONIES

Felonies, this index

AGRICULTURAL FOREIGN INVESTMENT DISCLOSURE ACT

Property rights of aliens, § **16:139**

AGRICULTURE

H Nonimmigrants, this index

AHMADIS

Refugees and asylum, religious persecution claims, § **10:135**

AIDING AND ABETTING

Entry, unlawful, aiding, § **13:19**
Inadmissibility, denial of admission or visa, § **3:27**

AIDING ILLEGAL ENTRY

Crimes and Related Conduct, this index

AIDS

Due process rights of HIV-positive detainees, § **16:41**
Inadmissibility, denial of admission or visa, § **3:3**
Notification of HIV positive inmates released to immigration detainer, § **17:228**
Waivers for noncitizens with HIV/AIDS, § **3:162**

AIRLINE EMPLOYEES

Temporary visitors for business, eligibility for B-1 classification, § **4:127**

AIRPORT INSPECTIONS

Fourth Amendment rights of aliens, § **16:32**

ALASKA

Citizenship of persons born in, § **14:21**

ALCOHOLISM

Inadmissibility, denial of admission or visa, § **3:6, 3:7**

ALIEN ACT OF 1798

Generally, § **1:2**

ALIEN REGISTRATION ACT

Generally, § **1:4**

ALIEN REGISTRATION CARD

Permanent Resident Card, Alien
Registration Card renamed as,
§ 2:74

ALIENS

Actions By or Against Aliens, this index
Allegiance and obedience to U.S. laws,
§ 16:5
Border Crossing Documents, this index
Civil Rights, this index
Deportation, this index
Detention and Warrantless Interrogation,
Arrest, Search and Custody of
Arriving Aliens, this index
Due process rights, § 16:36-16:41
Employment Related Rights of Aliens,
this index
Equal protection rights, § 16:42-16:46
Firearms and ammunition, this index
Fourth Amendment, this index
Immoral purposes, importing and keep-
ing aliens for. Illegal Entry Crimes,
this index
Inadmissibility, this index
Inspection and Admission of Arriving
Aliens, this index
International law, rights under, § 16:3,
16:4
Property Rights of Aliens, this index
Registration violations. Crimes and
Related Conduct, this index
Rights of aliens, generally, § 16:1-
16:147
Trade, business, occupation, or profes-
sion, right to engage in, § 16:47-
16:52
Treaties, rights and duties of aliens
under, § 16:4
Voting rights denied aliens, § 16:6
Waivers of Inadmissibility, this index
Welfare and Public Benefits, this index
Witnesses or informants with informa-
tion regarding crime or terrorism. S
Nonimmigrant Visas, this index

ALIENS IN TRANSIT

Generally, § 6:259
Basic criteria, nonimmigrant C-1 or C-2
transit aliens, § 6:260
C visa classifications, § 6:259

ALIENS IN TRANSIT—Cont'd

C-1 nonimmigrant visas
Generally, § 6:259
Basic criteria, § 6:260
C-2 nonimmigrant visas
Generally, § 6:259
Basic criteria, § 6:260
C-3 nonimmigrant visas
Generally, § 6:259
Foreign government officials, § 6:262
Immediate family members, § 6:262
Intent to remain, effect of, § 6:261
Pilot bond program, B-2 visa applicants,
high refusal countries, § 6:256.50

ALIEN STATUS

Allegations in criminal proceedings,
§ 13:456
Burden of proof, § 13:5
Definition, § 13:3
Illegal alien status, § 13:3
National status distinguished, § 13:5
Removal, this index
Terrorist, alien, defined, § 13:463

ALIEN TORT CLAIMS ACT

Civil rights of aliens, § 16:54

ALLEGIANCE

Citizenship, generally, § 14:3, 14:4
National defined, § 14:58
Naturalization, this index

ALLOCATION OR ALLOCATIONS

H-1C nonimmigrants, visas, § 4:382
Permanent Residents, this index

ALLOTMENT OF VISAS

Employment-based immigration,
§ 8:192

ALTERNATIVE OR ALTERNATIVES

H Nonimmigrants, this index
Temporary visitors for business, eligibil-
ity for B-1 classification, § 4:137
Treaty traders and investors, alternative
business related visas for aliens not
eligible for E nonimmigrant visas,
§ 4:166

AMBASSADORS

Diplomatic Visas, this index
Permanent residents, A nonimmigrant
adjustment of status, § 9:175,

INDEX

AMBASSADORS—Cont'd

9:197, 9:256-9:260, 9:272-9:277

AMENDMENT, MODIFICATION OR CHANGE

Adjustment of Status, this index

Change of Status, this index

Complaint, unfair immigration related employment practices, § **12:105**

Employment-Based Immigration, this index

H Nonimmigrants, this index

Intracompany Transferees, this index

Material changes, H nonimmigrants, amended or new petition, § **4:219, 4:433**

Name change, naturalization certificate, § **14:363, 14:364**

Naturalization application, § **14:319**

Nonimmigrant visas, change of status, § **4:80-4:92**

O Nonimmigrants, this index

Permanent Residents, this index

Pleadings in administrative hearings, § **12:119**

P Nonimmigrants, this index

Religious Workers, this index

Temporary visitors for business, change of status, § **4:111, 4:153, 4:160**

TN Nonimmigrants, this index

Treaty Traders and Investors, this index

AMERASIAN PETITIONS

Relatives of Citizens or Permanent

Residents, this index

AMERICAN COMPETITIVENESS IN THE 21ST CENTURY ACT

Generally, § **1:46**

AMERICAN INDIANS BORN IN CANADA

Inspection and Admission of Arriving Aliens, this index

Nonimmigrants exempt from passport and visa requirements by law or treaty, § **2:127**

Removal immunity, § **13:4**

AMERICAN UNIVERSITY OF BEIRUT EMPLOYEES

Permanent residents, nonquota immigrants, § **9:28**

AMICUS CURIAE

Board of Immigration Appeals (BIA), representation before BIA, § **1:236**

Employer Sanctions and Unfair Immigration Related Employment Practices, § **12:146-12:148**

AMMUNITION

Firearms and Ammunition, this index

AMNESTY

Generally, § **9:304-9:387**

Abandonment of application, Family Unity Program, § **9:385**

Absences, temporary resident status eligibility, § **9:313**

Adjustment of status, § **9:305-9:387**

Administrative review

Generally, § **9:338-9:344**

Legal Immigration Family Equity (LIFE) Act, class action participants' adjustment of status, § **9:376, 9:377**

Admission or admissibility

Adjustment of status to that of alien lawfully admitted for temporary or permanent residence, § **9:305-9:320**

Inadmissibility, below

Advance matters

Authorization for travel outside U.S., Family Unity Program, § **9:385**

Parole, Legal Immigration Family Equity (LIFE) Act, § **9:359, 9:385**

Age, applicants for temporary resident status, § **9:316**

Appeal and review

Administrative review, above

Judicial review, below

Appearance notice, Family Unity Program, § **9:383**

Applicability of grounds of inadmissibility, Legal Immigration Family Equity (LIFE) Act, § **9:368-9:373**

Applications

Administrative review, generally, § **9:338-9:344**

Approval or denial, below

Class membership in CSS, LULAC, or Zambrano lawsuit, Legal Immigration Family Equity (LIFE) Act, § **9:361**

AMNESTY—Cont'd

- Applications—Cont'd
 - Determinations and decisions, below
 - Extension of voluntary departure, Family Unity Program, § 9:327, 9:328
 - Family Unity Program, § 9:324, 9:381-9:383
 - Filing, below
 - Interviews of applicants, below
 - Legal Immigration Family Equity (LIFE) Act, class action participants' adjustment of status, § 9:346, 9:349-9:361
 - Permanent resident status, § 9:333-9:337
 - Temporary resident status, § 9:305-9:320
 - Travel authorization, Family Unity Program, § 9:326, 9:385
- Approval or denial
 - Applications
 - Administrative review, § 9:342
 - Family Unity Program, Legal Immigration Family Equity (LIFE) Act amendments, § 9:383
 - Legal Immigration Family Equity (LIFE) Act, class action participants' adjustment of status, § 9:375
 - Permanent resident status, § 9:336
 - Visa petition approved despite government's knowledge of unauthorized activity, temporary resident status eligibility, § 9:311
- Attorney General
 - Administrative review, § 9:338
 - Family Unity Program, temporary resident status, § 9:338
- Authorization
 - Employment authorization, below
 - Period of authorized stay, Family Unity Program, § 9:384
 - Travel, Family Unity Program, § 9:326, 9:385
- Availability of temporary resident status, § 9:305
- Basic citizenship skills, permanent resident status eligibility, § 9:332
- Brief absences, temporary resident status eligibility, § 9:313

AMNESTY—Cont'd

- Burden of proof, Legal Immigration Family Equity (LIFE) Act, § 9:353
- Cancellation. Termination or cancellation, below
- Casual absences, temporary resident status eligibility, § 9:313
- Certifications, Legal Immigration Family Equity (LIFE) Act, § 9:378
- Children. Spouses and children, below
- Citizenship skills
 - Legal Immigration Family Equity (LIFE) Act, class action participants' adjustment of status, § 9:367
 - Permanent resident status eligibility, § 9:332
- Class actions
 - Participants' adjustment of status, § 9:345-9:387
 - Settlements, § 9:387
 - Temporary resident status eligibility, § 9:307
- Confidentiality of applications, Legal Immigration Family Equity (LIFE) Act, § 9:379
- Continuous residence and presence in U.S. in unlawful status, § 9:306-9:311, 9:362-9:365
- Conviction of crime
 - Absence of convictions, temporary resident status eligibility, § 9:315
 - Legal Immigration Family Equity (LIFE) Act, class action participants' adjustment of status, § 9:373
- Criminal matters
 - Conviction of crime, above
 - Legal Immigration Family Equity (LIFE) Act, class action participants' adjustment of status, § 9:373
- Date. Time or date, below
- Decisions. Determinations and decisions, below
- Denial. Approval or denial, above
- Departure, temporary resident status eligibility, § 9:321-9:328
- Deportation
 - Family fairness and family unity, temporary resident status eligibility, § 9:346

INDEX

AMNESTY—Cont'd

Deportation—Cont'd

Stay of deportation, Legal Immigration Family Equity (LIFE) Act, § **9:360**

Time for filing applications, obtaining temporary resident status, § **9:318**

Determinations and decisions

Applications

Administrative review, § **9:342**

Family Unity Program, Legal Immigration Family Equity (LIFE) Act amendments, § **9:383**

Notice of decision on application, § **9:336, 9:375**

Permanent resident status, § **9:336**

Legal Immigration Family Equity (LIFE) Act, class action participants' adjustment of status, § **9:356, 9:375**

Notice of decision on application, § **9:336, 9:375**

Termination of benefits, Family Unity Program, § **9:386**

Documentation

Legal Immigration Family Equity (LIFE) Act, class action participants' adjustment of status, § **9:352**

Duties during pendency of application, Legal Immigration Family Equity (LIFE) Act, § **9:355-9:360**

Eligibility or ineligibility

Family Unity Program, Legal Immigration Family Equity (LIFE) Act amendments, § **9:381, 9:382, 9:384**

Legal Immigration Family Equity (LIFE) Act, class action participants' adjustment of status, § **9:346, 9:349-9:380**

Permanent resident status, § **9:329-9:337**

Temporary resident status, § **9:305-9:315**

Employment authorization

Family Unity Program, § **9:325, 9:384**

Pending application, Legal Immigration Family Equity (LIFE) Act, § **9:358**

AMNESTY—Cont'd

Entry into U.S., § **9:305-9:387**

Evidence, Legal Immigration Family Equity (LIFE) Act, § **9:352-9:354**

Exclusion, stay of final order under Legal Immigration Family Equity (LIFE) Act, § **9:360**

Extension of voluntary departure, Family Unity Program, § **9:327, 9:328**

Family

Fairness policy, temporary resident status eligibility, § **9:321**

Legal Immigration Family Equity (LIFE) Act, § **9:306, 9:349-9:380**

Spouses and children, below
Unity Program, § **9:321-9:328, 9:381-9:386**

Fees

Applications, permanent resident status, § **9:353**

Filing

Administrative review, § **9:376**

Applications

Extension of voluntary departure, Family Unity Program, § **9:327, 9:328**

Family Unity Program, § **9:324, 9:383**

Legal Immigration Family Equity (LIFE) Act, class action participants' adjustment of status, § **9:350-9:354**

Location of filing applications, below

Permanent resident status, § **9:333, 9:334**

Temporary resident status, § **9:316-9:320**

Time or date, below

Applications for class membership in CSS, LULAC, or Zambrano lawsuit, Legal Immigration Family Equity (LIFE) Act, § **9:361**

Determination of filing of claim for class membership, Legal Immigration Family Equity (LIFE) Act, § **9:356**

Location of filing applications, below

Prohibition against review of late filing of adjustment application, administrative review, § **9:339**

AMNESTY—Cont'd

- Filing—Cont'd
 - Time or date, below
- Final order of exclusion, deportation or removal, stay under Legal Immigration Family Equity (LIFE) Act, § **9:360**
- Financial responsibility, Legal Immigration Family Equity (LIFE) Act, § **9:372**
- Grounds of inadmissibility, Legal Immigration Family Equity (LIFE) Act, § **9:368-9:373**
- Husband and wife. Spouses and children, below
- Immigration Act of 1990, § **9:322**
- Immigration Reform and Control Act of 1986, § **9:305-9:387**
- Immigration Technical Corrections Act of 1991, temporary resident status eligibility, § **9:323**
- Inadmissibility
 - Legal Immigration Family Equity (LIFE) Act, class action participants' adjustment of status, § **9:368-9:373**
- Ineligibility. Eligibility or ineligibility, above
- Innocent absences, temporary resident status eligibility, § **9:313**
- Interviews of applicants
 - Legal Immigration Family Equity (LIFE) Act, class action participants' adjustment of status, § **9:374**
 - Permanent resident status, § **9:335**
- IRCA (Immigration Reform and Control Act of 1986), § **9:305-9:387**
- Judgment in class action, temporary resident status eligibility, § **9:307**
- Judicial review
 - Applications, § **9:338**
 - Legal Immigration Family Equity (LIFE) Act, class action participants' adjustment of status, § **9:376**
- Jurisdiction
 - Administrative review, § **9:387**
 - Family Unity Program, Legal Immigration Family Equity (LIFE) Act amendments, § **9:383**

AMNESTY—Cont'd

- Knowledge of government, temporary resident status eligibility, § **9:309-9:311**
- Lack of convictions, temporary resident status eligibility, § **9:315**
- Late filing of adjustment application, prohibition against administrative review, § **9:339**
- Legal Immigration Family Equity (LIFE) Act, § **9:306, 9:349-9:380**
- Legalization, generally, § **9:305-9:387**
- Location of filing applications
 - Legal Immigration Family Equity (LIFE) Act, class action participants' adjustment of status, § **9:350, 9:351**
 - Permanent resident status, § **9:333**
 - Temporary resident status, § **9:319**
- Motions for reopening or reconsideration, Legal Immigration Family Equity (LIFE) Act, § **9:377**
- Naturalization eligibility as affected by amnesty for deserters and draft evaders, § **14:226**
- Notice
 - Appearance, Family Unity Program, § **9:383**
 - Class action judgment, temporary resident status eligibility, § **9:307**
 - Decision on application, § **9:336, 9:375**
 - Termination of benefits, Family Unity Program, § **9:328, 9:386**
- Obtaining temporary or permanent resident status, § **9:316-9:320, 9:333-9:337**
- Orders
 - Show cause orders, below
 - Stay of final order of exclusion, deportation or removal, Legal Immigration Family Equity (LIFE) Act, § **9:360**
- Pendency of application, Legal Immigration Family Equity (LIFE) Act, § **9:355-9:360**
- Period of authorized stay, Family Unity Program, § **9:384**
- Permanent resident, adjustment of status to, § **9:329-9:337**
- Petition for visa approved despite government's knowledge of unau-

INDEX

AMNESTY—Cont'd

- thorized activity, temporary resident status eligibility, § 9:311
- Physical presence in U.S., § 9:366
- Place. Location of filing applications, above
- Presence in U.S. continuously, § 9:362-9:366
- Prima facie eligibility, Legal Immigration Family Equity (LIFE) Act, § 9:357
- Prohibition against administrative review of late filing of adjustment application, § 9:339
- Protection from removal, Family Unity Program, § 9:384
- Public cash assistance, Legal Immigration Family Equity (LIFE) Act, § 9:373
- Reconsideration
 - Legal Immigration Family Equity (LIFE) Act, class action participants' adjustment of status, § 9:377
 - Permanent resident status, § 9:336
- Regulations, § 9:305-9:387
- Relatives. Family, above
- Removal
 - Protection from removal, Family Unity Program, § 9:384
 - Stay of final order of removal, Legal Immigration Family Equity (LIFE) Act, § 9:360
 - Termination of benefits, Family Unity Program, § 9:386
- Reopening
 - Legal Immigration Family Equity (LIFE) Act, class action participants' adjustment of status, § 9:377
- Rescission of adjustment of status, Legal Immigration Family Equity (LIFE) Act, § 9:380
- Review. Appeal and review, above
- Rights during pendency of application, Legal Immigration Family Equity (LIFE) Act, § 9:355-9:360
- Rules, Legal Immigration Family Equity (LIFE) Act, § 9:372
- Service of papers
 - Notice of termination of benefits, Family Unity Program, § 9:386

AMNESTY—Cont'd

- Settlements of class actions, § 9:387
- Show cause orders
 - Obtaining temporary resident status, § 9:318
 - Temporary resident status, § 9:318
- Spouses and children
 - Family fairness policy, temporary resident status eligibility, § 9:321
 - Family Unity Program, § 9:321-9:328, 9:381-9:386
 - Legal Immigration Family Equity (LIFE) Act, class action participants' adjustment of status, § 9:347
- Status, § 9:305-9:387
- Stay in U.S., Family Unity Program, § 9:384
- Stay of proceedings, Legal Immigration Family Equity (LIFE) Act, § 9:347, 9:360
- Stowaways, temporary resident status eligibility, § 9:305
- Sufficiency of evidence, Legal Immigration Family Equity (LIFE) Act, § 9:354
- Temporary residence, adjustment of status to that of alien lawfully admitted for, § 9:305-9:320, 9:338-9:344
- Termination or cancellation
 - Benefits, Family Unity Program, § 9:328, 9:386
 - Temporary resident status, administrative review, § 9:387
- Time or date
 - Adjustment date, permanent resident status, § 9:337
 - Administrative review, § 9:376
 - Advance matters, above
 - Filing applications
 - Legal Immigration Family Equity (LIFE) Act, § 9:349
 - Permanent resident status, § 9:346
 - Temporary resident status, § 9:320
- Travel
 - Application pending, Legal Immigration Family Equity (LIFE) Act, § 9:359
 - Family Unity Program, § 9:326, 9:385

AMNESTY—Cont'd

- Unlawful status, continuous residence and presence in U.S. in, § **9:362-9:365**
- Verification of criminal history, Legal Immigration Family Equity (LIFE) Act, § **9:373**
- Voluntary departure, family fairness and family unity, § **9:327, 9:328**
- Waiver, inadmissibility grounds, Legal Immigration Family Equity (LIFE) Act, § **9:369-9:371**
- Wife and husband. Spouses and children, above

AMOUNT, QUANTITY OR NUMBER

- Employment-based immigration, visas available, § **8:192**
- H Nonimmigrants, this index
- Nonimmigrant visas, bond for extension of stay, § **4:71**
- Permanent Residents, this index
- Temporary visitors for business, bond, § **4:152**
- TN nonimmigrants, numerical limit on visas, § **4:710**

ANARCHIST ACT OF 1918

- Legislation to control immigration, § **1:3**

ANGOLA

- Refugees and asylum, resettlement and services to refugees after admission, § **10:36**

ANIMAL SHEARING, ITINERANT

- H-2A nonimmigrants, § **4:436**

ANNULMENT OF MARRIAGE

- Permanent residents, rescission of status, § **9:281**
- Relatives of Citizens or Permanent Residents, this index
- Removal, this index

A NONIMMIGRANTS

- A-1 nonimmigrants
 - Change of nonimmigrant classification, § **4:86, 4:88**
 - Extension of stay, eligibility, § **4:66**
 - Unauthorized employment, ineligibility for change of nonimmigrant classification, § **4:86**

A NONIMMIGRANTS—Cont'd

- A-2 nonimmigrants
 - Change of nonimmigrant classification, § **4:86, 4:88**
 - Extension of stay, eligibility, § **4:66**
 - Unauthorized employment, ineligibility for change of nonimmigrant classification, § **4:86**
- Change of nonimmigrant classification, visas, § **4:80-4:92**
- Extension of stay, visas, § **4:66**
- Issuance of visas, § **4:28**
- Permanent residents, adjustment of status, § **9:175, 9:197, 9:256-9:260, 9:272-9:277, 9:279**
- Unauthorized employment, ineligibility for change of nonimmigrant classification, § **4:86**
- Visas
 - Change of nonimmigrant classification, § **4:80-4:92**
 - Extension of stay, eligibility, § **4:66**
 - Issuance of visas, § **4:28**
 - Waiver of registration, § **4:94**
- Waiver of registration, visas, § **4:94**

ANSWERS

- Denaturalization, § **14:412**
- Employer sanctions and unfair immigration related employment practices, § **12:56, 12:57**
- Permanent Residents, this index

ANTI-DRUG ABUSE ACT OF 1986 (ADAA 1986)

- Generally, § **1:8**

ANTI-DRUG ABUSE ACT OF 1988 (ADAA 1988)

- Generally, § **1:15**
- Removal, this index

ANTI-SOCIAL PERSONALITY DISORDERS

- Inadmissibility, denial of admission or visa, § **3:7**

ANTITERRORISM AND EFFECTIVE DEATH PENALTY ACT (AEDPA)

- Generally, § **1:26**
- Habeas corpus restrictions, § **13:106**
- Inadmissibility, denial of admission or visa, § **3:52**
- Removal, this index

INDEX

APPEAL

Administrative Review, this index
Amnesty, this index
Board of Immigration Appeals (BIA), this index
Citizen status, misrepresentation of, § 17:195
Denaturalization, § 14:423
Employment-Based Immigration, this index
Expatriation, § 14:462
H Nonimmigrants, this index
Intracompany Transferees, this index
Judicial Review, this index
Misrepresentation of citizen status, § 17:195
Naturalization, this index
Nonimmigrant Visas, this index
O Nonimmigrants, this index
Permanent Residents, this index
P Nonimmigrants, this index
Refugees and Asylum, this index
Removal, this index

APPEARANCE

Fourth Amendment rights of aliens, § 16:30
Nonimmigrant Visas, this index
Notice to appear
 Amnesty, Family Unity Program, § 9:383
 Permanent Residents, this index
Permanent Residents, this index

APPLICATIONS

Amnesty, this index
Employment-Based Immigration, this index
H Nonimmigrants, this index
Intracompany Transferees, this index
Naturalization, this index
Noncitizen national status, application for certificate of, § 14:61
Nonimmigrant Visas, this index
O Nonimmigrants, this index
Permanent Residents, this index
P Nonimmigrants, this index
Posthumous citizenship through death while on active duty during military hostilities, § 14:67, 14:68
Refugees and Asylum, this index

APPLICATIONS—Cont'd

Registration of birth abroad, application for, § 14:95, 14:98
Religious Workers, this index
Repatriation of women losing citizenship by marrying alien, § 14:90
Temporary Visitors for Business, this index
TN Nonimmigrants, this index
Treaty Traders and Investors, this index

APPLICATION SUPPORT CENTERS (ASC)

USCIS (United States Citizenship and Immigration Services), § 1:212

APPOINTMENTS

Administrative law judge, H-1C nonimmigrants, § 4:404
Permanent Residents, this index

APPREHENSION

Removal, this index

APPROVAL OR DENIAL

Amnesty, this index
Employment-Based Immigration, this index
H Nonimmigrants, this index
Intracompany Transferees, this index
Nonimmigrant Visas, this index
O Nonimmigrants, this index
Permanent Residents, this index
P Nonimmigrants, this index
Treaty traders and investors, § 4:202, 4:205

ARBITRARY OR CAPRICIOUS STANDARD OF REVIEW

Employment-Based Immigration, this index

ARBITRATION

H nonimmigrants, disputes involving job offer requirement for H-1B nonimmigrants, § 4:311

ARCHITECTS

Employment-Based Immigration, this index

AREA COVERED

Employment-based immigration, labor certification, § 8:170

ARMED FORCES

- Armed forces Immigration Adjustment Act of 1991, § **1:19**
- B-2 visitors for pleasure for aliens entitled to naturalization based on military service, § **6:246**
- Border Crossing Documents, this index
- Child Soldiers Accountability Act of 2008, § **1:111**
- Citizenship, this index
- Denaturalization, military discharge under other than honorable conditions, § **14:399**
- Dependents of U.S. military personnel, “parole-in-place” program, eligibility, § **2:176**
- Desertion from armed forces, denial of admission or visa, § **3:19**
- Employment of noncitizens, § **11:14**
- Expatriation, this index
- Foreign enlistees with honorable active duty records, fourth preference employment-based immigration, § **8:75-8:81, 9:198**
- H-2B exemptions to temporary need requirements, military realignment contracts, § **4:472**
- Inspection and Admission of Arriving Aliens, this index
- Military Personnel Citizenship Processing Act of 2008, § **1:112**
- Military realignment contracts, H-2B exemptions to temporary need requirements, § **4:472**
- Naturalization, this index
- Parole of aliens, “parole-in-place” program for dependents of U.S. military personnel, eligibility, § **2:176**
- Permanent Residents, this index
- Presence requirements for aliens, § **13:241**
- Refugees and asylum, conscientious objectors, § **10:130**
- Removal of conditions for active duty service personnel abroad, tolling, § **1:122**
- Residence and physical presence requirements, spouses or children of member of armed forces, § **14:205**
- Selective Service, this index

ARMED FORCES IMMIGRATION ADJUSTMENT ACT OF 1991

Generally, § **1:19**

ARMS

Firearms and Ammunition, this index

ARRAIGNMENT

Procedure, § **17:213**

ARREST

- Detention, custody and release, § **13:121**
- Detention and warrantless arrest of arriving aliens
 - Noncitizens believed to be entering illegally, § **2:169**
 - Other warrantless arrests, § **2:170**
- Illegal re-entry, § **17:8**
- Re-entry illegally, § **17:8**
- Removal, this index
- Smuggling and harboring aliens, § **17:62**
- Warrants
 - Nonimmigrant visas, failure to depart after denial of extension of stay, § **4:74**
 - Permanent residents, application for record of lawful admission, § **9:267, 9:268**

ARRIVAL/DEPARTURE RECORDS

Inspection and Admission of Arriving Aliens, this index

ARRIVING ALIENS

- Detention
 - Release of detainee on bond, § **13:127**
- Inspection and Admission of Arriving Aliens, this index

ARSON

- Inadmissibility, denial of admission or visa, § **3:16**
- Removal, § **13:55**

ARTISTS

- B visa status, eligibility for, § **4:120**
- P Nonimmigrants, this index
- Temporary visitors for business, H-1 classifiable aliens eligible for B-1 classification, § **4:120**

ARTS

- Employment-based immigration, labor certification, § **8:113, 8:114**
- O Nonimmigrants, this index

INDEX

ASIA-PACIFIC ECONOMIC COOPERATION BUSINESS TRAVEL CARDS ACT

2011, § **1:121**

ASSAULT AND BATTERY

Battered Spouses and Children, this index
Customs or immigration officer, assault of, § **17:196**
Inadmissibility, this index
Removal, this index
Welfare and public benefits, substantial connection between battery and need for, § **16:61**

ASSOCIATE DIRECTOR FOR OPERATIONS

USCIS (United States Citizenship and Immigration Services), this index

ASSOCIATIONS

H-2A nonimmigrants, § **4:415, 4:428**

ASSURANCES OF EMPLOYER

H nonimmigrants, job offer for H-2A nonimmigrants, § **4:439**

ASYLUM

Refugees and Asylum, this index

ASYLUM OFFICER BASIC TRAINING COURSE WORKBOOK

Source of law, § **1:179**

ATHLETES

Employment-Based Immigration, this index
Firearms, aliens' right to possess, § **16:20**
H nonimmigrants, labor condition application for H-1B nonimmigrants, § **4:268**
Labor certifications and qualifications, § **3:80**
O Nonimmigrants, this index
P Nonimmigrants, this index
Sports, this index
Student athletes, treatment of foreign, § **16:84**
Temporary visitors for business, eligibility for B-1 classification, § **4:135**

ATTACHMENT

Property rights of aliens, § **16:143**

ATTEMPTED CRIMES

Inadmissibility, denial of admission or visa, § **3:13**

ATTENDANTS

Diplomatic Visas, this index

ATTESTATIONS

H Nonimmigrants, this index

ATTORNEY GENERAL

Generally, § **1:218**
Amnesty, this index
Detention certifications, § **13:385**
Employer sanctions and unfair immigration related employment practices, enforcement procedures, § **12:64**
Habeas review, § **15:23**
H Nonimmigrants, this index
Intracompany transferees, petitions for visas, § **4:553, 4:567**
Nonimmigrant Visas, this index
Permanent Residents, this index
Petition for review, service of, § **15:19**
Re-entry after deportation, consent to, § **17:11, 17:12**
TN nonimmigrants, international electronic data system, § **4:729, 4:731**

ATTORNEYS

Aliens' constitutional right to counsel, § **16:18**
Alien's practice of law, § **16:49, 16:111**
Appellate representation, admission and entry of appearance necessary for, § **15:16**
Board of Immigration Appeals (BIA), this index
Criminal case, representation of accused in, § **17:215**
Department of State, this index
Eligibility of aliens for legal services, § **16:70**
Employer sanctions and unfair immigration related employment practices
Exclusion from participation, § **12:152**
Notice of appearance, § **12:152**
Qualification, § **12:151**

ATTORNEYS—Cont'd

- Employer sanctions and unfair immigration related employment practices—Cont'd
 - Representation of parties and withdrawal or substitution, § 12:151
- Employment-Based Immigration, this index
- Immigration court, representation, § 1:225
- Inspection and admission of arriving aliens, right to attorney, § 2:25
- Naturalization
 - Personnel investigation and examination, representation at, § 14:329
 - Reopening proceedings, right to attorney during, § 14:375
- Permanent residents, rescission of status, § 9:290, 9:296, 9:302, 9:303
- Refugees and Asylum, this index
- Unfair practices. Employer sanctions and unfair immigration related employment practices, above

ATTORNEYS' FEES

- Recovery under EAJA
 - Generally, § 15:36-15:40
 - Application requirements, generally, § 15:37-15:40
 - Fees and costs, § 15:40
 - Limited availability of counsel, § 15:40
 - Prevailing party, § 15:38
 - Substantially justified, position of US not, § 15:39
- Unfair immigration related employment practices, § 12:113

AUDIT

- Employment-based immigration, labor certification, § 8:136

AUDITA QUERELA

- Removal, this index

AU PAIRS

- Student and Exchange Visitors, this index

AUSTRALIA

- E-3 visa, Australian specialty occupation workers and their spouses and children, § 4:195

AUTOMATED INSPECTION SERVICES

- Inspection and Admission of Arriving Aliens, this index

AUTOMATED PERMIT PORT (APP)

- Inspection and admission of arriving aliens, § 2:48

AUTOMATED VISA LOOKOUT SYSTEM (AVLOS)

- Asylum applicants, identity checks, § 10:210
- Inadmissibility, denial of admission or visa, § 3:1

AUTOMATIC EXTENSION

- Nonimmigrant Visas, this index

AUTOMATIC REVOCATION

- Employment-based immigration, approved preference petitions, § 8:188
- O nonimmigrants, denial of petition for determination of eligibility for classification, § 4:634
- O nonimmigrants, revocation of approval of petition for determination of eligibility for classification, § 4:636

“A” VISAS

- Diplomatic Visas, this index

AVOCATIONAL SCHOOLS

- B-2 visitors for pleasure visas for prospective students, § 6:255

BACCALAUREATE DEGREE

- Employment-Based Immigration, this index
- Religious workers, working in professional capacity, § 4:702
- TN nonimmigrants, § 4:719

BACKGROUND AND HISTORY

- Generally, § 1:1-1:160
- America as nation of immigrants, § 1:1
- Legislation to Control Immigration, below

BACK WAGES

- H-1B nonimmigrant violations, § 4:315, 4:318

INDEX

BAD CHECKS

Inadmissibility, denial of admission or visa, § 3:17

Removal, § 13:32

BAHAMIAN NATIONALS

Border Crossing Documents, this index

Passport and visa requirements, waiver of, § 3:204

BAIL REFORM ACT

Detained aliens, § 13:133

BALCA (BOARD OF ALIEN LABOR CERTIFICATION APPEALS)

Generally, § 1:246

Decisions, source of law, § 1:170

Employment-based immigration, administrative review of denial of labor certification, § 8:140

H Nonimmigrants, this index

BANKRUPTCY

Homestead exemption, availability to aliens of, § 16:142

Removal, fraud, § 13:32

BASIC CITIZENSHIP SKILLS

Amnesty, permanent resident status eligibility, § 9:332

BASIC EMPLOYMENT VERIFICATION PILOT PROGRAM

E-Verify Program, this index

BASIC LABOR CERTIFICATION PROCESS

Employment-Based Immigration, this index

Legal representation, § 8:109

BASIC LAW MANUAL

Source of law, § 1:179

BASIC PILOT EXTENSION ACT OF 2001

Generally, § 1:64

BASIC PILOT PROGRAM EXTENSION AND EXPANSION ACT OF 2003

Generally, § 1:77

BASTARDY

Children Born Out of Wedlock, this index

BATTERED SPOUSES AND CHILDREN

Removal, this index

Welfare and public benefits

Eligibility, generally, § 16:59, 16:60

Means-testing, § 16:76-16:79

BATTERY

Assault and Battery, this index

BEARER

Permanent residents, notice of proposed revocation of visa, § 9:145

BEEKEEPING, COMMERCIAL

H-2A nonimmigrants, § 4:436

BEIRUT

Permanent residents, American University of Beirut employees, § 9:28

BENCHING

H-1B nonimmigrants, § 4:243

BENEFICIARIES

Employment-based immigration, § 8:1-8:216

H nonimmigrants, § 4:209-4:506

Intracompany transferees, § 4:509-4:599

O nonimmigrants, § 4:600-4:642

TN nonimmigrants, § 4:710-4:730

BENEFITS

Extended absence benefits. Naturalization, this index

Family Unity Program, termination of benefits under, § 9:328, 9:386

H Nonimmigrants, this index

Refugees and Asylum, this index

Waivers of Inadmissibility, this index

Welfare and Public Benefits, this index

BIGAMY

Inadmissibility, denial of admission or visa, § 3:20

Relatives of Citizens or Permanent Residents, this index

Removal, § 13:32

BIRTH

Permanent Residents, this index

BIRTH CONTROL

Refugees and Asylum, this index

BIVENS CLAIMS

Civil rights of aliens, § 16:54

BLACKMAIL

Inadmissibility, denial of admission or visa, § 3:16

Removal, § 13:32

BLACKMARKET VIOLATIONS

Inadmissibility, denial of admission or visa, § 3:19

BLANKET PETITIONS FOR VISAS

Intracompany transferees, § 4:511, 4:553 et seq.

BLANKET WAIVER OF INADMISSIBILITY

H nonimmigrants, nurses, § 4:349

BLOOD TESTS

Nonimmigrant visas, medical examination of applicants, § 4:15

Permanent residents, medical examination of applicants for immigrant visas, § 9:95, 9:106, 9:107

Relatives of Citizens or Permanent Residents, this index

B NONIMMIGRANTS

B-1. Temporary Visitors for Business, this index

B-2. Temporary Visitors for Pleasure, this index

“BOARDING LETTER”

Advance authorization for parole, § 2:212

BOARD OF ALIEN LABOR CERTIFICATION APPEALS

BALCA (Board of Alien Labor Certification Appeals), this index

BOARD OF APPELLATE REVIEW

Decisions, source of law, § 1:171

Department of State, this index

BOARD OF IMMIGRATION APPEALS (BIA)

Accredited representatives, representation before BIA, § 1:235

Amicus curiae, representation before BIA, § 1:236

BOARD OF IMMIGRATION

APPEALS (BIA)—Cont’d

Assignment of cases, § 1:230

Attorneys

Professional conduct and attorney discipline, EOIR rules, § 1:237

Representation before BIA, § 1:231

Background and security investigations, § 1:239

BIA Practice Manual, § 1:182

Composition, § 1:227

Decisions, source of law, § 1:166

Ethics manual and guides, § 1:181

ICE (Immigration and Customs Enforcement), relationship of BIA with, § 1:227

Immigration Court Practice Manual, § 1:183

Immigration Judge Benchbook, § 1:184

Jurisdiction, § 1:228

Law students and law graduates, representation before BIA, § 1:233

Nonimmigrant visas, change of classification, § 4:92

Panels, § 1:230

Permanent residents, rescission of status, § 9:282, 9:302

Policy directives as source of law, § 1:181, 1:182

Pro bono representation, BIA Pro Bono Project, § 1:238

Professional conduct, EOIR rules, § 1:237

Refugees and Asylum, this index

Removal, this index

Representation before BIA

Generally, § 1:231

Accredited representatives, § 1:235

Amicus curiae, § 1:236

Attorneys, § 1:232

BIA Pro Bono Project, § 1:238

Law students and law graduates, § 1:233

Reputable individuals, § 1:234

Reputable individuals, representation before BIA, § 1:234

Scope and standard of review, § 1:229

BOILERMAKERS

H-2B nonimmigrants, labor certification, § 4:483

INDEX

BONA FIDE ORGANIZATIONS

- Evidence, submission with petition, § 4:705
- Religious workers, § 4:694, 4:700, 4:701

BONDS AND UNDERTAKINGS

- Nonimmigrant Visas, this index
- Permanent Residents, this index
- Pilot bond program, B-1 visa applicants, high refusal countries, § 4:156
- Student and Exchange Visitors, this index
- Temporary visitors for business, § 4:150-4:155

BORDER

- Crossing cards. Border Crossing Documents, this index
- Removal
 - Enhanced Border Security and Visa Entry Reform Act information sharing requirements, § 13:9
 - High speed flight offenses. Removal, this index
- Southern
 - Asylum applications at the southern border, § 2:164
 - Other executive actions directed at southern border enforcement, 2025-present, § 2:165
- Southwest
 - Migrant protection protocols, return of certain applicants for admission, § 2:163
 - “zero-tolerance policy,” undocumented aliens, § 2:158

BORDER COMMUTER STUDENT ACT

- Generally, § 1:71

BORDER CROSSING DOCUMENTS

- Generally, § 2:64-2:154
- Alien Registration Card, renamed as Permanent Resident Card, § 2:74
- American Indians born in Canada, nonimmigrants exempt from passport and visa requirements by law or treaty, § 2:127
- Armed forces. Nonimmigrants, below
- B-1/B-2 visa, § 2:134 et seq.

BORDER CROSSING DOCUMENTS

—Cont’d

- Bahamian nationals. Nonimmigrants, below
- Border crossing cards
 - Generally, § 2:134
 - B-1/B-2 visa, § 2:134 et seq.
 - Canadian Border Boat Landing Program
 - Generally, § 2:148
 - Application procedures
 - Generally, § 2:149
 - Conditions governing use of Form I-68, § 2:151
 - Denial of application, § 2:150
 - Revocation, § 2:152
 - Validity, § 2:152
 - Conditions governing use of Form I-68, § 2:151
 - Denial of application, § 2:150
- Forms
 - I-68, Canadian Border Boat Landing Permit, § 2:148 et seq.
 - I-94, Arrival/Departure Record, § 2:148
 - I-94W, Nonimmigrant Visa Waiver Arrival/Departure Form, § 2:148
 - INSPass, § 2:151
 - Port Passenger Accelerated Service System (PortPASS), § 2:151
 - Outlying Area Reporting Station (OARS), alternative to Canadian Border Boat Landing Program, § 2:153
 - Revocation, § 2:153
 - Validity, § 2:152
- Forms
 - DSP-150, B-1/B-2 visa/ BCC, § 2:134 et seq.
 - I-68, Canadian Border Boat Landing Permit, § 2:148 et seq.
 - I-94, Arrival/Departure Record, § 2:134 et seq., 2:148
 - I-94W, Nonimmigrant Visa Waiver Arrival/Departure Form, § 2:148
 - I-185, Nonresident Alien Canadian Border Crossing Card, § 2:134 et seq.

BORDER CROSSING DOCUMENTS**—Cont'd**

- Border crossing cards—Cont'd
- Forms—Cont'd
 - I-186, Nonresident Alien Mexican Border Crossing Card, § **2:134 et seq.**
 - I-275, Withdrawal of Application for Admission/Consular Notification, § **2:136**
 - I-586, Nonresident Alien Border Crossing Card, § **2:134 et seq.**
- Invalidity of non-biometric BCC's, § **2:135**
- Native American Tribal Card for Canadian and U.S. citizens, § **2:154**
- Nonresident Alien Canadian Border Crossing Card
 - Generally, § **2:144**
 - Revocation of Canadian BCC, § **2:146**
 - Validity of Canadian BCC, § **2:145**
 - Voiding of Canadian BCC, § **2:147**
- Nonresident Alien Mexican Border Crossing Card
 - Generally, § **2:139**
 - Application for admission, § **2:141**
 - Application procedures, § **2:140**
- Forms
 - DS-156, Visitor Visa Application, § **2:139**
 - DSP-150, B-1/B-2 visa/ BCC, § **2:139**
 - Revocation of BCCs, § **2:142**
 - Voiding B-1/B-2 visa and BCCs, § **2:143**
- Outlying Area Reporting Station (OARS), alternative to Canadian Border Boat Landing Program, § **2:153**
- Replacement of BCC, § **2:138**
- Temporary visitors for business, Canadian landed immigrant with border crossing card, § **4:158**
- Voidance for reasons other than reasons other than expiration of validity of form
 - Generally, § **2:136**
 - Form I-275, Withdrawal of Application for Admission/Consular Notification, § **2:136**

BORDER CROSSING DOCUMENTS**—Cont'd**

- Border crossing cards—Cont'd
 - Voidance for reasons other than reasons other than expiration of validity of form—Cont'd
 - Grounds, § **2:137**
- Canadians
 - Canadian and Bahamian nationals. Nonimmigrants, below
 - Canadian Border Boat Landing Program and Forms I-68. Border crossing cards, above
- Caribbean residents. Nonimmigrants, below
- Cayman Island, nonimmigrant British subjects residing in, § **2:115**
- Children born during mother's temporary visit abroad, waiver of documentation required of immigrants, § **2:80**
- Contiguous territory or adjacent islands. Nonimmigrants, below
- Criteria for determining eligible countries, § **2:110**
- European union laissez - passer in lieu of passport for certain European Union representatives, § **2:132**
- Exemptions, nonimmigrants exempt from passport and visa requirements by law or treaty. Nonimmigrants, below
- Forms
 - DSP-150, B-1/B-2 visa/ BCC, § **2:134 et seq.**
 - I-68, Canadian Border Boat Landing Permit, § **2:148 et seq.**
 - I-94, Arrival/Departure Record, § **2:134 et seq., 2:148**
 - I-94W, Nonimmigrant Visa Waiver Arrival/Departure Form, § **2:148**
 - I-185, Nonresident Alien Canadian Border Crossing Card, § **2:134 et seq.**
 - I-186, Nonresident Alien Mexican Border Crossing Card, § **2:119, 2:120, 2:134 et seq.**
 - I-275, Withdrawal of Application for Admission/Consular Notification, § **2:136**
 - I-551, Permanent Resident Card, § **2:74, 2:78**

BORDER CROSSING DOCUMENTS**—Cont'd**

Forms—Cont'd

I-586, Nonresident Alien Border Crossing Card, § 2:119, 2:120

I-751, Petition to Remove the Conditions on Residence, § 2:74

I-829, Petition by Entrepreneur to Remove the Conditions, § 2:74

Guam

Guam Visa Waiver Program. Nonimmigrants, below

Nonimmigrant aliens entering from Guam, as exempt from passport and visa requirements by law or treaty, § 2:128

Immigrants

Alien Registration Card, renamed as Permanent Resident Card, § 2:74

Children born during mother's temporary visit abroad, waiver of documentation required of immigrants, § 2:80

Documents required

Generally, § 2:66

Alien Registration Card, renamed as Permanent Resident Card, § 2:74

Forms

I-551, Permanent Resident Card, § 2:74

I-751, Petition to Remove the Conditions on Residence, § 2:74

I-829, Petition by Entrepreneur to Remove the Conditions, § 2:74

Passport, § 2:67

Reentry permits

Generally, § 2:69

Appeal, § 2:73

Application procedures, § 2:72

Decision, § 2:73

Eligibility, § 2:70

Ineligibility, § 2:71

Invalidation, § 2:73

Issuance, § 2:73

Reductions in periods of eligibility, § 2:71

Visas, § 2:68

BORDER CROSSING DOCUMENTS**—Cont'd**

Immigrants—Cont'd

Forms

I-551, Permanent Resident Card Documents required, § 2:74

Waiver, application procedures, § 2:78

I-751, Petition to Remove the Conditions on Residence, § 2:74

I-829, Petition by Entrepreneur to Remove the Conditions, § 2:74

Orphans adopted abroad, waiver of documentation required of immigrants, § 2:81

Passports

Documents required, § 2:67

Waiver, application procedures, § 2:77

Reentry permits

Documents required, above

Waiver, application procedures, § 2:78

Visas

Documents required, § 2:68

Waiver, application procedures, § 2:78

Waiver of documentation required of immigrants

Generally, § 2:75

Appeal, no appeal of waiver denials, § 2:79

Application procedures

Appeal, no appeal of waiver denials, § 2:79

Form I-551, waiver of, § 2:78

Passport requirement, waiver of, § 2:77

Reentry permit, waiver of, § 2:78

Visa, waiver of, § 2:78

Children born during mother's temporary visit abroad, § 2:80

Circumstances for granting waiver, § 2:76

Form I-551, application procedures for waiver of, § 2:78

Orphans adopted abroad, § 2:81

BORDER CROSSING DOCUMENTS

—Cont'd

- Immigrants—Cont'd
 - Waiver of documentation required of immigrants—Cont'd
 - Passport requirement, application procedures for waiver of, § 2:77
 - Reentry permit, application procedures for waiver of, § 2:78
 - Visa, application procedures for waiver of, § 2:78
 - Who grants waiver, § 2:76
- International and Water Commission Treaty, nonimmigrant aliens entering pursuant to Treaty as exempt form passport and visa requirements by law or treaty, § 2:131
- Islands, adjacent. Nonimmigrants, below
- Marshall Islands, nonimmigrant citizens of Republic of the Marshall Islands, § 2:124
- Mexican nationals. Nonimmigrants, below
- Micronesia citizens, nonimmigrants, § 2:124
- Native American Tribal Card for Canadian and U.S. citizens, § 2:154
- NATO. Nonimmigrants, below
- Nonimmigrants
 - American Indians born in Canada, nonimmigrants exempt form passport and visa requirements by law or treaty, § 2:127
 - Armed forces. Exemptions, nonimmigrants exempt form passport and visa requirements by law or treaty, below this group
 - Bahamian nationals. Contiguous territory or adjacent islands, nonimmigrants from, below this group
 - Canadian and Bahamian nationals. Contiguous territory or adjacent islands, nonimmigrants from, below this group
 - Caribbean residents. Contiguous territory or adjacent islands, nonimmigrants from, below this group
 - Cayman Island, British subjects residing in, § 2:115
 - Contiguous territory or adjacent

BORDER CROSSING DOCUMENTS

—Cont'd

- Nonimmigrants—Cont'd
 - islands, nonimmigrants from
 - Generally, § 2:111
 - Bahamian nationals. Canadian and Bahamian nationals, below this group
 - Canadian and Bahamian nationals
 - Generally, § 2:112
 - Aliens residing in Canada or Bermuda who have common nationality with Canadian nationals or British subjects in Bermuda, § 2:113
 - Bahamian nationals and British subjects residing in Bahamas, § 2:114
 - Caribbean residents
 - Generally, § 2:116
 - British Virgin Islands nationals who reside therein, § 2:117
 - Cayman Island, British subjects residing in, § 2:115
 - Marshall Islands, citizens of Republic of the Marshall Islands, § 2:124
 - Mexican nationals, below this group
 - Micronesia citizens, § 2:124
 - Turks and Caicos Islands, British subjects residing in, § 2:115
- Exemptions, nonimmigrants exempt form passport and visa requirements by law or treaty
 - Generally, § 2:125
 - American Indians born in Canada, § 2:127
 - Armed forces
 - Alien members of U.S. armed forces, § 2:126
 - NATO
 - Headquarters in United States, armed forces personnel attached to, § 2:130
 - Member personnel, § 2:129
 - European Union Laissez-Passer in lieu of passport for certain European Union representatives, § 2:132

BORDER CROSSING DOCUMENTS**—Cont'd**

- Nonimmigrants—Cont'd
 - Exemptions, nonimmigrants exempt form passport and visa requirements by law or treaty—Cont'd
 - Guam, aliens entering from, § 2:128
 - International and Water Commission Treaty, aliens entering pursuant to, § 2:131
 - NATO. Armed forces, above this group
 - Puerto Rico, aliens entering from, § 2:128
 - Virgin Islands, aliens entering from, § 2:128
- Forms
 - I-186, Nonresident Alien Mexican Border Crossing Card, § 2:119
 - I-586, Nonresident Alien Border Crossing Card, § 2:119, 2:120
- Guam, aliens entering from Guam as exempt form passport and visa requirements by law or treaty, § 2:128
- Guam Visa Waiver Program
 - Generally, § 2:107
 - Countries participating, criteria designating, § 2:110
 - Eligibility, § 2:108
- Forms
 - I-94, Arrival/Departure Record, § 2:109
 - I-736, Visa Waiver Information, § 2:109
 - I-760, Agreement Between Transportation Line, Operating Between Foreign Territory and Guam, and United States, § 2:109
- Omnibus Territories Act in 1986, § 2:107
- Transportation lines participating, § 2:109
- International and Water Commission Treaty, aliens entering pursuant to Treaty as exempt form passport and visa requirements by law or treaty, § 2:131
- Islands, adjacent. Contiguous territory or adjacent islands, nonim-

BORDER CROSSING DOCUMENTS**—Cont'd**

- Nonimmigrants—Cont'd
 - migrants from, above
 - Marshall Islands, citizens of Republic of the Marshall Islands, § 2:124
- Mexican nationals
 - Generally, § 2:118
 - Bearer of Mexican diplomatic or official passports, § 2:123
 - Border crossing cards, § 2:118-2:123
 - Crew person on Mexican aircraft, § 2:122
 - Entering solely to apply for Mexican passport or official Mexican document, § 2:118
- Forms
 - I-186, Nonresident Alien Mexican Border Crossing Card, § 2:119, 2:120
 - I-586, Nonresident Alien Border Crossing Card, § 2:119, 2:120
 - Temporary visitor applying from contiguous territory, § 2:119
 - Temporary visitor applying from non-contiguous territory, § 2:120
- Micronesia citizens, § 2:124
- NATO. Exemptions, nonimmigrants exempt form passport and visa requirements by law or treaty, above this group
- Passports
 - Generally, § 2:85
 - Transit without passport and visas, below
- Validity
 - Six-month general rule, § 2:86
 - Valid upon application for admission, § 2:87
- Puerto Rico, aliens entering from Puerto Rico as exempt form passport and visa requirements by law or treaty, § 2:128
- Transit without passport and visas
 - Generally, § 2:88
 - Foreign government officials in transit without passport, § 2:88

BORDER CROSSING DOCUMENTS**—Cont'd**

- Nonimmigrants—Cont'd
 - Turks and Caicos Islands, British subjects residing in, § **2:115**
 - Virgin Islands, aliens entering from Virgin Islands as exempt from passport and visa requirements by law or treaty, § **2:128**
- Visas
 - Generally, § **2:85**
 - Exemptions, nonimmigrants exempt from passport and visa requirements by law or treaty, above this group
 - Guam Visa Waiver Program, above this group
 - Transit without passport and visas, above this group
 - Visa Waiver Program (VWP), below this group
- Visa Waiver Program (VWP)
 - Applying for visa if found inadmissible, § **2:101**
 - Authorized carriers, § **2:106**
 - Background, § **2:99**
 - Deportable VWP participants, § **2:105**
 - Designated VWP countries, § **2:102**
 - “Disqualification rate,” § **2:99**
 - Documentation required, § **2:103**
 - Eligibility, § **2:100**
 - Emergency preventing VWP visitor from timely departure, § **2:104**
- Forms
 - I-94W, Nonimmigrant Visa Waiver Arrival/Departure Form, § **2:103**
 - I-775, Visa Waiver Program Agreement, § **2:103**
 - Guam Visa Waiver Program, above this group
 - Inadmissible VWP participants, § **2:105**
 - Judicial review, § **13:11**
 - Maintaining VWP status in certain situations, § **2:104**
 - Waiver of documents required of nonimmigrants
 - Generally, § **2:90**

BORDER CROSSING DOCUMENTS**—Cont'd**

- Nonimmigrants—Cont'd
 - Waiver of documents required of nonimmigrants—Cont'd
 - Aliens who lack passport extension facilities, passport waiver, § **2:92**
 - Aliens whose governments restrict passport extensions, passport waiver, § **2:93**
 - Armed forces, visa and passport waiver for foreign armed forces members, § **2:95**
 - Canadian landed immigrants, passport waivers in emergent circumstances, § **2:96**
 - Consular offices, visa and passport waivers by designated consular offices, § **2:97**
 - Emergencies, waivers based on unforeseen emergencies, § **2:94**
 - Guam Visa Waiver Program, above this group
 - Procedural issues, § **2:98**
 - Residents of foreign contiguous territory, visa and passport waiver, § **2:91**
 - Visa Waiver Program, above this group
- Nonresident Alien Canadian Border Crossing Card. Border crossing cards, above
- Nonresident Alien Mexican Border Crossing Card. Border crossing cards, above
- Orphans adopted abroad, waiver of documentation required of immigrants, § **2:81**
- Outlying Area Reporting Station (OARS), alternative to Canadian Border Boat Landing Program, § **2:153**
- Passports
 - Definition, § **2:65**
 - Immigrants, above
 - Nonimmigrants, above
- Puerto Rico, nonimmigrant aliens entering from Puerto Rico as exempt from passport and visa requirements by law or treaty, § **2:128**

INDEX

BORDER CROSSING DOCUMENTS

—Cont'd

- REAL ID Act of 2005, § **1:88**
- Reentry permits. Immigrants, above
- Refugees
 - Generally, § **2:82**
 - Application, issuance, denial, appeal and invalidation, § **2:84**
 - Eligibility for refugee travel documents, § **2:83**
 - Form I-131, Application for Travel Document, § **2:83, 2:84**
- Transit without passport and visas.
 - Nonimmigrants, above
- Turks and Caicos Islands, nonimmigrant British subjects residing in, § **2:115**
- Virgin Islands
 - Nonimmigrant aliens entering from Virgin Islands as exempt from passport and visa requirements by law or treaty, § **2:128**
- Visas
 - Immigrants, above
 - Nonimmigrants, above
- Visa Waiver Program (VWP). Nonimmigrants, above
- Waiver of documents required of nonimmigrants. Nonimmigrants, above

BOSNIA-HERZEGOVINA

- Refugees and asylum, § **10:209**

BRADY BILL

- Firearms, aliens' right to possess, § **16:19**

BRANCH OF PRIMARY EMPLOYER

- Intracompany transferees, § **4:509-4:599**

BREACH OF PEACE

- Inadmissibility, denial of admission or visa, § **3:19**

BREAKING AND ENTERING

- Inadmissibility, denial of admission or visa, § **3:17**

BRIBERY

- Inadmissibility, denial of admission or visa, § **3:18**
- Public official, crime of bribery of, § **17:197**
- Removal
 - Generally, § **13:32**

BRIBERY—Cont'd

- Removal—Cont'd
 - Aggravated felonies, § **13:69**

BRIEF ABSENCES

- Amnesty, temporary resident status eligibility, § **9:313**

“BRIEF, CASUAL AND INNOCENT TRIPS” BY LPRS

- “Not arriving,” individuals regarded as, § **2:5**

BRIEFS

- Board of Immigration Appeals (BIA), § **13:211**
- H-1C nonimmigrant violations, § **4:404**
- Petition for review, § **15:20**

BRING THEM HOME ALIVE ACT

- Generally, § **1:56**

BRITISH NATIONALS

- Passport and visa requirements, waiver of, § **3:205**

BRITISH SUBJECTS

- Border crossing documents, nonimmigrant British subjects residing in Turks and Caicos and Cayman Islands, § **2:115**
- Passport and visa requirements, waiver of, § **3:204**

BROADCASTING

- Media, this index

BROTHERS

- Relatives of Citizens or Permanent Residents, this index

BUNDLED INDIVIDUAL PETITIONS

- Intracompany transferees, petitions for aliens to be employed on same project, § **4:562**

BURDEN OF PROOF

- Alienage status, § **13:5, 13:192**
- Amnesty, Legal Immigration Family Equity (LIFE) Act, § **9:353**
- Declaratory judgment of U.S. nationality, action for, § **14:79**
- Denaturalization, § **14:415**
- Employment-Based Immigration, this index

BURDEN OF PROOF—Cont'd

- Equal protection rights of aliens, § **16:46**
- Expatriation, this index
- H nonimmigrants, petitions for H-2A nonimmigrants, § **4:431, 4:432**
- Illegal Entry Crimes, this index
- Illegal presence in US, § **13:5**
- Mandamus, § **15:33**
- Naturalization, this index
- Nonimmigrant Visas, this index
- Permanent Residents, this index
- Re-entry After Deportation, this index
- Refugees and Asylum, this index
- Removal, this index
- Requirements for admission of arriving aliens, § **2:24**
- Temporary visitors for business, thirty/sixty day rule, § **4:111**
- Treaty traders and investors, entitlement to status, § **4:199**

BUREAU OF CONSULAR AFFAIRS

- Department of State, this index

BUREAU OF CUSTOMS AND BORDER PROTECTION (CBP)

- CBP (Customs and Border Protection), this index

BUREAU OF IMMIGRATION AND CUSTOMS ENFORCEMENT

- ICE (Immigration and Customs Enforcement), this index

BURGLARY

- Inadmissibility, denial of admission or visa, § **3:16**
- Removal, this index

BURMA (REPUBLIC OF THE UNION OF MYANMAR)

- Importation ban on gemstones, § **1:107**

BURUNDI

- Migration and Refugee Assistance Act (MRAA), § **10:36**
- Temporary protected status (TPS), § **10:401**

BUSINESS

- Employment-Based Immigration, this index
- Employment creation alien entrepreneurs. Employment-Based

BUSINESS—Cont'd

- Immigration, this index
- Nonimmigrant visas, business related, § **4:109-4:161**
- O Nonimmigrants, this index
- Temporary Visitors for Business, this index
- TN Nonimmigrants, this index
- Trade, Business, Occupation or Profession, this index

CALIFORNIA'S PROPOSITION 187

- Aliens' rights to welfare and public benefits, § **16:85**

CAMBODIA

- POW/MIA location assistance and grants of refugee status, § **10:11**
- Refugees and Asylum, this index

CAMP COUNSELORS

- Exchange visitors and exchange visitor programs, § **5:196**

CANADA

- American Indians born in Canada
 - Generally, § **2:43, 2:127, 13:4**
 - Individuals regarded as "not arriving," § **2:8**
- Border Crossing Documents, this index
- Commercial truck drivers, temporary visitors for business, § **4:140**
- H nonimmigrants, labor certification for H-2B nonimmigrants, § **4:483, 4:484**
- Inspection and admission of arriving aliens, American Indians born in Canada
 - Border crossing documents, § **2:113**
 - Individuals regarded as "not arriving," § **2:8**
- Intracompany Transferees, this index
- Native American Tribal Card for Canadian and U.S. citizens, § **2:154**
- 1988, United States-Canada Free-Trade Agreement, § **1:14**
- Passport and visa requirements, waiver of, § **3:204**
- Permanent residents, commuters, § **9:27**
- Refugees and asylum, Canada-US safe third country agreement, § **10:175**
- Religious workers, applications for visas by Canadians, § **4:694**

INDEX

CANADA—Cont'd

- Student and exchange visitors, § 5:10
- Temporary Visitors for Business, this index
- United States-Mexico-Canada Agreement Implementation Act, § 1:146

CANAL ZONE

- Citizenship of persons born in, § 14:19, 14:20

CANCELLATION

- Termination or Cancellation, this index

CANDIDATE EVALUATION

- H nonimmigrants, credentialing organizations for nurses, § 4:356

CAPACITY

- Employment-based immigration, multinational executives and managers, § 8:11-8:20
- Intracompany transferees, managers, executives and specialized knowledge, § 4:509-4:599
- Religious workers, professional capacity, § 4:694, 4:702
- Treaty traders and investors, § 4:180, 4:189

CARIBBEAN RESIDENTS

- Border Crossing Documents, this index
- Passport and visa requirements, waiver of, § 3:205

CARIBBEAN WORKERS

- H-2A nonimmigrants, § 4:454

CARRIER

- Nonimmigrant visas, notice of revocation, § 4:50, 4:60
- Permanent residents, notice of revocation of visa, § 9:146

CASUAL ABSENCES

- Amnesty, temporary resident status eligibility, § 9:313

CAT (CONVENTION AGAINST TORTURE AND OTHER CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT)

- United Nations, this index

CAYMAN ISLANDS

- Border crossing documents, nonimmigrant British subjects residing in Cayman Island, § 2:115

CBP (CUSTOMS AND BORDER PROTECTION)

- Department of Homeland Security, § 1:206
- Officers, generally, § 2:15

CENTRAL AMERICA

- Nicaraguan Adjustment and Central American Relief Act (NACARA), this index

CERTIFICATES AND CERTIFICATION

- Amnesty, Legal Immigration Family Equity (LIFE) Act, § 9:378
- Employment-Based Immigration, this index
- Fraudulent procurement or misuse of documents relating to naturalization, citizenship or registry of aliens, § 17:176
- H Nonimmigrants, this index
- Identity, certificate of, § 2:44
- Intracompany Transferees, this index
- Naturalization, this index
- Noncitizen national status, application for certificate of, § 14:61
- Nonimmigrant Visas, this index
- O Nonimmigrants, this index
- Permanent Residents, this index
- P Nonimmigrants, this index
- Posthumous citizenship through death while on active duty during military hostilities, § 14:68
- Repatriation of women losing citizenship by marrying alien, certified oath regarding, § 14:93

CGFNS (COMMISSION ON GRADUATES OF FOREIGN NURSING SCHOOLS)

- H nonimmigrants, nurses, § 4:350-4:354

CHALLENGES OR CONTESTS

- H nonimmigrants, labor condition application for H-1B nonimmigrants, § 4:258, 4:281
- Permanent residents, rescission of status, § 9:289, 9:302

CHANCROID

Inadmissibility, denial of admission or visa, § 3:3

CHANGE

Amendment, Modification or Change, this index

Correction, this index

Name Change, this index

Status. Change of Status, this index

CHANGE OF STATUS

Adjustment of status for K-1/K-2 nonimmigrants, § 7:391

Adjustment of status for victims of trafficking, T Visa, § 6:363

Diplomatic Visas, this index

International Organization Representatives, this index

K visa, nonimmigrants ineligible for change to or from K status, § 6:292

Relatives of citizens or permanent residents, adjustment of status to permanent resident

Generally, § 7:390

Adjustment of status for K-1/K-2 nonimmigrants, § 7:391

Religious workers, § 4:708

S nonimmigrant visas, § 6:317

Student and Exchange Visitors, this index

CHARACTER

Naturalization, this index

CHARITABLE ORGANIZATIONS

Nonprofit Organizations, this index

CHARITABLE VOLUNTEERS

Temporary visitors for business, eligibility for B-1 classification, § 4:136

CHARTS

Inadmissibility, grounds of, § App 3-1

Temporary protected status (TPS), § App 10-1

CHECHNYA

Migration and Refugee Assistance Act (MRAA), § 10:36

CHECKPOINT

Crime of high speed flight from, § 17:205

CHECKS OR CHECKING

Inadmissibility, denial of admission or visa, § 3:17

Nonimmigrant Visas, this index

Permanent Residents, this index

Removal, bad check offenses, § 13:32

CHEST X-RAYS

Nonimmigrant visas, medical examination of applicants, § 4:15

Permanent residents, medical examination of applicants for immigrant visas, § 9:95, 9:106, 9:107

CHILD ABUSE

Battered Spouses and Children, this index

Removal, this index

CHILD CITIZENSHIP ACT

Generally, § 1:49

IR3 and IR4 classification, § 7:333

Out-of-wedlock children, § 14:57

CHILDREN

Abductors, inadmissibility of, § 3:118

Adam Walsh Child Protection and Safety Act, § 1:92

Adopted Children, this index

Amnesty, this index

Arriving aliens, requirements for admission, § 2:18

Asylum. Refugees and Asylum, this index

Battered Spouses and Children, this index

Border crossing documents, waiver of documentation required of immigrants for children born during mother's temporary visit abroad, § 2:80

Child Citizenship Act of 2000, § 1:49

Child Status Protection Act, § 1:67, 9:161

Citizenship, this index

Delinquency, inadmissibility, § 3:17

Derivative Status, this index

Division of Unaccompanied Children's Services, § 10:47

Due process rights of juvenile aliens, § 16:39

Employment-based immigration, minor aliens declared dependent on juve-

INDEX

CHILDREN—Cont'd

nile court, § 8:73, 8:74
Employment-Based Immigration, this index
Flores settlement, § 13:176
Foster care for unaccompanied minors, § 10:47
Health and Human Services Department authority over unaccompanied minors, § 10:41
Intracompany Transferees, this index
In utero children, asylum grants and, § 10:14, 10:15, 10:269
Juvenile Delinquency, this index
K visa nonimmigrants, waiver of criminal bar due to crimes against minors, § 6:268
Legal Immigration Family Equity Act (LIFE). Removal, this index
Mann Act violations, inadmissibility, denial of admission or visa, § 3:21
Naturalization, this index
O nonimmigrants, § 4:600, 4:601, 4:633
Parole of Aliens Into United States, this index
Permanent Residents, this index
P nonimmigrants, § 4:643-4:645
Refugees and Asylum, this index
Relatives of Citizens or Permanent Residents, this index
Religious workers, § 4:694, 4:695
Removal, this index
Spouses and children of permanent residents awaiting immigrant visa. V Nonimmigrant Visas, this index
TN nonimmigrants, § 4:711, 4:715, 4:728
Tourists, this index
Treaty Traders and Investors, this index
Unaccompanied alien children, Department of Health and Human Services, § 1:263
Unaccompanied children
Generally, § 10:41 et seq.
Detention, § 10:46
Division of Unaccompanied Children's Services, § 10:47
Foster care, § 10:47
Health and Human Services Department authority, § 10:41
Placement determinations, § 10:46

CHILDREN—Cont'd

Unaccompanied children—Cont'd
Release on own recognizance, § 10:46
V Nonimmigrant Visas, this index
Waiver of criminal bar due to crimes against minors, K visa nonimmigrants, § 6:268

CHILDREN BORN OUT OF WEDLOCK

Child Citizenship Act, § 14:57
Citizenship, this index
Inadmissibility, denial of admission or visa, § 3:21
Nationality, § 14:60
Naturalization, this index

CHILD SOLDIERS, RECRUITMENT AND USE

Alien deportation, § 1:111
Alien inadmissibility, § 1:111

CHILD SOLDIERS ACCOUNTABILITY ACT OF 2008

Generally, § 1:111

CHILD STATUS PROTECTION ACT

Generally, § 1:67
“Immediate relative,” definition of, § 7:66
Permanent residents, adjustment of status under Sec. 245, § 9:161
Second preference eligibility, spouses and unmarried sons and daughters of permanent resident aliens, § 7:75

CHILE

United States-Chile Free Trade Agreement, H-1B1 nonimmigrants, § 4:334-4:347

CHIMERA SYSTEM

Inadmissibility, denial of admission or visa, § 3:1

CHINA

Chinese Student Protection Act of 1992, § 1:20
Exclusion laws. Chinese Exclusion Laws, this index
Hmong Veterans and Spouses, this index
Hong Kong. Permanent Residents, this index

CHINA—Cont'd

- POW/MIA location assistance and grants of refugee status, § **10:11**
- Refugees and Asylum, this index
- Taiwan, this index

CHINESE EXCLUSION LAWS

- Generally, § **1:2**
- Plenary power doctrine, § **16:1**

CIRCUIT COURT JURISDICTIONS AND ADDRESSES

- Generally, § **App 1-8**

CIRCUMVENTION OF IMMIGRATION VISA PROCESS

- Permanent residents, interviews of applicants for adjustment of status under INA § 245, § **9:232**

CIRCUS PERSONNEL

- P nonimmigrants, § **4:644, 4:661, 4:672**

CITIZENS

- Relatives of Citizens or Permanent Residents, this index

CITIZENSHIP

- Generally, § **14:1 et seq.**
- Abandonment. Expatriation, this index
- Alaska, persons born in, § **14:21**
- Allegiance, duty of, § **14:3, 14:4**
- Amnesty, this index
- Armed forces service
 - Birth abroad to citizen parents, § **14:41**
 - Citizenship for Children of Military Members and Civil Servants Act, § **1:147**
 - Posthumous citizenship through death while on active duty during military hostilities, below
- Birth abroad to citizen parents
 - General principles, § **14:26-14:29**
 - Children born abroad using assisted reproductive technology, § **14:30**
 - Children born out of wedlock. Out-of-wedlock children, below this group
 - Constitutionality of conditions precedent and subsequent to grants of citizenship, § **14:28**

CITIZENSHIP—Cont'd

- Birth abroad to citizen parents—Cont'd
 - December 24, 1952, persons born on or after
 - Generally, § **14:38-14:49**
 - Armed forces, service in, § **14:41**
 - Duty to inform of citizenship retention requirements, absence of, § **14:47**
 - Estoppel as not arising from failure to inform of citizenship retention requirements, § **14:47**
 - Governmental delay in processing travel document, effect of, § **14:49**
 - Governmental misinformation, effect of, § **14:48**
 - Grants of citizenship, generally, § **14:38-14:41**
 - Ignorance of citizenship status or retention requirements, § **14:46**
 - Out-of-wedlock children, § **14:55**
 - Philippine Islands, § **14:40**
 - “Physical presence” of parents required, § **14:39-14:41**
 - Repeal of retention requirements, effect of, § **14:45**
 - Retention of citizenship, requirements for, § **14:42-14:49**
 - Travel document, effect of governmental delay in processing, § **14:49**
 - December 24, 1952, persons born prior to
 - Generally, § **14:31-14:37**
 - May 24, 1934, birth on or after, § **14:33**
 - May 24, 1934, birth prior to, § **14:31**
 - January 13, 1941, birth on or after, § **14:34-14:37, 14:54**
 - January 13, 1941, birth prior to, § **14:53**
 - Out-of-wedlock children, § **14:54**
 - Procedure for acquiring citizenship under INA § 301(h), § **14:32**
 - Estoppel as not arising from failure to inform of citizenship retention requirements, § **14:47**
 - Jus sanguinis doctrine, § **14:26**

INDEX

CITIZENSHIP—Cont'd

Birth abroad to citizen parents—Cont'd

Out-of-wedlock children

Generally, § **14:50-14:57**

Child Citizenship Act, § **14:57**

December 24, 1952, birth on or after, § **14:51, 14:55**

December 24, 1952, birth prior to, § **14:50, 14:54**

“Legitimation,” § **14:52-14:57**

Paternity, establishment of, § **14:52-14:57**

Retention of citizenship, applicability of requirements regarding, § **14:56**

Posthumous children, status of, § **14:29**

Provisions in effect at birth, status determined by, § **14:27**

Birth in U.S., citizenship by

Generally, § **14:13-14:25**

Aboriginal tribe, persons born in U.S. to member of, § **14:16**

Alaska, persons born in, § **14:21**

Canal Zone or Republic of Panama, persons born in, § **14:19, 14:20**

Danish citizenship, renunciation by persons born in Virgin Islands, § **14:24**

Foreign diplomatic personnel in U.S., children of, § **14:15**

Guam, persons born in or inhabiting, § **14:25**

Hawaii, § **14:22**

Jus soli doctrine, § **14:13-14:15**

Puerto Rico, persons born in, § **14:18**

Unknown parentage, persons of, § **14:17**

Virgin Islands, persons born in or inhabiting, § **14:23, 14:24**

Blood tests, declaratory judgment of U.S. nationality, § **14:81, 14:82**

Canal Zone or Republic of Panama, persons born in, § **14:19, 14:20**

Characteristics of nationality, generally, § **14:1-14:6**

Children

Birth abroad to citizen parents, above

Born out of wedlock

Birth abroad to citizen parents, above

CITIZENSHIP—Cont'd

Children—Cont'd

Born out of wedlock—Cont'd

Canal Zone or republic of Panama, persons born in, § **14:20**

Unknown parentage, persons of, § **14:17**

Posthumous children born abroad to citizen parents, status of, § **14:29**

Who is “child,” “parent,” “father,” or “mother,” § **14:10**

Constitutional law

Conditions precedent and subsequent to grants of citizenship, constitutionality of, § **14:28**

Sources of citizenship, § **14:7, 14:14**

Crimes and Related Conduct, this index

Danish citizenship, renunciation by persons born in Virgin Islands, § **14:24**

Death. Posthumous citizenship through death while on active duty during military hostilities, below

Determination of U.S. nationality of person abroad. Nationality, this index

Dual citizenship, effect on expatriation of, § **14:430**

Evidence

Declaratory judgment of U.S. nationality, action for, § **14:80, 14:81**

Presumptions, § **10:209, 14:2**

False claims of, § **13:111**

Father, who is, § **14:10**

Fourteenth Amendment, “citizenship” for purposes of, § **14:6**

Grants of status as “citizen” or “national”

General principles and definitions, § **14:8-14:12**

Birth abroad to citizen parents, above

Birth in U.S., citizenship by, above

Noncitizen nationality. Nationality, this index

Posthumous citizenship through death while on active duty during military hostilities, below

Guam, persons born in or inhabiting, § **14:25**

Hawaii, persons born in, § **14:22**

CITIZENSHIP—Cont'd

Homeland Security Department, status determination by, § 14:5
 INA savings clause, effect of, § 14:8
 Ineligibility for citizenship, § 14:9
 Inspection and admission of arriving noncitizens, false claims to U.S. citizenship, § 2:30
 Intracompany Transferees, this index
 Introduction, § 14:1
 Jus sanguinis doctrine, § 14:26
 Jus soli doctrine, § 14:13-14:15
 “Legitimation” of children born out-of-wedlock, § 14:52-14:57
 Loss of citizenship
 Denaturalization, this index
 Expatriation, this index
 Overview, § 14:384
 Loss of status upon independence of territory of birth, § 14:62
 Military Personnel Citizenship Processing Act of 2008, § 1:112
 Mother, who is, § 14:10
 Naturalization, this index
 Noncitizen nationality. Nationality, this index
 Nonimmigrant visas, possible claim to U.S. citizenship, § 4:4
 Panama Canal Zone or Republic of Panama, persons born in, § 14:19, 14:20
 Parents
 Birth abroad to citizen parents, above
 Unknown parentage, persons of, § 14:17
 Who is parent, § 14:10
 Paternity of children born out-of-wedlock, establishment of, § 14:52-14:57
 Permanent Residents, this index
 Posthumous children born abroad to citizen parents, status of, § 14:29
 Posthumous citizenship through death while on active duty during military hostilities
 Application, § 14:67
 Certificate of citizenship, issuance of, § 14:68
 Decision on application, § 14:68
 Definitions, § 14:65
 Eligibility, determination of, § 14:66

CITIZENSHIP—Cont'd

Posthumous citizenship through death while on active duty during military hostilities—Cont'd
 Overview, § 14:64
 Presumptions, § 10:209, 14:2
 Puerto Rico, persons born in, § 14:18
 Registration. Determination of U.S. nationality of person abroad, above
 Relatives of Citizens or Permanent Residents, this index
 Relinquishment. Expatriation, this index
 Renunciation
 American citizenship. Expatriation, this index
 Danish citizenship, renunciation by persons born in Virgin Islands, § 14:24
 Repatriation, this index
 Residence
 Birth abroad to citizen parents, § 14:35-14:37
 Deadline for child to establish residence, § 14:37
 Minor parents, meeting requirement of prior residence, § 14:36
 Parents meeting requirement of prior residence, § 14:35, 14:36
 What is a residence, § 14:11
 Retention of citizenship requirements for those born abroad to citizen parents, § 14:42-14:49
 Rights and duties of citizenship, generally, § 14:1-14:6
 Surrender of citizenship. Expatriation, this index
 Temporary visitors for business, eligibility for B-1 classification of personal/domestic employees of U.S. citizens, § 4:131
 Territories of U.S.
 Birth, citizenship by, § 14:1
 United States and its outlying possessions, what included in, § 14:12
 TN nonimmigrants, § 4:710-4:730
 U.S. Citizenship, this index
 Veterans. Armed forces service, above
 Virgin Islands, persons born in or inhabiting, § 14:23, 14:24
 Visa, ineligibility for, § 14:63

INDEX

CITIZENSHIP—Cont'd

War. Posthumous citizenship through death while on active duty during military hostilities, above

CITIZENSHIP AND IMMIGRATION SERVICES (USCIS), HOMELAND SECURITY ACT OF 2002

Generally, § 1:73

CITIZENSHIP FOR CHILDREN OF MILITARY MEMBERS AND CIVIL SERVANTS ACT

2020, § 1:147

CIVIL PENALTIES

Penalties or Sanctions, this index

CIVIL RIGHTS

Aliens' rights, generally, § 16:53-16:58

18 USCA § 242, aliens' rights under, § 16:57

Employment related rights of aliens, § 16:92-16:94

42 USCA § 1981, aliens' rights under, § 16:53

42 USCA § 1983, aliens' rights under, § 16:54

42 USCA § 1985 and 1986, aliens' rights under, § 16:55

42 USCA § 2000d, aliens' rights under, § 16:56

Japanese internees during World War II, redress for, § 16:58

CLAIMED STATUS REVIEWS

Expedited removal, § 2:244

CLASS (CONSULAR LOOKOUT AND SUPPORT SYSTEM)

Nonimmigrant Visas, this index

CLASS ACTIONS

Amnesty, this index

CLASS A OR CLASS B MEDICAL CONDITION

Nonimmigrant visas, medical examination of applicants, § 4:15

Permanent residents, medical examination of applicants for immigrant visas, § 9:95, 9:103, 9:108

CLASSIFICATION

Employment-based immigration, preference petitions, § 8:143-8:188

CLASSIFICATION—Cont'd

H nonimmigrants, § 4:209-4:506

Intracompany transferees, § 4:509-4:599

Nonimmigrant Visas, this index

O nonimmigrants, § 4:600-4:642

Permanent Residents, this index

Religious workers, § 4:694-4:709

Temporary visitors for business, § 4:65, 4:109-4:161

TN nonimmigrants, § 4:710-4:730

Treaty traders and investors, § 4:163-4:208

C NONIMMIGRANTS

C-1 nonimmigrant visas

Aliens In Transit, this index

Crew Members, this index

C-2 nonimmigrant visas

Aliens In Transit, this index

International Organization Representatives, this index

C-3 nonimmigrant visas

Aliens In Transit, this index

Diplomatic Visas, this index

Temporary visitors for business, C-2 visa alternatives, § 4:137

COASTING OFFICERS

B-1 nonimmigrants, coasting officer and crew member destined to outer continental shelf, § 6:236

Temporary visitors for business, eligibility for B-1 classification

Generally, § 4:129

Special credentials requirement, § 4:130

CODE OF FEDERAL REGULATIONS (C.F.R.)

Source of law, § 1:164

COHABITATING PARTNERS

B-2 visitors for pleasure status, § 6:248

COHABITATION

Family members as immigrants, § 7:7

COLLATERAL ATTACK

Deportation proceedings, § 9:302

Permanent residents, rescission of status, § 9:302

Re-entry after deportation, crimes relating to. Re-entry after deportation, this index

COLLATERAL ATTACK—Cont'd

Relatives of citizens or permanent residents, § 7:23

COLLATERAL ESTOPPEL

Judicial removal, § 13:458

COLLECTIVE BARGAINING UNIT MEMBERS

Employment verification, necessity of, § 12:26

COLLEGE AND UNIVERSITY STUDENTS

Student and Exchange Visitors, this index

COLONY AS BIRTHPLACE OF ALIEN

Permanent residents, numerical quotas, § 9:48

COLOR PHOTOGRAPHS

Permanent residents, applications for immigrant visas, § 9:92

COLUMBIA

Advance parole, family-based immigrants, § 2:223

COMMERCE AND TRADE

Trade and Commerce, this index

COMMERCE CLAUSE

Sources of Congressional power over immigration, § 16:1

COMMERCIAL BEEKEEPING

H-2A nonimmigrants, requests for, § 4:436

COMMERCIAL ENTERPRISE

Crimes and related conduct, established to evade immigration laws, § 17:203

Treaty investors, investment requirement, § 4:187

COMMERCIAL TRUCK DRIVERS

Temporary visitors for business, residents of Canada and Mexico, § 4:140

COMMISSION ON GRADUATES OF FOREIGN NURSING SCHOOLS (CGFNS)

H nonimmigrants, nurses, § 4:350-4:354

COMMON LAW

Jus sanguinis doctrine, § 14:26

Jus soli doctrine, § 14:13-14:15

Real Property Rights of Aliens, this index

COMMON-LAW MARRIAGES

Family members as immigrants, § 7:7

COMMUNICABLE DISEASES

Contagious or Communicable Diseases, this index

COMMUNICATIONS ACT

Trade, business, occupation, or profession, federal restrictions on noncitizen licenses, § 16:52

COMMUNIST PARTY MEMBERSHIP OR SUPPORT

Inadmissibility, this index

Naturalization, this index

Waivers of Inadmissibility, this index

COMMUTERS

Permanent residents, nonquota immigrants, § 9:27

COMPANIES OR FIRMS

Corporations, this index

Intracompany Transferees, this index

Treaty traders, § 4:171-4:180

COMPLAINTS

Declaratory judgment of U.S. nationality, action for, § 14:76

Denaturalization

Generally, § 14:409

Necessity of filing both complaint and affidavit, § 14:411

H Nonimmigrants, this index

COMPLETED PENDING

ADJUSTMENT APPLICATION

Permanent residents, eligibility for adjustment of status under INA § 245, § 9:182

COMPLIANCE OR

NONCOMPLIANCE

Asylum eligibility, compliance with UN Convention, § 10:168

Employer Sanctions and Unfair

Immigration Related Employment Practices, this index

INDEX

COMPLIANCE OR

NONCOMPLIANCE—Cont'd

- H nonimmigrants, terms and conditions of labor certification for H-2A nonimmigrants, § 4:462-4:464
- Law enforcement authority requests. Victims of Trafficking, this index
- Nonimmigrant Visas, this index
- Orphan petitions and advanced processing applications, state preadoption requirements, § 7:309

COMPROLLER GENERAL

- H-2A nonimmigrants, § 4:410

CONCEALMENT

- Denaturalization, this index
- Illegal Entry Crimes, this index
- Weapons offenses, removal, § 13:32, 13:33

CONCURRENT APPLICATIONS

- Permanent residents, eligibility for adjustment of status under INA § 245, § 9:167
- Treaty traders and investors, change of status, § 4:198

CONCURRENT PETITIONS

- Employment-Based Immigration, this index

CONDITIONS AND CONDITIONAL MATTERS

- Conditional entrants, eligibility for welfare and public benefits, § 16:59, 16:60
- Employment-based immigration, employment creation immigrants, § 8:90-8:92
- H Nonimmigrants, this index
- Nonimmigrant Visas, this index
- Permanent Residents, this index
- Permit to land temporarily. Crew Members, this index
- Relatives of Citizens or Permanent Residents, this index
- Terms and Conditions, this index

CONDUCT OF INTERVIEW

- Permanent residents, applicant for adjustment of status, § 9:230-9:232

CONDUCT OF INVESTIGATION

- H-1B nonimmigrant violations, § 4:301

CONDUCT OF MEDICAL EXAMINATION

- Permanent residents, applicants for adjustment of status under INA § 245, § 9:236

CONFERENCES

- Employer sanctions and unfair immigration related employment practices, administrative hearings, § 12:123

CONFIDENTIALITY

- Abuse victims in removal proceedings, § 7:247
- Amnesty applications, Legal Immigration Family Equity (LIFE) Act, § 9:379
- Battered spouses and children, removal, § 13:492-13:495
- Inadmissibility on grounds of unauthorized disclosure of "United States confidential business information," § 3:126
- Longshore work, administrator of Wage and Hour Division, § 6:212
- Refugees and Asylum, this index

CONGO

- Female genital mutilation, § 10:154
- Political opinion, § 10:122
- Resettlement and services to refugees after admission, § 10:36

CONGRESS

- Generally, § 1:265
- Permanent Residents, this index
- Removal, Presidential reports to Congress, § 13:3
- Sources of Congressional power over immigration, § 16:1

CONSCIENTIOUS OBJECTORS

- Refugees and asylum, § 10:130

CONSENT

- Employer sanctions and unfair immigration related employment practices, administrative hearings, § 12:124
- Fourth Amendment, this index
- H nonimmigrants, enforcement of contract obligations for H-2A nonimmigrants, § 4:423
- Orphan petitions and advanced processing applications, regulatory requirements for adoptions from non-

CONSENT—Cont'd

Hague Convention countries,
§ **7:338**

Permanent residents, reapplication for
adjustment of status under INA
§ 245, § **9:224**

Re-entry after deportation, § **17:11,**
17:12

**CONSOLIDATED APPROPRIATIONS
ACT**

2008, § **1:101**

2017, § **1:136**

2018, § **1:139**

2019, § **1:142, 1:144**

2021, § **1:150**

CONSOLIDATION

Denaturalization cases, § **14:414**

CONSPIRACY

42 USCA §§ 1985 and 1986, aliens'
rights under, § **16:55**

Inadmissibility, denial of admission or
visa, § **3:13**

Removal, drug offenses, § **13:86**

CONSTITUTIONAL LAW

Addicts, removal of, § **13:77**

Aliens, constitutional provisions
applicable only to, § **16:15**

Aliens' rights, overview of, § **16:14-**
16:18

Attachment to Constitution. Naturaliza-
tion, this index

Citizens, constitutional provisions
applicable only to, § **16:16**

Citizenship

Conditions precedent and subsequent
to grants of citizenship,
constitutionality of, § **14:28**

Sources of citizenship, § **14:7, 14:15**

Commerce Clause, § **16:1**

Counsel, aliens' rights to, § **16:18**

Crimes and Related Conduct, this index

Double jeopardy. Crimes and Related
Conduct, this index

Due Process, this index

Employment related rights of aliens,
§ **16:109-16:115**

Equal Protection, this index

Ex post facto removal legislation
Generally, § **13:8**

CONSTITUTIONAL LAW—Cont'd

Ex post facto removal legislation
—Cont'd

Moral turpitude crimes, § **13:28**

Nazi association and genocide
grounds for removals, § **13:117**

Firearms and ammunition, right of aliens
to possess, § **16:19-16:25**

First Amendment

Illegal entry crimes, § **17:61**

Rights of aliens, § **16:17**

Fourteenth Amendment, this index

Fourth Amendment, this index

Illegal Entry Crimes, this index

Indefinite detention, § **13:320**

Judicial review, § **15:2, 15:9**

Migration and Importation Clause,
§ **16:1**

Naturalization Clause, § **16:1**

Outside of U.S., aliens' rights in and,
§ **16:14**

Property rights of aliens

Inheritance or testamentary disposi-
tion, § **16:128**

Real property rights, generally,
§ **16:121**

Treaties, § **16:3**

War Power Clause, § **16:1**

**CONSTRUCTION AND
INTERPRETATION**

H nonimmigrants, labor attestations for
H-1B1 nonimmigrants, § **4:340,**
4:346

INS interpretations as source of law,
§ **1:175**

CONSTRUCTION WORKERS

Temporary visitors for business, ineligi-
bility for B-1 classification, § **4:145**

**CONSULAR LOOKOUT AND
SUPPORT SYSTEM (CLASS)**

Nonimmigrant Visas, this index

**CONSULAR NONREVIEWABILITY
DOCTRINE**

Removal, § **15:5**

**CONSULAR OFFICES AND
OFFICERS**

Contact rights of aliens subject to
removal

Generally, § **13:188**

INDEX

CONSULAR OFFICES AND OFFICERS—Cont'd

- Contact rights of aliens subject to removal—Cont'd
 - Terrorist removal proceedings, § 13:480
- Denial, revocation, and appeal of petition, § 4:707
- Department of State, this index
- Employment-Based Immigration, this index
- Evidence, submission with petition, § 4:705
- H Nonimmigrants, this index
- Intracompany transferees, § 4:555
- Nonimmigrant Visas, this index
- O nonimmigrants, § 4:600, 4:630, 4:638
- Permanent Residents, this index
- P nonimmigrants, § 4:686-4:688
- Temporary Visitors for Business, this index
- TN nonimmigrants, § 4:712, 4:714, 4:715
- Treaty traders and investors, applications, § 4:196

CONSULTANTS AND CONSULTATION

- Negative consultations from labor unions, § 4:623, 4:677
- O nonimmigrants, petition for determination of eligibility for classification, § 4:620-4:624
- P nonimmigrants, petition, § 4:669-4:677
- TN nonimmigrants, management consultants, § 4:723

CONTAGIOUS OR COMMUNICABLE DISEASES

- Continued detention on grounds of, § 13:375-13:377
- Inadmissibility, denial of admission or visa, § 3:3
- Parole for crew member suffering from dangerous, § 6:129
- Waivers of Inadmissibility, this index

CONTESTS OR CHALLENGES

- Permanent residents, rescission of status, § 9:289, 9:302

CONTIGUOUS TERRITORY OR ADJACENT ISLANDS

- Border Crossing Documents, this index
- Detention, inspection and post-inspection discretionary detention of aliens arriving from contiguous foreign territory, § 2:162

CONTINUANCES

- Employer sanctions and unfair immigration related employment practices, administrative hearings, § 12:145
- Naturalization examination, § 14:344
- Removal proceedings, § 13:169

CONTINUED DETENTION OF INADMISSIBLE

- Removal
 - application of Zadvydas to excludable aliens, § 13:321

CONTINUING APPROPRIATIONS ACT

- 2020, § 1:148

CONTINUOUS MATTERS

- Amnesty, residence and presence in U.S. in unlawful status, § 9:306-9:311
- Employment-Based Immigration, this index
- Intracompany transferees, employment, § 4:509-4:599
- Permanent Residents, this index
- Temporary visitors for business, performing work of continuing nature at fixed and permanent place of employment, § 4:144

CONTRACEPTION

- Refugees and asylum, birth control, § 10:151

CONTRACTS OR AGREEMENTS

- Definition of “contract,” § 4:646
- Free Trade Agreements, this index
- H Nonimmigrants, this index
- Nonimmigrant visas, agreements governing validity for return beyond expiration date of passport, § 4:26
- O nonimmigrants, organizations agreeing to provide advisory opinions, § 4:620-4:624
- P Nonimmigrants, this index

CONTRIBUTING TO DELINQUENCY OF MINOR

Inadmissibility, denial of admission or visa, § 3:20

CONTROL

Intracompany transferees, eligibility, § 4:531, 4:543

Treaty investors, investment requirement, § 4:190

CONVENTIONS

Convention Against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment (CAT)
United Nations, this index

Convention on the Elimination of All Forms of Racial Discrimination (CERD), § 16:3

Geneva Convention, this index

CONVICTION

Amnesty, this index

Asylum, eligibility for, § 10:183, 10:184

Denaturalization, summary procedures following conviction for obtaining naturalization unlawfully, § 14:404

Inadmissibility, this index

Naturalization, this index

Non-citizens, serious crime, § 10:183

Nonpolitical crimes, outside United States, § 10:184

Removal, this index

CONVICTION OF WEAPONS OFFENSE

Deportability of particular noncitizens, Removal, § 13:92

COOPERATION

H Nonimmigrants, this index

COORDINATED INTERAGENCY PARTNERSHIP FOR REPORTING ON INTERNATIONAL STUDENTS (CIPRIS)

Student and Exchange Visitors, this index

COPIES OR DUPLICATES

Employment-based immigration, preference petitions, § 8:158

Intracompany transferees, petitions for visas, § 4:565

COPIES OR DUPLICATES—Cont'd

Naturalization records, § 14:306

Permanent residents, duplicate visas, § 9:154

COPRODUCTION PROJECTS OF DEFENSE DEPARTMENT

H-1B nonimmigrants, § 4:221, 4:331-4:333

CORONAVIRUS

H-2B nonimmigrants, extension of stay, § 4:500

H nonimmigrants, extension, § 4:469

Suspensions, restrictions, and extensions on entry, § 2:10

CORPORATIONS

Employment-based immigration, filing preference petitions, § 8:149

H-1B nonimmigrants, § 4:250, 4:322

Intracompany transferees, § 4:509-4:599

CORRECTION

Amendment, Modification or Change, this index

Employer sanctions and unfair immigration related employment practices, corrections to record, § 12:163

H nonimmigrants, labor condition application for H-1B nonimmigrants, § 4:257

Naturalization, corrected certificate of, § 14:365

Privacy Act, request for amendment or correction of records, § 1:288

CORROBORATION

Refugees and Asylum, this index

COSTS AND EXPENSES

Equal Access to Justice Act, § 15:40

H nonimmigrants

Employer liability, § 4:477

Liability for costs of return transportation, § 4:241, 4:476

O nonimmigrants, liability for cost of return transportation, § 4:605

COUNSEL

Attorneys, this index

COUNTERFEITING

Inadmissibility, denial of admission or visa, § 3:18

INDEX

COUNTERFEITING—Cont'd

Removal, moral turpitude crimes,
§ 13:32

COUNTERVAILING EVIDENCE

H nonimmigrants, labor certification for
H-2B nonimmigrants, § 4:482,
4:492

COURIERS OF FOREIGN GOVERNMENTS

Temporary visitors for business, eligibil-
ity for B-1 classification, § 4:142

COURTS

Employment-based immigration, valid-
ity and invalidation of labor certifi-
cation, duplicate of labor certifica-
tion, § 8:141

Federal Courts, this index

Naturalization, this index

Permanent Residents, this index

COVERED OCCUPATION AND AREA

Employment-based immigration, labor
certification, § 8:170

COVID-19

H-2B nonimmigrants, extension of stay,
§ 4:500

H nonimmigrants, extension, § 4:469

Suspensions, restrictions, and extensions
on entry, § 2:10

COYOTES

Removal, this index

CREDENTIALING ORGANIZATIONS

H nonimmigrants, nurses, § 4:350-4:363

CREDIBLE FEAR DETERMINATION

Expedited Removal, this index

CREW MEMBERS

Admission and stay in U.S.

Generally, § 6:120-6:127

Admission

Otherwise excludable crew
member, admission of,
§ 6:121

Passport and crew list visa, admis-
sion based on, § 6:120

Cancellation of removal, ineligibility
for, § 6:123

Deportation on other than arrival ves-
sel or aircraft, § 6:124

CREW MEMBERS—Cont'd

Admission and stay in U.S.—Cont'd

Deserters from Spanish or Greek
ships of war, § 6:125-6:127

Extension of stay, § 6:122

Greek ships of war, deserters from,
§ 6:125-6:127

Otherwise excludable crew member,
admission of, § 6:121

Passport and crew list visa, admission
based on, § 6:120

Spanish ships of war, deserters from,
§ 6:125-6:127

Alaska exception. Longshore work,
limitation on D nonimmigrants'
performance of, below

Asylum

Generally. Refugees and Asylum, this
index

B-1 nonimmigrants

Coasting officer and crew member
destined to outer continental
shelf, § 6:236

Private yacht crew member, § 6:235

Border crossing documents, nonim-
migrant crew person on Mexican
aircraft, § 2:122

C-1 nonimmigrants

Period of visa validity, § 6:238

C-4 classification for crew performing
lightering activities, § 6:239

C-4 nonimmigrants

classification for crew performing
lightering activities, § 6:239

Cancellation of removal, ineligibility
for, § 6:123

Cease and desist orders. Longshore
work, limitation on D nonim-
migrants' performance of, below

Coasting officer and crew member
destined to outer continental shelf,
B-1 nonimmigrants, § 6:236

Conditional permit to land temporarily.
Landing, below

Crew list visa. D nonimmigrants, below

Deportation

Landing, below

On other than arrival vessel or
aircraft, § 6:124

Deserters from Spanish or Greek ships
of war, § 6:125-6:127

Detention. Landing, below

CREW MEMBERS—Cont'd

- Discharge of crew member, § 6:109
- D nonimmigrants
 - Generally, § 6:138-6:234
 - Classification
 - Generally, § 6:138
 - “Crewmembers” for D nonimmigrant purposes, who are, § 6:142, 6:143
 - Departure requirement, § 6:141
 - Dependent, § 6:145
 - Employment authorized as condition of admission, § 6:147
 - Ineligibility for change of nonimmigrant status, § 6:146
 - Nonimmigrant aliens employed on U.S. based fishing vessels, § 6:140
 - Spouses, § 6:145
 - Standing to challenge classification, § 6:144
 - U.S. based fishing vessel, nonimmigrant aliens employed on, § 6:140
 - Classification, D-3
 - performing lightering activities, § 6:139
 - Fingerprinting, not required to obtain D nonimmigrant visa, § 6:137
 - Individual visas
 - Application, § 6:149
 - Eligibility, § 6:148
 - Elimination of crew list visas, § 6:153
 - Multiple separate visas for each purpose of entry, § 6:152
 - Period of validity and admission, § 6:150
 - Restrictions on D nonimmigrant status, § 6:151
 - Longshore work, limitation on D nonimmigrants’ performance of, below
 - Enforcement of limitations. Longshore work, limitation on D nonimmigrants’ performance of, below
 - Examination upon arrival
 - Generally, § 6:101
 - “Arrival,” what constitutes, § 6:102
 - Medical examination
 - Generally, § 6:103

CREW MEMBERS—Cont'd

- Examination upon arrival—Cont'd
 - Medical examination—Cont'd
 - Hospitalization, § 6:104
- Extension of stay, § 6:122
- Forms
 - ETA 9033-A, Attestation by Employers Using Alien Crewmembers for Longshore Activities at Locations in the State of Alaska, § 6:186
- Greek ships of war, deserters from, § 6:125-6:127
- H-2B nonimmigrants, classification as temporary worker, § 6:240
- Landing
 - Generally, § 6:105-6:109
 - Application for landing privileges, § 6:105
 - Conditional permit to land temporarily
 - Generally, § 6:110
 - Departure intended, application for crew member intending to depart
 - On arrival vessel or aircraft, § 6:113
 - Other than on arrival vessel or aircraft, § 6:114
 - Refusal to grant permit, procedure upon, § 6:115
 - Replacement form, § 6:111
 - Shore leave, application by crew member admitted for shore leave, § 6:112
 - Deportation. Revocation, detention, and deportation, below this group
 - Detention
 - Pre-permission, detention until permitted to land, § 6:106
 - Revocation, detention, and deportation, below this group
 - Discharge of crew member, § 6:109
 - Overstaying, penalties for willfully overstaying conditional permit, § 6:119
 - Payoff of crew member, § 6:109
 - Penalties for willfully overstaying conditional permit, § 6:119
 - Previously issued landing permit and identification card (Form I-184)

INDEX

CREW MEMBERS—Cont'd

- Landing—Cont'd
 - valid until revoked, § **6:108**
- Procedure, § **6:107**
- Revocation, detention, and deportation
 - Generally, § **6:116**
 - Crew member being deported not entitled to hearing before immigration judge, § **6:118**
 - Procedure not applicable to crew members not departing on arrival vessel, § **6:117**
- Limitations, Longshore work, above
- Longshore work, limitation on D nonimmigrants' performance of
 - Generally, § **6:154, 6:155**
- Administrator of Wage and Hour Division. Enforcement of limitations, below
- Alaska exception
 - Generally, § **6:181-6:203**
- Department of Labor (DOL) regulations
 - Generally, § **6:182**
- Actions on attestations submitted for filing
 - Generally, § **6:195**
 - Acceptance, § **6:196**
 - Resubmission, § **6:198**
 - Unacceptable attestations, § **6:197**
- Attestations
 - Actions on attestations submitted for filing, above this group
 - Effective date of filed attestations, § **6:199**
 - First attestation element, bona fide request for dispatch of U.S. longshore workers, below this group
 - Fourth attestation element, notice of filing, below this group
 - How to submit attestations, § **6:184, 6:185**
 - Invalidation of filed attestations. Suspension or invalidation of filed attestations, below this group

CREW MEMBERS—Cont'd

- Longshore work, limitation on D nonimmigrants' performance of—Cont'd
- Alaska exception—Cont'd
- Department of Labor (DOL) regulations—Cont'd
- Attestations—Cont'd
 - Late filings, § **6:185**
 - Second attestation element, employment of U.S. longshore workers, below this group
 - Suspension or invalidation of filed attestations, below this group
 - Third attestation element, lack of intention or design to influence bargaining representative election, § **6:192**
 - Validity of filed attestations, § **6:199**
 - When to submit attestations, § **6:184, 6:185**
 - Where to submit attestations, § **6:184, 6:185**
 - Who may submit, § **6:183**
 - Withdrawal of accepted attestations, § **6:203**
- Effective date of filed attestations, § **6:199**
- First attestation element, bona fide request for dispatch of U.S. longshore workers
 - Generally, § **6:188**
 - Documentation, § **6:189**
- Form ETA 9033-A, Attestation by Employers Using Alien Crewmembers for Longshore Activities at Locations in the State of Alaska, § **6:186**
- Fourth attestation element, notice of filing
 - Generally, § **6:193**
 - Documentation, § **6:194**
- How to submit attestations, § **6:184, 6:185**
- Invalidation of filed attestations, § **6:200-6:202**
- Invalidation of filed attestations. Suspension or invalidation

CREW MEMBERS—Cont'd

- Longshore work, limitation on D nonimmigrants' performance of—Cont'd
- Alaska exception—Cont'd
 - Department of Labor (DOL) regulations—Cont'd
 - of filed attestations, below this group
 - Late filings, attestations, § 6:185
 - Second attestation element, employment of U.S. longshore workers
 - Generally, § 6:190
 - Documentation, § 6:191
 - Suspension of filed attestations, § 6:200-6:202
 - Suspension or invalidation of filed attestations
 - Generally, § 6:200
 - ETA action, result of, § 6:202
 - Wage and Hour Division action, result of, § 6:201
 - Third attestation element, lack of intention or design to influence bargaining representative election, § 6:192
 - Validity of filed attestations, § 6:199
 - What should be submitted, § 6:187
 - When to submit attestations, § 6:184, 6:185
 - Where to submit attestations, § 6:184, 6:185
 - Who may submit attestations, § 6:183
 - Withdrawal of accepted attestations, § 6:203
 - Form ETA 9033-A, Attestation by Employers Using Alien Crewmembers for Longshore Activities at Locations in the State of Alaska, § 6:186
 - INA provisions, § 6:181
 - Legislation, § 6:181
 - Arrival at port of entry, action upon, § 6:155
 - Cease and desist orders. Enforcement of limitations, below this group
 - Complaints. Enforcement of limitations, below this group

CREW MEMBERS—Cont'd

- Longshore work, limitation on D nonimmigrants' performance of—Cont'd
- Enforcement of limitations
 - Administrator of Wage and Hour Division
 - Complaints, below this group
 - Findings and effect
 - Generally, § 6:229
 - Fine, amount of, § 6:230
 - Suspension or invalidation of attestation, § 6:231
 - Fine, amount of, § 6:230
 - Hearing before administrative law judge on administrator's determination, below this group
 - Suspension or invalidation of attestation, § 6:231
 - Cease and desist orders
 - Attestation-required cases
 - Generally, § 6:216
 - Consideration of and action on request, § 6:221
 - Effect of order, § 6:222
 - Meeting to present views, request for, § 6:220
 - Notice, § 6:218
 - Request, form and content, § 6:217
 - Response to request, form and content, § 6:219
 - Service of order, § 6:222
 - Automated vessel exception, attestation not required
 - Generally, § 6:223
 - Consideration of and action on request, § 6:227
 - Duration of order, § 6:227
 - Meeting to present views, request for, § 6:226
 - Request, form and content, § 6:224, 6:225
 - Response to request, form and content, § 6:225
 - Service of order, § 6:228
 - Consideration of and action on request
 - Attestation-required cases, § 6:221

INDEX

CREW MEMBERS—Cont'd

- Longshore work, limitation on D nonimmigrants' performance of—Cont'd
- Enforcement of limitations—Cont'd
- Cease and desist orders—Cont'd
- Consideration of and action on request—Cont'd
 - Automated vessel exception, attestation not required, § 6:227
- Meeting to present views, request for
 - Attestation-required cases, § 6:220
 - Automated vessel exception, attestation not required, § 6:226
- Request, form and content
 - Attestation-required cases, § 6:217
 - Automated vessel exception, attestation not required, § 6:224, 6:225
- Response to request, form and content
 - Attestation-required cases, § 6:219
 - Automated vessel exception, attestation not required, § 6:225
- Service of order
 - Attestation-required cases, § 6:222
 - Automated vessel exception, attestation not required, § 6:228
- Complaints
 - Administrator of Wage and Hour Division
 - Confidentiality, duty to protect, § 6:212
 - Investigative authority, generally, § 6:208-6:211
 - Employer's duties and obligations
 - Cooperation, § 6:213
 - Interference prohibited, § 6:214
 - Retaliation prohibited, § 6:215
 - Form and content of complaint, § 6:207
 - INA provisions, § 6:205

CREW MEMBERS—Cont'd

- Longshore work, limitation on D nonimmigrants' performance of—Cont'd
- Enforcement of limitations—Cont'd
- Complaints—Cont'd
 - Investigative authority, generally, § 6:208-6:211
 - Wage and Hour Division
 - Administrator of Wage and Hour Division, above this group
 - Responsibilities, § 6:205
 - Where to file complaint, § 6:207
 - Who may file complaint, § 6:206
 - Employer's duties and obligations.
 - Complaints, above this group
 - Hearing before administrative law judge on administrator's determination
 - Decision, § 6:234
 - Request for hearing, § 6:232, 6:233
 - Investigative authority, generally, § 6:208-6:211
 - Wage and Hour Division
 - Administrator of Wage and Hour Division, above this group
 - Complaints, above this group
- Forms
 - ETA 9033-A, Attestation by Employers Using Alien Crewmembers for Longshore Activities at Locations in the State of Alaska, § 6:186
- Hazardous cargo exception, § 6:156
- Limitations. Enforcement of limitations, above this group
- Orders. Enforcement of limitations, above this group
- Prevailing practice exception
 - Generally, § 6:157
 - Acceptance or rejection of attestation, § 6:162
 - Affidavit of stevedore or union representative, § 6:160
- Attestation
 - Automated vessels, special provisions, below this group
 - First attestation element, below this group
 - General attestation requirements, below this group

CREW MEMBERS—Cont'd

- Longshore work, limitation on D nonimmigrants' performance of—Cont'd
- Prevailing practice exception—Cont'd
- Attestation—Cont'd
 - Second attestation element, below this group
 - Third attestation element, below this group
- Automated vessels, special provisions
 - Generally, § 6:172
 - Alaska longshore activities, applicability of automated vessels provisions, § 6:180
 - Circumstances requiring attestation, § 6:174
 - Complaints, § 6:179
 - Documentation, § 6:178
 - First attestation element, § 6:176
 - Procedure when attestation required, § 6:175
 - Rebuttable presumption of prevailing practice, § 6:173
- Emergency, unanticipated, § 6:158
- First attestation element
 - Generally, § 6:164
 - Automated vessels, special provisions, § 6:176
 - Non-reciprocity determination by Secretary of State, practice after, § 6:165, 6:177
- General attestation requirements
 - Generally, § 6:159
 - Acceptance or rejection of attestation, § 6:162
 - Affidavit of stevedore or union representative, § 6:160
 - Validity period of attestation, § 6:161
 - Withdrawal of attestation, § 6:163
- Non-reciprocity determination by Secretary of State, practice after, § 6:165
- No strike or lockout, or intention or design to influence bargaining representative election, § 6:166

CREW MEMBERS—Cont'd

- Longshore work, limitation on D nonimmigrants' performance of—Cont'd
- Prevailing practice exception—Cont'd
- Rejection or acceptance of attestation, § 6:162
- Second attestation element
 - Documentation, § 6:167
 - No strike or lockout, or intention or design to influence bargaining representative election, § 6:166
- Third attestation element
 - Documentation, § 6:171
 - Notice of filing, § 6:168
 - Notification of bargaining representative, § 6:169
 - Posting notice where no bargaining representative, § 6:170
- Validity period of attestation, § 6:161
- Withdrawal of attestation, § 6:163
- Reciprocity exception, § 6:204
- Wage and Hour Division. Enforcement of limitations, above this group
- Medical examination. Examination upon arrival, above
- Nonimmigrant visas, alien crew members
 - Generally, § 6:97-6:240
 - Admission and stay in U.S., above
 - Deportation expenses, nonliability for, § 6:100
 - Detention expenses, nonliability for, § 6:100
 - D nonimmigrants, above
 - Examination upon arrival, above
 - Inspection expenses, nonliability for, § 6:100
 - Landing, above
 - Medical examination. Examination upon arrival, above
 - Medical expenses, nonliability for, § 6:100
 - Nonliability for inspection, detention, medical, removal, or deportation expenses, § 6:100
- Not crewmen, § 6:98
- Parole of Aliens Into United States, this index

INDEX

CREW MEMBERS—Cont'd

- Nonimmigrant visas, alien crew members—Cont'd
 - Removal expenses, nonliability for, § 6:100
 - Social Security, alien crew member's work not covered, § 6:99
 - Stay. Admission and stay in U.S., above
- Orders. Longshore work, limitation on D nonimmigrants' performance of, below
- Otherwise excludable crew member, admission of, § 6:121
- Overstaying, penalties for willfully overstaying conditional permit, § 6:119
- Parole of Aliens Into United States, this index
- Passenger, crew member traveling to United States as passenger to join vessel or aircraft as C-1 nonimmigrant, § 6:237
- Passport and crew list visa, admission based on, § 6:120
- Payoff of crew member, § 6:109
- Penalties for willfully overstaying conditional permit, § 6:119
- Permanent residents, eligibility for adjustment of status under INA § 245, § 9:193
- Previously issued landing permit and identification card (Form I-184) valid until revoked, § 6:108
- Private yacht crew member, B-1 nonimmigrants, § 6:235
- Refugees and Asylum, this index
- Refusal, conditional permit to land temporarily, § 6:115
- Removal
 - Inadmissibility, § 13:11
 - Removal responsibilities, § 13:428
- Revocation, detention, and deportation. Landing, above
- Spanish ships of war, deserters from, § 6:125-6:127
- Stay. Admission and stay in U.S., above
- Temporary visitors for business, eligibility for B-1 classification, § 4:128
 - Generally, § 4:129
 - Special credentials requirement, § 4:130

CRIMES AND RELATED CONDUCT

- Generally, § 17:1 et seq.
- Adam Walsh Child Protection and Safety Act, § 1:92
- Admissions, this index
- Aiding and abetting
 - Illegal Entry Crimes, this index
 - Registration, § 17:105
- Alien registration, Registration, this index
- Alien registry. Fraud or false statements in naturalization, citizenship or alien registry proceedings, below
- Alien witnesses with information regarding crimes or terrorism. S Nonimmigrant Visas, this index
- Amnesty, this index
- Arrest, this index
- Assault of customs or immigration officer, § 17:196
- Bribery of public official, § 17:197
- Checkpoint, high speed flight from, § 17:205
- Citizenship
 - False claim of citizenship or nationality
 - Generally, § 17:185-17:195
 - Admissions, § 17:192
 - Appeal, § 17:195
 - Burden of proof, § 17:188
 - Confessions, § 17:192
 - Corroboration, § 17:193
 - Evidence, § 17:190-17:193
 - Indictment, § 17:189
 - Miranda warnings, § 17:192
 - Overview, § 17:185
 - Private person, making of false claim to, § 17:187
 - Public officer, making of false claim to, § 17:187
 - Representation of citizenship status, what constitutes, § 17:186
 - Sentencing, § 17:194
 - False denial of citizenship, § 17:184
 - Fraud or false statements in naturalization, citizenship or alien registry proceedings, below
 - Misrepresentation of citizen status, § 17:184-17:195

CRIMES AND RELATED CONDUCT
—Cont'd

City and town enforcement of immigration laws, § **17:230-17:233**

Commercial enterprise established to evade immigration laws, § **17:203**

Confessions, false claim of citizenship or nationality, § **17:192**

Constitutional law

- Double jeopardy, above
- Illegal Entry Crimes, this index
- Re-entry after deportation, § **17:10**

Conviction, this index

Criminal alien identification, 1997 legislation, § **1:38**

Customs officer, assault of or interference with, § **17:196**

Depart, willful failure by alien subject to deportation to, § **17:101-17:104**

Deportation, willful failure to depart by alien subject to, § **17:101-17:104**

Detainers

- Notification of HIV positive inmates released to immigration detainer, § **17:228**
- Procedure, § **17:227**
- Suspicion of illegal entry or presence, § **17:26**

Distribution of explosives, § **17:200**

Double jeopardy

- Fraud or false statements in naturalization, citizenship or alien registry proceedings, § **17:162**
- Fraudulent procurement or misuse of documents relating to naturalization, citizenship or registry of aliens, § **17:181**
- Illegal entry crimes, § **17:67**
- Smuggling and harboring aliens, § **17:67**

Election, voting in federal, § **17:206**

Employer sanctions and unfair immigration related employment practices, § **12:75**

Evidence

- False claim of citizenship or nationality, § **17:190-17:193**
- Fraud and misuse of visas, permits and other documents, § **17:146**
- Fraud or false statements in naturalization, citizenship or

CRIMES AND RELATED CONDUCT
—Cont'd

Evidence—Cont'd

- alien registry proceedings, § **17:163**
- Fraudulent procurement or misuse of documents relating to naturalization, citizenship or registry of aliens, § **17:171, 17:182**
- Illegal Entry Crimes, this index
- Passport related crimes, § **17:120**

Explosives, § **17:200**

Falsity

- Citizenship, above
- Entry document, false statements in application for, § **17:135-17:137**
- Evidence, above
- Fraud or false statements in naturalization, citizenship or alien registry proceedings, § **17:150-17:165**
- Fraud or false statements in naturalization, citizenship or alien registry proceedings, below
- Passports, this index

Firearms offenses, § **17:198, 17:199**

Flight at high speed from checkpoint, § **17:205**

Forgery

- Fraud and misuse of visas, permits and other documents, § **17:131**
- Fraudulent procurement or misuse of documents relating to naturalization, citizenship or registry of aliens, § **17:173, 17:174**
- Passports, § **17:122**

Former jeopardy. Double jeopardy, above

Fraud and misuse of visas, permits and other documents

- Generally, § **17:129-17:149**
- Actions covered, § **17:130**
- Adjustment of status, misrepresentation of material facts to gain, § **17:138-17:143**
- Admission, misrepresentation of material facts to gain, § **17:138-17:143**
- Aiding or abetting, § **17:142**
- Assumed name, § **17:133**
- Coverage, § **17:130**

CRIMES AND RELATED CONDUCT**—Cont'd**

- Fraud and misuse of visas, permits and other documents—Cont'd
 - Deceased person, appearing in name of, § 17:133
 - Defenses and elements of offenses, § 17:129-17:143
 - Discovery, § 17:145
 - Elements of offenses and defenses, § 17:129-17:143
 - Entry document
 - False statements in application for, § 17:135-17:137
 - Sale of, § 17:134
 - Evidence, § 17:146
 - “Exculpatory no” defense, § 17:143
 - Fictitious name, § 17:133
 - Forgery, § 17:131
 - Fraudulently obtained document, use of, § 17:131
 - Impersonation, § 17:133
 - Indictment, § 17:144
 - Marriage, sham, § 17:137
 - Material facts to gain admission or adjustment of status, misrepresentation of, § 17:138-17:143
 - Misrepresentation of material facts to gain admission or adjustment of status, § 17:138-17:143
 - Name, § 17:133
 - Overview, § 17:129
 - Prosecution, § 17:144-17:149
 - Sale of entry document, § 17:134
 - Sentencing, § 17:148, 17:149
 - Sham marriage, § 17:137
 - Visa plate or paper, possession or sale of, § 17:132
 - Witnesses, § 17:147
- Fraud or false statements in naturalization, citizenship or alien registry proceedings
 - Generally, § 17:150-17:165
 - Acknowledgment of execution, false, § 17:153
 - Defenses and elements of offenses, § 17:150-17:159
 - Double jeopardy, § 17:162
 - Elements of offenses and defenses, § 17:150-17:159
 - Evidence, § 17:163

CRIMES AND RELATED CONDUCT**—Cont'd**

- Fraud or false statements in naturalization, citizenship or alien registry proceedings—Cont'd
 - Execution, false acknowledgment of, § 17:153
 - False statements, making of, § 17:151, 17:152
 - Fees, excessive, § 17:158
 - Foreign convictions, record of, § 17:164
 - Impersonation, § 17:154
 - Influencing immigration proceedings, § 17:159
 - Limitation of actions, § 17:160
 - Material fact, false statements regarding, § 17:152
 - Obstructing immigration proceedings, § 17:159
 - Overview of offenses, § 17:150
 - Procurement of naturalization or citizenship unlawfully, § 17:155, 17:156
 - Prosecution, § 17:160-17:165
 - Record of foreign convictions, § 17:164
 - Res judicata, § 17:162
 - Sentencing, § 17:165
 - Statute of limitations, § 17:160
 - Subpoena, disobedience of, § 17:157
 - Venue, § 17:161
- Fraudulent procurement or misuse of documents relating to naturalization, citizenship or registry of aliens
 - Generally, § 17:166-17:183
 - Canceled certification, failure to surrender, § 17:176
 - Counterfeiting, § 17:173, 17:174
 - Defenses and elements of offenses, § 17:166-17:176
 - Documents included in offenses, § 17:167, 17:168
 - Double jeopardy, § 17:181
 - Elements of offenses and defenses, § 17:166-17:176
 - Evidence, § 17:182
 - Evidence of citizenship or naturalization, misuse of, § 17:171
 - Forgery, § 17:173, 17:174

CRIMES AND RELATED CONDUCT
—Cont'd

- Fraudulent procurement or misuse of documents relating to naturalization, citizenship or registry of aliens—Cont'd
 - Former jeopardy, § 17:181
 - Indictment, § 17:179
 - Limitation of actions, § 17:178
 - Miranda warnings, § 17:177
 - Overview, § 17:166
 - Procurement of documents unlawfully, § 17:169
 - Prosecution, § 17:177-17:183
 - Reproduction of papers without authorization, § 17:172-17:174
 - Sale of papers, § 17:174, 17:175
 - Sentencing, § 17:183
 - Social Security cards included in offenses, § 17:168
 - Statute of limitations, § 17:178
 - Surrender of canceled certification, § 17:176
 - Use of fraudulently obtained documents, § 17:170
 - Venue, § 17:180
- Government officials' crimes
 - Account, failure to render, § 17:208
 - Alternative imprisonment maximum for certain offenses, § 17:211
 - Passport issuance, unauthorized, § 17:209
 - Permit issuance, unauthorized, § 17:210
 - Visa issuance, unauthorized, § 17:210
- Harboring aliens. Illegal Entry Crimes, this index
- Hostage taking, § 17:207
- Illegal Entry Crimes, this index
- Immigration officer, assault of or interference with, § 17:196
- Immoral purposes, importing and keeping aliens for. Illegal Entry Crimes, this index
- Impersonation
 - Fraud and misuse of visas, permits and other documents, § 17:133
 - Fraud or false statements in naturalization, citizenship or alien registry proceedings, § 17:154

CRIMES AND RELATED CONDUCT
—Cont'd

- Importation of explosives, § 17:200
- Inadmissibility, this index
- Indictments, this index
- Intent or intention
 - Passports, § 17:120
 - Re-entry after deportation, § 17:27, 17:28
- Interference with customs or immigration officer, § 17:196
- Joinder of counts and offenses, § 17:34, 17:66
- Judicial review, § 15:10
- Jurisdiction
 - Illegal entry crimes, this index
 - Procedure, § 17:212
- Juvenile Delinquency, this index
- Limitation of actions
 - Fraud or false statements in naturalization, citizenship or alien registry proceedings, § 17:160
 - Fraudulent procurement or misuse of documents relating to naturalization, citizenship or registry of aliens, § 17:178
 - Illegal entry crimes, § 17:29
 - Passports, § 17:124
- Local enforcement of immigration laws, § 17:230-17:233
- Manufacture of explosives, § 17:200
- Marriage fraud, § 17:137, 17:204
- Miranda warnings
 - Generally, § 13:122
 - Border interrogations, § 2:26
 - False claim of citizenship or nationality, § 17:192
 - Fraudulent procurement or misuse of documents relating to naturalization, citizenship or registry of aliens, § 17:177
- Moral turpitude. Inadmissibility, this index
- Municipal enforcement of immigration laws, § 17:230-17:233
- Naturalization
 - Background check, § 14:330
 - Conviction of aggravated felony, good moral character requirement as affected by, § 14:155

CRIMES AND RELATED CONDUCT**—Cont'd**

- Naturalization—Cont'd
 - Denaturalization, § 14:385, 14:404
 - Fraud or false statements in naturalization, citizenship or alien registry proceedings, above
 - Summary procedures following conviction for obtaining naturalization unlawfully, § 14:404
- 1997 criminal alien identification legislation, § 1:38
- Notice, registration violations, § 17:108
- Passports
 - Generally, § 17:114-17:128
 - Assumed name, use of, § 17:119
 - Corroboration as to falsity, § 17:118
 - Discovery, § 17:126
 - False statement to obtain passport, § 17:115
 - Falsity, proof of, § 17:117, 17:118
 - Forgery or false use of passport, § 17:122
 - Indictment, § 17:125
 - Intent, proof of, § 17:120
 - Misuse of passport, § 17:123
 - Nature of offenses, § 17:114-17:123
 - Procedural matters, § 17:124-17:128
 - Sentencing and alternative imprisonment, § 17:128
 - Statute of limitations, § 17:124
 - Tax information, failure to provide, § 17:121
 - Using passport obtained by false statement, § 17:116
- Perjury
 - Before consular officer, § 17:113
 - In immigration proceedings, § 17:111
- Permanent Residents, this index
- Plea, advising accused of consequence of, § 17:216, 17:217
- Procedure
 - Generally, § 17:212-17:229
 - Agreement promising favorable treatment by DHS, § 17:216, 17:217
 - Agreements promising aliens favorable treatment by DHS, § 17:218
 - Arraignment, § 17:213
 - Attorney for accused, § 17:215

CRIMES AND RELATED CONDUCT**—Cont'd**

- Procedure—Cont'd
 - Bail, pretrial detention without, § 17:214
- Deportation
 - Advising accused of consequence of plea, § 17:216, 17:217
 - Condition of supervised release or probation, § 17:225
 - Expeditious deportation, § 17:226
 - Stipulated judicial order of, § 17:224
- Detainers, § 17:227
- Detention pretrial without bail, § 17:214
- Downward sentence departure, § 17:219
- Guilty plea, advising accused of consequences of, § 17:216, 17:217
- Habeas corpus, § 17:221
- Illegal immigration status
 - Reference to, § 17:220
 - Sentence, effect on, § 17:229
- Jurisdiction, § 17:212
- Nolo contendere plea, advising accused of consequences of, § 17:216, 17:217
- Notification of HIV positive inmates released to immigration detainer, § 17:228
- Plea bargaining, § 17:216, 17:217
- Reference to illegal immigration status, effect of, § 17:220
- Representation of accused, § 17:215
- Sentencing, § 17:223, 17:229
- Stipulated judicial order of deportation, § 17:224
- Venue, § 17:212
- Public official, bribery of, § 17:197
- Refugees and Asylum, this index
- Registration, this index
- Removal, this index
- Res judicata, § 17:162
- Sec. 287(g) agreements, state and local enforcement of immigration laws, § 17:232
- Sentencing
 - Depart, willful failure to, § 17:104
 - Deportation, § 17:104

CRIMES AND RELATED CONDUCT

—Cont'd

- Sentencing—Cont'd
 - False claim of citizenship or nationality, § **17:194**
 - Fraud and misuse of visas, permits and other documents, § **17:148, 17:150**
 - Fraud or false statements in naturalization, citizenship or alien registry proceedings, § **17:165**
 - Fraudulent procurement or misuse of documents relating to naturalization, citizenship or registry of aliens, § **17:183**
 - Illegal Entry Crimes, this index
 - Passports, § **17:127**
 - Procedure, § **17:223, 17:229**
 - Re-entry after deportation, § **17:9**
 - Smuggling and harboring aliens. Illegal Entry Crimes, this index
 - Special removal of criminal aliens. Removal, this index
 - State enforcement of immigration laws, § **17:230-17:233**
 - Statute of limitations
 - Fraud or false statements in naturalization, citizenship or alien registry proceedings, § **17:160**
 - Fraudulent procurement or misuse of documents relating to naturalization, citizenship or registry of aliens, § **17:178**
 - Illegal entry crimes, § **17:29**
 - Passports, § **17:124**
 - Storage of explosives, § **17:200**
 - Subpoenas, § **17:157**
 - Tax information, failure to provide, § **17:202**
 - Time or date
 - Deportation and timely application for travel documents, § **17:103**
 - Illegal entry crimes, § **17:33**
 - Transporting as offense
 - Removal, aggravated felony for purposes of, § **13:73**
 - Stolen goods, inadmissibility, denial of admission or visa, § **3:16**
 - Treason, § **17:201**

CRIMES AND RELATED CONDUCT

—Cont'd

- Venue
 - Fraud or false statements in naturalization, citizenship or alien registry proceedings, § **17:161**
 - Fraudulent procurement or misuse of documents relating to naturalization, citizenship or registry of aliens, § **17:180**
 - Illegal Entry Crimes, this index
 - Procedure, § **17:212**
 - Voting in federal election, § **17:206**
 - Waivers of Inadmissibility, this index
 - Witnesses
 - Alien witnesses with information regarding crimes or terrorism. S Nonimmigrant Visas, this index
 - Fraud and misuse of visas, permits and other documents, § **17:147**
 - Illegal entry crimes, § **17:38, 17:78-17:80**
- CRIMINAL ALIENS**
 - Criminal grounds
 - Identification of noncitizens convicted persons, § **13:140**
 - Detention
 - Generally, § **13:130**
- CRUELTY**
 - Welfare and public benefits, substantial connection between cruelty and need for, § **16:60, 16:61**
- CUBA**
 - Cuban Liberty and Democratic Solidarity (Libertad) Act of 1996. Inadmissibility, this index
 - Inadmissibility, this index
 - Parole of Aliens Into United States, this index
 - Presidential declaration of refugee status, § **10:6**
 - Refugees and Asylum, this index
 - Removal, this index
 - Repatriation agreement, § **10:6**
 - Welfare and public benefits, eligibility of Cuban entrants for, § **16:59, 16:60**

INDEX

CUBAN ADJUSTMENT ACT

Refugees and Asylum, this index

CUBAN LIBERTY AND DEMOCRATIC SOLIDARITY (LIBERTAD) ACT OF 1996

Inadmissibility, this index

CULTURAL EXCHANGES

Student and Exchange Visitors, this index

CULTURALLY UNIQUE PROGRAM PARTICIPANTS

P nonimmigrants, § 4:643 et seq.,
4:666, 4:667, 4:674

CURTESY

Property rights of aliens, § 16:130

CUSTODIANS

Orphan petitions and advanced processing applications, regulatory requirements for adoptions from non-Hague Convention countries, § 7:338

Permanent residents, rescission of status, § 9:290

CUSTODY

Detention and Warrantless Interrogation, Arrest, Search and Custody of Arriving Aliens, this index

CUSTODY DETERMINATIONS

Detention
Noncitizens representative, § 13:329
Showing by noncitizen, § 13:327

CUSTODY REVIEW PROCEDURES

Notice to noncitizen, of pending records review, § 13:338

CUSTOMARY DIVORCE

Family members as immigrants, § 7:24

CUSTOMARY INTERNATIONAL LAW

Aliens' rights, generally, § 16:3
Sources of Law, this index

CUSTOMARY MARRIAGE

Domestic recognition of foreign marriage, § 7:14

CUSTOM COMBINE OWNER/OPERATORS

H-2A nonimmigrants, § 4:453

CUSTOMS AND BORDER PROTECTION (CBP)

CBP (Customs and Border Protection), this index

CUSTOMS VIOLATIONS

Inadmissibility, denial of admission or visa, § 3:19

DAMAGING PRIVATE PROPERTY

Inadmissibility, denial of admission or visa, § 3:17

DANGEROUS ALIENS

Removal, § 13:20

DAUGHTERS

Derivative definition, § 7:28

DEATH

Citizenship, this index

DEBARMENT

Employer sanctions and unfair immigration related employment practices, § 12:76

H-1C nonimmigrant violations, § 4:407

DECISIONS

Adjudications, this index

Administrative decisions. Sources of Law, this index

Advisory Opinions, this index

Amnesty, this index

Board of Immigration Appeals (BIA), this index

Determinations and Decisions, this index

Employer Sanctions and Unfair Immigration Related Employment Practices, this index

Employment-Based Immigration, this index

Naturalization, this index

Permanent Residents, this index

DECLARATION OF INTENTION

Naturalization, § 14:307

DECLARATORY JUDGMENT

Nationality, this index

**DEDICATED COMMUTER LANE
(DCL)**

Inspection and admission of arriving
aliens, § 2:48, 2:58

DEDUCTIONS

H nonimmigrants, labor condition
application for H-1B nonim-
migrants, § 4:278

DEFAULT

Permanent residents, rescission of status,
§ 9:289

DEFAULT JUDGMENT

Denaturalization, § 14:421
Employer sanctions and unfair immigra-
tion related employment practices,
administrative hearings, § 12:118

**DEFENSE AUTHORIZATION ACT
FOR FISCAL YEAR 2008**

Generally, § 1:105
National Defense Authorization Act for
Fiscal Year 2008, § 1:102

DEFENSE DEPARTMENT

H-1B nonimmigrants, visas for coopera-
tive research, development and
coproduction, § 4:221, 4:331-4:333

DEFENSES

Employer sanctions and unfair immigra-
tion related employment practices,
§ 12:60
Expedited Removal, this index
Permanent residents, this index

DEFERRED INSPECTION

Generally, § 2:47
Parole of Aliens Into United States, this
index

DEFINITIONS

Words and Phrases, this index

DEGREES (EDUCATION)

Employment-Based Immigration, this
index

DELAYS IN FILING APPLICATIONS

Nonimmigrant visas, automatic exten-
sion of stay for aliens disabled as
result of 9/11/01 terrorist activity,
§ 4:77

DELIVERY

Permanent Residents, this index

DENATURALIZATION

Affidavit
Generally, § 14:410
Necessity of filing both complaint and
affidavit, § 14:411
Answer, § 14:412
Appeal from judgment, § 14:423
Burden of proof, § 14:415
Cancellation of naturalization certificate,
§ 14:427
Challenges to denaturalization, § 14:424
Collateral attack on, § 14:424
Complaint
Generally, § 14:409
Necessity of filing both complaint and
affidavit, § 14:411
Concealment. Willful misrepresentation
or concealment of material facts,
below
Consolidation of cases, § 14:414
Default judgment, § 14:421
Derivative citizenship, effect on persons
in claiming, § 14:426
Derogatory information received after
grant of naturalization, § 14:320
Discovery, § 14:417
Effect of denaturalization
Generally, § 14:425
Cancellation of naturalization certifi-
cate, § 14:427
Derivative citizenship, effect on
persons in claiming, § 14:426
Estoppel, § 14:418
Evidence
Generally, § 14:416
Burden of proof, § 14:415
Fraudulent oath of renunciation and alle-
giance, § 14:398
Good moral character, Nazi activities
indicating lack of, § 14:396
Governing law, § 14:385
Grounds for, and circumstances warrant-
ing, denaturalization
Generally, § 14:385-14:399
Derogatory information received after
grant of naturalization, § 14:320
Governing law, § 14:385

INDEX

DENATURALIZATION—Cont'd

- Grounds for, and circumstances warranting, denaturalization—Cont'd
 - Illegal procurement of naturalization
 - Generally, § 14:397
 - Fraudulent oath of renunciation and allegiance, § 14:398
 - lack of good moral character, § 14:400
 - Military discharge under other than honorable conditions, § 14:399
 - Nazi activities, below
 - Willful misrepresentation or concealment of material facts, below
- Illegal procurement of naturalization
 - Generally, § 14:397
 - Fraudulent oath of renunciation and allegiance, § 14:398
- Inquiries and investigations, § 14:401, 14:402
- Intervention, § 14:413
- Judgment
 - Generally, § 14:420
 - Appeal from judgment, § 14:423
 - Default judgment, § 14:421
 - Summary judgment, § 14:422
- Judicial proceedings
 - Generally, § 14:403-14:424
 - Judgment, above
 - Summary procedures following conviction for obtaining naturalization unlawfully, § 14:404
- Jurisdiction, § 14:405
- Lack of good moral character, § 14:400
- Military discharge under other than honorable conditions, § 14:399
- Misrepresentation. Willful misrepresentation or concealment of material facts, below
- Nazi activities
 - Generally, § 14:392-14:396
 - Good moral character, lack of, § 14:396
 - Visa under Displaced Persons Act, ineligibility for, § 14:393-14:395
- Notice, § 14:408
- Practice and procedure
 - Challenges to denaturalization, § 14:424, 14:427

DENATURALIZATION—Cont'd

- Practice and procedure—Cont'd
 - Inquiries and investigations, § 14:401, 14:402
 - Judicial proceedings, above
 - Subpoenas, § 14:402
- Private action not permitted, § 14:406
- Removal, § 13:6
- Reopening vs. denaturalization, § 14:368
- Res judicata, § 14:418
- Stay of proceedings, § 14:429
- Summary judgment, § 14:422
- Summary procedures following conviction for obtaining naturalization unlawfully, § 14:404
- Time to commence action, § 14:407
- U.S. attorney, commencement of action by, § 14:406
- Venue, § 14:405
- Visa under Displaced Persons Act, ineligibility for, § 14:393-14:395
- When to commence action, § 14:407
- Who may commence action, § 14:406
- Willful misrepresentation or concealment of material facts
 - Generally, § 14:386-14:391
 - Adjustment of status, ineligibility for, § 13:447, 14:390
 - Congressional committee, refusal to testify before, § 13:446, 14:389
 - Materiality, § 13:444, 13:445, 14:387
 - Membership in certain organizations, § 13:448, 14:391

DENIAL OR APPROVAL

- Approval or Denial, this index

DENOMINATION

- Denial, revocation, and appeal of petition, § 4:707
- Religious worker, religious denomination, § 4:701
- Religious workers, religious denomination, § 4:694, 4:698, 4:699

DE NOVO HEARINGS

- H Nonimmigrants, this index
- Refugees and asylum, temporary protected status (TPS), § 10:422
- Victims of trafficking, nonimmigrant visas, § 6:351

DEPARTMENT OF DEFENSE

H-1B nonimmigrants, visas for cooperative research, development and coproduction, § **4:221, 4:331-4:333**

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Generally, § **1:262, App 1-7**
Unaccompanied alien children, § **1:263**

DEPARTMENT OF HOMELAND SECURITY

Generally, § **1:193-1:201, App 1-2**
Agreements promising aliens favorable treatment, § **17:218**
Application Support Centers (ASC), USCIS, § **1:212**
Appropriations Act of 2007, § **1:93**
Associate Director for Operations. USCIS (United States Citizenship and Immigration Services), this index
CBP (Customs and Border Protection), this index
Citizenship and Immigration Services. USCIS (United States Citizenship and Immigration Services), this index
Citizenship status determination by, § **14:5**
Department of Homeland Security Reorganization Plan, § **1:195**
Directorate of Border and Transportation Security
Generally, § **1:202**
CBP (Customs and Border Protection), § **1:206**
ICE (Immigration and Customs Enforcement)
Generally, § **1:204**
Other officers and employees, § **1:205**
Under Secretary for Border and Transportation Security
Duties, generally, § **1:202**
Transfer of INS function to, § **1:203**
District directors. USCIS (United States Citizenship and Immigration Services), this index
Employment-Based Immigration, this index

DEPARTMENT OF HOMELAND SECURITY—Cont'd

Favorable treatment agreements, § **17:218**
H Nonimmigrants, this index
Homeland Security Act of 2002
Generally, § **1:193**
Savings provisions, § **1:194**
ICE (Immigration and Customs Enforcement). Directorate of Border and Transportation Security, above
Nonimmigrant Visas, this index
Office of International Affairs. USCIS (United States Citizenship and Immigration Services), this index
Officers in charge. USCIS (United States Citizenship and Immigration Services), this index
Ombudsman, Citizenship and Immigration Services (USCIS), § **1:216**
Permanent Residents, this index
Records, this index
Re-entry after deportation, consent to, § **17:11**
Regional directors. USCIS (United States Citizenship and Immigration Services), this index
Reorganization plan, § **1:195**
Secretary of Homeland Security, this index
Service centers, Citizenship and Immigration Services (USCIS), § **1:213**
Tracking system, establishment by Secretary of Homeland Security, § **1:200**
Under Secretary for Border and Transportation Security. Directorate of Border and Transportation Security, above
USCIS (United States Citizenship and Immigration Services), this index
Visa issuance. Secretary of Homeland Security, this index

DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT OF 2010

Generally, § **1:118**

DEPARTMENT OF JUSTICE (DOJ)

Generally, § **1:218, App 1-4**
Attorney General, this index

INDEX

DEPARTMENT OF JUSTICE (DOJ)

—Cont'd

- Board of Immigration Appeals (BIA),
this index
- Executive Office for Immigration
Review (EOIR)
 - Generally, § 1:219, App 1-3
- Board of Immigration Appeals (BIA),
this index
- Office of the Chief Administrative
Hearing Officer (OCAHO),
§ 1:221
- Office of the Chief Immigration
Judge, below
- Office of the General Counsel,
§ 1:220
- Nonimmigrant visas, registration,
§ 4:94, 4:100
- Office of Alien Property, property rights
of aliens, § 16:140
- Office of Immigration Litigation (OIL)
 - Generally, § 1:240
 - Petition for review, § 15:19
- Office of the Chief Immigration Judge
Generally, § 1:222

DEPARTMENT OF LABOR

- H-2B nonimmigrants, publication of
foreign labor recruiters, § 4:479

DEPARTMENT OF LABOR (DOL)

- Generally, § 1:241-1:246, App 1-6
- Board of Alien Certification Appeals
(BALCA), § 1:246
- Delegation of powers to DOL agencies
 - Board of Alien Certification Appeals
(BALCA), § 1:246
 - Employment and Training
Administration (ETA), § 1:242
 - Employment Standards Administra-
tion (ESA), § 1:245
 - Regional Certifying Officers, § 1:243
 - State Employment Security Agencies
(SWA), § 1:244
- Employment and Training Administra-
tion (ETA), § 1:242
- Employment-Based Immigration, this
index
- Employment of unauthorized aliens,
inspections by Department of
Labor officers, § 12:48
- Employment Standards Administration
(ESA), § 1:245

DEPARTMENT OF LABOR (DOL)

—Cont'd

- H Nonimmigrants, this index
 - Immigration and Naturalization Act
(INA) and regulations, role of DOL
under, § 1:241
 - Records, this index
 - Regional Certifying Officers, § 1:243
 - Secretary of Labor, this index
 - State Employment Security Agencies
(SWA), § 1:244
 - Unemployment Compensation, opinion
letters regarding, § 16:100, 16:101
- DEPARTMENT OF STATE**
- Generally, § 1:212-1:229
 - Administrator, § 1:256
 - Attorneys, consular visa cases, § 1:261
 - Bureau of Consular Affairs
 - Generally, § 1:257, App 1-5
 - children's issues, § 1:258
 - Office of Overseas Citizens Services
(OCS), below
 - Office of Passport Services, § 1:260
 - Visa Office, § 1:259
 - Changed conditions and asylum claims,
reports, § 10:80
 - Consular officers
 - Generally, § 1:251
 - Interoperable electronic data system,
entry of visa denials, § 1:252
 - No private right of action, § 1:253
 - Determination of U.S. nationality of
person abroad, § 14:94
 - Employees' same sex partners, J-1
nonimmigrant visas, § 6:295
 - Expatriation
 - Determination of nationality by con-
sular or diplomat officer,
§ 14:460
 - Renunciation of nationality, § 14:461
 - General Counsel of Visa Office, § 1:255
 - H Nonimmigrants, this index
 - Intracompany Transferees, this index
 - Nonimmigrant Visas, this index
 - O nonimmigrants, reissuance of visas,
§ 4:637
 - Organization of Department of State
abroad
 - Generally, § 1:250
 - Consular officers, above

DEPARTMENT OF STATE—Cont'd

- Permanent Residents, this index
- Records, this index
- Representation, consular visa cases, § 1:261
- Same sex partners of employees, J-1 nonimmigrant visas, § 6:295
- Secretary of State, this index
- Temporary Visitors for Business, this index
- Treaty traders and investors, § 4:163, 4:196
- Visa Office, § 1:259
- Visas
 - Attorneys, § 1:261
 - Bureau of Consular Affairs, above
 - Consular officers, above
 - General Counsel of Visa Office, § 1:255
 - Nonimmigrant Visas, this index
 - Records, § 1:254
 - Representatives, § 1:261
 - Secretary of State's powers and duties, § 1:249
 - Visa Office, § 1:259

DEPARTURE

- Amnesty, temporary resident status eligibility, § 9:321-9:328
- Crimes, willful failure to depart
 - Generally, § 17:101-17:104
 - Suspension of sentence for good cause, § 17:104
 - Timely application for travel documents, § 17:103
 - What constitutes, § 17:102
- Intracompany transferees, revocation of petition for visa, § 4:577
- Judicial review
 - Court of Appeals review, voluntary departure pending, § 13:307
 - Post-departure matters, § 15:14
 - Voluntary departure, generally, § 13:310
- Nonimmigrant Visas, this index
- Permanent Residents, this index
- Religious workers, intent to depart upon termination of status, § 4:694
- Removal, this index
- Treaty traders and investors, intent to depart upon termination of status, § 4:164, 4:168, 4:193

DEPENDENT AREAS

- Permanent residents, numerical quotas, § 9:32-9:49

DEPENDENT EMPLOYERS

- H nonimmigrants, labor condition application for H-1B nonimmigrants, § 4:291, 4:292, 4:293, 4:294

DEPORTABILITY

- Removal, particular noncitizens, § 13:92

DEPORTATION

- Aliens
 - Recruitment or use of child soldiers, § 1:111
- Amnesty, this index
- Counsel, right to, § 16:18
- Crew Members, this index
- Crimes, willful failure to depart
 - Generally, § 17:101-17:104
 - Suspension of sentence for good cause, § 17:104
 - Timely application for travel documents, § 17:103
 - What constitutes, § 17:102
- Deportation and Detention Field Manual, § 1:177
- Employment-based immigration, effect of application for adjustment of status to permanent resident on pending deportation proceeding, § 8:215
- IIRIRA changes in immigration law procedures, § 13:1
- International Organization Representatives, this index
- Naturalization
 - Effect of being deportable, § 14:111
 - Eligibility of deportable aliens, § 14:280-14:282
- Nonimmigrant Visas, this index
- Permanent Residents, this index
- Removal, this index
- Stipulated judicial order of, § 17:224
- Willful failure to depart. Crimes, above

DEPOSITIONS

- Employer Sanctions and Unfair Immigration Related Employment Practices, this index

INDEX

DEPOSITIONS—Cont'd

Illegal entry crimes, § 17:75, 17:79, 17:80

Naturalization, § 14:305

Removal, § 13:190

DERIVATIVE CITIZENSHIP

Naturalization, this index

DERIVATIVE STATUS

Asylum claims, § 10:14, 10:15

Employment-based immigration, preference, § 8:78, 8:194

H Nonimmigrants, this index

Immigrant visa suspensions, public charge, § 8:194.50

Intracompany transferees, § 4:514, 4:515, 4:581, 4:598

Nonimmigrant visas, § 4:102-4:104

O nonimmigrants, § 4:600, 4:601

Permanent Residents, this index

P nonimmigrants, § 4:644, 4:645

Public charge, immigrant visa suspensions, § 8:194.50

Refugees and Asylum, this index

Relatives of Citizens or Permanent Residents, this index

Religious workers, § 4:694, 4:695

Temporary visitors for business, § 4:109

Temporary visitors for business, spouse not entitled to status, § 4:109

TN nonimmigrants, § 4:711, 4:715

Treaty Traders and Investors, this index

DESCRIPTION

Employment-based immigration, letters describing training, experience, duties or responsibilities, § 8:171

DESERTERS

Armed forces, inadmissibility, denial of admission or visa, § 3:19

Crew members, deserters from Spanish or Greek ships of war, § 6:125-6:127

DESIGNATION

Nonimmigrant visas, Department of Justice notices requiring registration of certain nonimmigrants from designated countries, § 4:100

DETAINED ARRIVING ALIENS

Parole of Aliens Into United States, this index

DETAINEES

Crimes and Related Conduct, this index

Removal, § 13:131

DETENTION

Generally, § 13:311-13:314, 13:513

Actions by detained aliens, § 13:318

Administrative appeals, § 13:396

Aggravated felonies, § 13:44

Apprehension, § 13:121-13:144

Arrest, detention, custody, and release, § 13:121-13:144

Arrest. Removal, this index

Arriving aliens, § 13:127

Arriving aliens. Detention and Warrantless Interrogation, Arrest, Search and Custody of Arriving Aliens, this index

Attorney General certifications, § 13:385

Authority delegations, § 13:323

Authority to detain, § 13:312

Bail Reform Act, § 13:133

Bond. Release from detention, below

Civil remedies of detained aliens, § 13:318, 13:439

Conditions of release, § 13:349-13:354

Consuls or diplomatic officers, right to communicate with

Generally, § 13:188

Terrorist removal proceedings, § 13:480

Contagious diseases and continued detention, § 13:375-13:377

Continued detention

Administrative appeals, § 13:396, 13:401

Application of Zadvydas to excludable aliens, § 13:321

Attorney General certifications, § 13:385

Bond, release on, § 13:354

Conditions of release, § 13:349-13:354

Contagious diseases, § 13:375-13:377

Custody determinations, § 13:323-13:329

DETENTION—Cont'd

Continued detention—Cont'd
 Custody review procedures, § 13:336-13:340
 Dangerousness determinations, § 13:388, 13:389
 Docket control, § 13:330, 13:331
 Evidentiary requirements, § 13:398
 Executive Associate Commissioner review determinations, § 13:341-13:345
 Foreign policy grounds, detention on, § 13:379
 Habeas corpus, § 13:319
 Headquarters Post-Order Detention Unit (HQPDU) reviews, § 13:347
 Indefinite detention, below
 Interview rights, § 13:343
 Judicial review, § 13:319
 Mental health examinations, § 13:389
 Merits hearings, § 13:397-13:401
 National security grounds, § 13:379
 Notices requirements, § 13:393
 Periodic review, § 13:403
 Procedural delays, § 13:322
 Public safety risks, § 13:375-13:377
 Reasonable cause hearings, § 13:394
 Release, dismissal of proceedings, § 13:402
 Release criteria, § 13:330, 13:331
 Review panels, § 13:341
 Revocation of conditional release, § 13:355-13:357
 Significant likelihood of removal
 Generally, § 13:360-13:371
 Negative determinations, § 13:345
 Special circumstances continued detentions, § 13:372-13:374
 Sponsorship and conditional release, § 13:350
 Terrorists, § 13:381-13:386
 Timing of reviews, § 13:346-13:348
 Travel documents, § 13:332-13:335
 Generally, § 13:330, 13:331
 Costs of removal detention, § 13:426, 13:427
 Crew Members, this index
 Criminal aliens
 Generally, § 13:130-13:138
 Detainers, § 13:131

DETENTION—Cont'd

Criminal aliens—Cont'd
 Due process challenges, § 13:134
 Identification of noncitizens convicted persons, § 13:140
 IIRIRA, § 13:141-13:144
 Immigration judges' custody determinations, § 13:138
 Information re detainees, restrictions on disclosures of, § 13:139
 Joseph hearings, § 13:138
 Judicial review of detention decisions, § 13:141-13:144
 Pretrial release, § 13:133
 Releases, § 13:137
 Transfers, § 13:136
 Custody determinations, § 13:323-13:329
 Noncitizens representative, § 13:329
 Showing by noncitizen, § 13:327
 Dangerousness determinations, § 13:388, 13:389
 Detainers, § 13:131
 Dismissal, release upon dismissal of proceedings, continued detentions of, § 13:402
 Due process challenges, § 13:134
 Exclusion subjects, bond ineligibility of, § 13:125
 Executive Associate Commissioner review determinations, continued detention, § 13:341-13:345
 Expedited removal
 Generally, § 2:235
 Aggravated felons, § 13:452
 Extended. Continued detention, above
 Facilities
 Generally, § 13:437, 13:438
 Increased capacities, § 13:513
 Military bases, closed, § 13:518
 Report, § 13:519
 Reports, utilization, § 13:514
 Flores settlement, § 13:176
 Foreign policy grounds, detention on, § 13:379
 Funding, § 13:512
 Habeas review, § 13:319, 15:24
 Headquarters Post-Order Detention Unit (HQPDU) reviews, § 13:347
 IIRIRA, § 13:141-13:144

INDEX

DETENTION—Cont'd

- Immigration judges' custody determinations, § **13:138**
- Indefinite detention
 - See also Continued detention, above
 - Constitutional challenges, § **13:320**
 - Habeas corpus, § **13:319**
 - Judicial review, § **13:319**
 - Noncooperative detainees, § **13:319**
 - Reporting requirements, § **13:441**
 - Significant likelihood of removal
 - Generally, § **13:360-13:371**
 - Negative determinations, § **13:345**
 - Statutory limitations, § **13:332-13:335**
 - Terrorism, below
- Joseph hearings, § **13:138**
- Judicial review
 - Continued detention, § **13:319**
 - Criminal aliens, § **13:141-13:144**
 - Indefinite detention, § **13:319**
 - Terrorists, § **13:442**
- Jurisdiction, special circumstances continued detentions, § **13:374**
- Juvenile detainees, § **13:126**
- Mandatory. Terrorists, below
- Mandatory detentions of suspected terrorists
 - noncitizens, § **13:440**
- Mental health examinations of detainees, § **13:389**
- Merits hearings, § **13:397-13:401**
- Military bases, use of closed inadmissible or deportable noncitizens, establishment, § **13:518**
- Report, § **13:519**
 - inadmissible or deportable noncitizens, establishment, § **13:519**
- Miranda warnings, § **13:122**
- National security grounds, continuation of detention on, § **13:379**
- Parole, § **13:121**
- Periodic review of continued detentions, § **13:403**
- Pilot program, closed military bases detention of inadmissible or deportable noncitizens
 - establishment, § **13:518**
- Place of detention, § **13:438**

DETENTION—Cont'd

- Pretrial releases of criminal aliens, § **13:133**
- Procedures for release on bond
 - Arriving aliens, § **13:127**
- Proceedings, release upon dismissal of proceedings, continued detentions of, § **13:402**
- Public safety risks, § **13:375-13:377**
- Reasonable cause hearings, § **13:394**
- Release from detention
 - Bond
 - Generally, § **13:123-13:129**
 - Administrative appeals, § **13:128**
 - Application, § **13:124**
 - Criminals, § **13:123**
 - Discretion of Secretary, § **13:121**
 - Due process challenges, § **13:134**
 - Exclusion subjects, ineligibility of, § **13:125**
 - Factors, eligibility, § **13:123**
 - Ineligibility, § **13:125**
 - Joseph hearings, § **13:138**
 - National security risks, § **13:121**
 - Port of entry removal stays, § **13:425**
 - Procedures, § **13:124**
 - Redeterminations, § **13:124, 13:128**
 - Revocation, § **13:129**
 - Terrorists, § **13:121**
 - Conditional, penalties for failure to comply with terms, § **13:487**
 - Criminal aliens, § **13:137**
 - Criteria, § **13:330, 13:331**
 - Immigration judges' custody determinations, § **13:138**
 - Parole revocation, § **13:129**
 - Penalties failure to comply with terms of, § **13:487**
 - Pretrial release of criminal aliens, § **13:133**
 - Reports on numbers of released aliens, § **13:514-13:517**
 - Stay of removal, § **13:423**
 - Terrorist removal proceedings, § **13:478**
- Remedies of detainees, § **13:318, 13:439**
- Removal period, § **13:311**

DETENTION—Cont'd

- Reports on numbers of released aliens, § 13:514-13:517
- Revocation of conditional release, § 13:355-13:357
- Sponsorship and conditional release, § 13:350
- Stowaway detention responsibilities, vessel or aircraft, § 13:429
- Terrorists
 - Generally, § 13:121, 13:440-13:442, 13:481-13:486
 - Continued detentions of, § 13:381-13:386
 - Habeas corpus, § 13:442
 - Judicial review, § 13:442
 - Mandatory detentions of
 - Generally, § 13:440-13:442
 - Detention continuations, § 13:379
 - Habeas corpus, § 13:442
 - Judicial review, § 13:442
 - noncitizens, § 13:440
 - Reporting requirements, § 13:441
 - noncitizens, § 13:440
 - Reporting requirements, § 13:441
 - Terrorists, mandatory detentions of, below
- Transfers of criminal aliens, § 13:136
- Travel documents, continued detention, § 13:332-13:335
- Warrants, § 13:121

DETENTION AND WARRANTLESS INTERROGATION, ARREST, SEARCH AND CUSTODY OF ARRIVING ALIENS

- Generally, § 2:155-2:168
- Arrest, warrantless arrest and custody of arriving aliens, § 2:170
- Arrest, warrantless arrest and custody of arriving noncitizens, § 2:169
- Asylum, inspection and post-inspection detention, § 2:160
- Contiguous foreign territory, inspection and post-inspection discretionary detention of aliens arriving from, § 2:162
- Custody. Warrantless arrest and custody of arriving aliens, below
- Detention of aliens who arrive from abroad seeking admission
 - Asylum, inspection and post-inspection detention, § 2:160

DETENTION AND WARRANTLESS INTERROGATION, ARREST, SEARCH AND CUSTODY OF ARRIVING ALIENS—Cont'd

- Detention of aliens who arrive from abroad seeking admission—Cont'd
- Asylum applications at the southern border, § 2:164
- Contiguous foreign territory, inspection and post-inspection discretionary detention of aliens arriving from, § 2:162
- Discretionary detention, inspection and post-inspection, § 2:162
- Encounter volume-based closures to noncitizens, § 2:164
- Expedited removal, inspection and post-inspection detention, § 2:159, 2:160
- Inspection and post-inspection detention
 - Asylum, § 2:160
 - Asylum applications at the southern border, § 2:164
 - Contiguous foreign territory, discretionary detention of aliens arriving from, § 2:162
 - Discretionary detention, § 2:162
 - Encounter volume-based closures to noncitizens, § 2:164
 - Expedited removal, § 2:159, 2:160
 - Mandatory detention, § 2:159-2:164
 - Migrant protection protocols, return of certain applicants for admission, southwest border, § 2:163
 - Physical and mental examination, mandatory detention for, § 2:166
- Location of DHS detention facilities, § 2:157
- Mandatory detention, inspection and post-inspection, § 2:159-2:164
- Migrant protection protocols, return of certain applicants for admission, southwest border, § 2:163
- Other executive actions directed at southern border enforcement, 2025-present, § 2:165
- Physical and mental examination, inspection and post-inspection

DETENTION AND WARRANTLESS INTERROGATION, ARREST, SEARCH AND CUSTODY OF ARRIVING ALIENS—Cont'd

- Detention of aliens who arrive from abroad seeking admission—Cont'd mandatory detention for, § **2:166**
- Pre-inspection detention on board arriving or at airports prior to inspection, § **2:156**
- Detention of noncitizens who arrive from abroad seeking admission
 - Generally, § **2:155**
 - Fourth Amendment, § **2:155**
- DHS detention facilities, location of, § **2:157**
- Discretionary detention, inspection and post-inspection, § **2:162**
- Expedited removal, inspection and post-inspection detention, § **2:159, 2:160**
- Facilities, location of DHS detention facilities, § **2:157**
- Fourth Amendment, § **2:155**
- Inspection and post-inspection detention. Detention of aliens who arrive from abroad seeking admission, above
- Interrogation
 - Border, interrogation of noncitizens at border, § **2:26**
 - Jurisdiction of DHS to interrogate and search, § **2:167**
 - Warrantless interrogation and searches of arriving aliens, § **2:168**
- Jurisdiction of DHS to interrogate and search, § **2:167**
- Location of DHS detention facilities, § **2:157**
- Mandatory detention, inspection and post-inspection, § **2:159-2:164**
- Migrant protection protocols, return of certain applicants for admission, southwest border, § **2:163**
- Physical and mental examination, inspection and post-inspection mandatory detention for, § **2:166**
- Pre-inspection detention on board arriving or at airports prior to inspection, § **2:156**

DETENTION AND WARRANTLESS INTERROGATION, ARREST, SEARCH AND CUSTODY OF ARRIVING ALIENS—Cont'd

- Searches
 - Border searches of noncitizens and conveyances, § **2:26**
 - Warrantless interrogation and searches of arriving aliens, § **2:168**
- Undocumented noncitizens, “zero-tolerance policy,” southwest border, § **2:158**
- Warrantless arrest and custody of arriving aliens
 - Noncitizens believed to be entering illegally, § **2:169**
 - Other warrantless arrests, § **2:170**
- Warrantless interrogation and searches of arriving aliens, § **2:168**
- “Zero-tolerance policy,” southwest border, undocumented noncitizens, § **2:158**

DETENTION OF ALIENS

- Release from detention on bond
 - Arriving aliens, § **13:127**

DETERMINATIONS AND DECISIONS

- H Nonimmigrants, this index
- Intracompany Transferees, this index
- Nonimmigrant Visas, this index
- O nonimmigrants, petition for determination of eligibility for classification, § **4:606-4:628**
- P nonimmigrants, consular officers, § **4:686-4:688**
- Religious workers, denomination, § **4:699**
- Treaty traders and investors, § **4:173, 4:183, 4:184**

DEVELOPMENT

- H-1B nonimmigrants, development projects of Defense Department, § **4:221, 4:331-4:333**
- Treaty investors, investment requirement, § **4:190**

DHS

- Department of Homeland Security, this index

DICTIONARY OF OCCUPATIONAL TITLES

Employment-Based Immigration, this index

DIGITAL VISA AUTHORIZATION

Pilot program, issuance of visa, § 4:32.50

DIPLOMATIC RELATIONS ACT OF 1978

Generally, § 1:6

DIPLOMATIC VISAS

A-1 and A-2 dependents as G nonimmigrants, employment of, § 6:11

Generally, § 6:1-6:29

A-1, ambassadors, public ministers, government couriers, and like officials

Generally, § 6:8

Employment as G nonimmigrants, § 6:11

A-2, officials and employees

Generally, § 6:9

Employment as G nonimmigrants, § 6:11

A-3, attendants, servants, or personal employees

Generally, § 6:12

Employment authorization, § 6:18

Extensions of status for victims of trafficking, exploitation or alleged employer mistreatment, § 6:17

Key questions, § 6:14

Qualifying, § 6:13

Salary, contracts, and employer obligations, § 6:15

Wage and hour requirements, § 6:16

Ambassadors, A-1, § 6:8

Attendants

A-3, attendants, servants, or personal employees, above

C-3, § 6:29

Basic criteria, § 6:2

C-3, foreign government officials, members of immediate family, attendants, servants, and personal employees, § 6:29

Change of status

Generally, § 6:20

DIPLOMATIC VISAS—Cont'd

Change of status—Cont'd

Aliens accepting employment with diplomatic mission, § 6:21

Close relatives, § 6:7

Documentation required, § 6:5

Eligibility, § 6:2

Employment of A-1 and A-2 dependents, § 6:10, 6:11

E nonimmigrant visas. Taipei Economic and Cultural Representative Office (TECRO), below

G nonimmigrants, employment of A-1 and A-2 dependents as, § 6:11

Government couriers, A-1, § 6:8

Grounds for denial of visas and refusal of admission, applicability to A-1 and A-2 visas, § 6:4

Immediate family, § 6:7, 6:29

Interviews, § 6:6

Nonimmigrant Visas, this index

Overstays, § 6:3

Personal employees

A-3, attendants, servants, or personal employees, above

C-3, § 6:29

Public ministers, A-1, § 6:8

Relatives, § 6:7

Renewal of A visas, § 6:19

Servants

A-3, attendants, servants, or personal employees, above

C-3, § 6:29

Status change. Change of status, above

Taipei Economic and Cultural Representative Office (TECRO)

Duration of status, TECRO employees and dependents authorized to use, § 6:25

E-1 classification, dependents over 21, § 6:24

Employees unable to receive A visas, § 6:23

Employment authorization, TECRO dependents

Generally, § 6:27

Dependent students of employees, § 6:28

Employees, § 6:27

INDEX

DIPLOMATIC VISAS—Cont'd

- Taipei Economic and Cultural Representative Office (TECRO)—Cont'd
 - E nonimmigrant visas
 - Duration of status, TECRO employees and dependents authorized to use, § 6:25
 - E-1 classification, dependents over 21, § 6:24
 - Employees unable to receive A visas, § 6:23
 - Employment authorization for dependents of TECRO employees, § 6:27
 - Employment authorization for dependent students of TECRO employees, § 6:28
 - Taiwan, officials of, § 6:22

DIPLOMATS

- Diplomatic Relations Act of 1978, § 1:6
- Inadmissibility, diplomats' immunity from prosecution, § 3:37
- Inspection and admission of arriving aliens, § 2:42
- Permanent residents
 - A nonimmigrant adjustment of status, § 9:175, 9:197, 9:256-9:260, 9:272-9:277
 - Children born in U.S. to parents who are diplomats, nonquota immigrants, § 9:29
- Permanent Residents, this index
- Visas. Diplomatic Visas, this index

DIRECTING INTEREST

- Treaty investors, investment requirement, § 4:190

DIRECTORATE OF BORDER AND TRANSPORTATION SECURITY

- Department of Homeland Security, this index

DIRECTOR OF SHARED SERVICES

- Homeland Security Act of 2002, § 1:73

DIRECTORS

- Temporary visitors for business, eligibility for B-1 classification, § 4:117

DISABILITY

- Inadmissibility on grounds of unauthorized disclosure of "United States

DISABILITY—Cont'd

- confidential business information," § 3:126
- Naturalization, this index
- Nonimmigrant visas, automatic extension of stay for aliens disabled as result of 9/11/01 terrorist activity, § 4:75-4:77
- Parole of aliens crew member who becomes disabled, § 2:198, 6:130
- Permanent residents, medical examination of applicants for adjustment of status under INA § 245, § 9:237-9:239
- Refugees and asylum, disabled persons as social group, § 10:167
- SSI Extension for Elderly and Disabled Refugees Act of 2008, § 1:109
- Waivers of inadmissibility, § 3:194
- X-rays, procedure upon finding no medical defect, disease, or disability, § 9:237

DISASTER RELIEF INSURANCE CLAIMS ADJUSTERS

- TN nonimmigrants, qualifications, § 4:721

DISASTER UNEMPLOYMENT ASSISTANCE

- Aliens' employment related rights, § 16:103

DISCLOSURE

- Agricultural Foreign Investment Disclosure Act, § 16:139
- Foreign agricultural investments, § 16:139
- Foreign Investors Disclosure Act, § 1:6
- Orphan petitions and advanced processing applications, failure to make required disclosures, § 7:321
- Removal, unlawful disclosures by government, § 13:492-13:495

DISCOVERY

- Denaturalization, § 14:417
- Depositions, this index
- Employer Sanctions and Unfair Immigration Related Employment Practices, this index

DISCRETIONARY MATTERS

- Abuse of Discretion, this index

DISCRETIONARY MATTERS

—Cont'd

- Arrest, detention, custody and release from, § 13:121
- Asylum determinations, § 10:49, 10:173
- Contiguous foreign territory, discretionary detention of aliens arriving from, § 2:162
- H nonimmigrants, nurses, § 4:363
- Judicial review, § 15:9
- Nonimmigrant Visas, this index
- Permanent Residents, this index
- Removal, relief from, § 13:46

DISCRIMINATION

- Civil Rights, this index
- Convention on the Elimination of All Forms of Racial Discrimination (CERD), § 16:3
- Employer Sanctions and Unfair Immigration Related Employment Practices, this index
- H Nonimmigrants, this index

DISEASES

- Contagious or Communicable Diseases, this index
- Permanent residents, medical examination of applicants for adjustment of status under INA § 245, § 9:237-9:239
- X-rays, procedure upon finding no medical defect, disease, or disability, § 9:237

DISMISSALS

- Board of Immigration Appeals (BIA) procedures and decisions, § 13:212
- Employer sanctions and unfair immigration related employment practices, dismissal upon abandonment or settlement, § 12:148
- H nonimmigrants, appeals involving H-1C nonimmigrants, § 4:392
- Removal, § 13:162, 13:273

DISORDERS

- Physical and mental disorders and associated behaviors. Inadmissibility, this index

DISPLACED PERSONS

- Refugees and Asylum, this index

DISPUTE OR DISPUTES

- H Nonimmigrants, this index
- Labor Disputes, this index

DISQUALIFICATION OF EMPLOYER

- H-1B nonimmigrant violations, § 4:312, 4:313

DISTINGUISHED MERIT AND ABILITY FASHION MODELS

- H Nonimmigrants, this index

DISTRICT DIRECTORS

- Department of Homeland Security, this index
- Nonimmigrant visas, investigation of applications, § 4:10
- Permanent residents, § 9:1 et seq.
- Refugees and Asylum, this index

DISTRICT OF COLUMBIA

- Aliens' rights as to land in, § 16:135

DIVERSITY IMMIGRANTS

- Permanent Residents, this index

DIVISION OF UNACCOMPANIED CHILDREN'S SERVICES

- Generally, § 10:47

DIVORCE

- Relatives of Citizens or Permanent Residents, this index

D NONIMMIGRANTS

- Crew Members, this index

DOCTORS

- Physicians, this index

DOCUMENT FRAUD

- Crimes and Related Conduct, this index
- Inadmissibility, this index
- Office of the Chief Administrative Hearing Officer (OCAHO), § 1:221
- Secondary referrals, § 2:30
- Waivers of Inadmissibility, this index

DOCUMENTS AND DOCUMENTATION

- Amnesty, this index
- Border Crossing Documents, this index
- Diplomatic visas, documentation required, § 6:5

INDEX

DOCUMENTS AND

DOCUMENTATION—Cont'd

- Employer Sanctions and Unfair Immigration Related Employment Practices, this index
- Employment-Based Immigration, this index
- Falsifications. Removal, this index
- Fraud. Document Fraud, this index
- H Nonimmigrants, this index
- Inadmissibility, this index
- Inspection and Admission of Arriving Aliens, this index
- Intracompany Transferees, this index
- Nonimmigrant Visas, this index
- O nonimmigrants, petition for determination of eligibility for classification, § 4:608, 4:609
- Permanent Residents, this index
- P nonimmigrants, petition, § 4:652, 4:653, 4:660-4:662, 4:665, 4:667
- Refugees and Asylum, this index
- Religious workers, § 4:705-4:707
- Temporary visitors for business, applications for visas, § 4:149
- TN Nonimmigrants, this index
- Waivers of Inadmissibility, this index

DOING BUSINESS

- Employment-Based Immigration, this index
- Intracompany transferees, § 4:509-4:599

DOMESTIC ABUSE

- Removal, this index
- Waivers of inadmissibility, § 3:176
- Welfare and public benefits
 - Eligibility, generally, § 16:59, 16:60
 - Means-testing, § 16:76-16:79

DOMESTIC OR PERSONAL EMPLOYEES OR SERVANTS

- Employment-based immigration, this index
- H nonimmigrants, labor certification for H-2B nonimmigrants, § 4:488, 4:493
- Intracompany transferees, eligibility, § 4:514
- Temporary visitors for business, eligibility for B-1 classification, § 4:131-4:134

DOMESTIC OR PERSONAL EMPLOYEES OR SERVANTS—Cont'd

- Treaty traders and investors, bringing as B-1 nonimmigrant, § 4:167

DOMESTIC VIOLENCE

- Removal, this index

DOMICILE

- International organization representatives, G nonimmigrants, § 6:64

DORMANT H-1B PETITIONS

- Use of, § 4:220

DOUBLE ENTRY VISAS

- Nonimmigrant visas, issuance, § 4:35

DOUBLE JEOPARDY

- Crimes and Related Conduct, this index

DOWER

- Property rights of aliens, § 16:130

DRAFT LAWS

- Inadmissibility, denial of admission or visa, § 3:108
- Naturalization, this index
- Permanent residents, adjustment of status to nonimmigrant, § 9:280
- Removal for draft law violations, § 13:97
- Violations, removal, § 13:97

DRIVER'S LICENSES

- English-only driver's license examinations, § 16:56
- Immigrant access to, § 16:81
- REAL ID Act of 2005, § 1:88

DRIVERS OF COMMERCIAL TRUCKS

- Temporary visitors for business, residents of Canada and Mexico, § 4:140

DRIVING UNDER INFLUENCE

- Inadmissibility, denial of admission or visa, § 3:19
- Removal, this index

DRUG ABUSE

- Anti-Drug Abuse Act of 1988, § 13:38
- Inadmissibility, this index
- Removal, this index

DUAL CITIZENSHIP

Expatriation, effect on, § 14:430

DUAL INTENT

H-1B nonimmigrants, § 4:235

TN nonimmigrants, § 4:710

DUAL NATIONALITY

Treaty traders and investors, company or enterprise, § 4:174, 4:184

DUE PROCESS

Aliens' rights, generally, § 16:36-16:41

Counsel at deportation or removal hearing, right to, § 16:18

Detention challenges, § 13:134

Employment related rights of aliens, § 16:112

Hearing rights of asylum applicants, § 10:221

HIV-positive detainees, rights of, § 16:41

Inadmissible aliens, rights of, § 16:40

Juvenile aliens, rights of, § 16:39

Marry, right to, § 16:38

Practice of law, citizenship as requirement for, § 16:49

Refugees and asylum, § 10:235

Removal, this index

Removal challenges based on, § 10:235

Self-incrimination, alien's privilege against, § 16:37

Summary of Fifth and Fourteenth Amendment rights of aliens, § 16:36, 16:37

Translation services, rights to, § 10:213

Withholding of removal based on, § 10:235

DUPLICATES

Copies or Duplicates, this index

DURATION

H Nonimmigrants, this index

Intracompany Transferees, this index

P nonimmigrants, stay, § 4:690

Religious workers, stay, § 4:694, 4:695

Temporary visitors for business, validity of visa, § 4:157, 4:158

Treaty traders and investors, stay, § 4:200

DURESS

Expatriation defense, § 14:458

EARLY 20TH CENTURY

LEGISLATION

Generally, § 1:3

EARLY TERMINATION OF

EMPLOYMENT

H nonimmigrants, foreign medical graduates as H-1B nonimmigrants, § 4:327

EB-5 PROGRAM

EB-5 Reform and Integrity Act of 2022, § 8:98

Employment-based immigration preference, § 8:87-8:97

Extensions

Generally, § 1:110, 1:116

2008 legislation, § 1:110

2009 legislation, § 1:116

2012 legislation, § 1:124

EB-5 REFORM AND INTEGRITY

ACT OF 2022

EB-5 program, § 8:98

ECONOMISTS

Adjusters, § 4:721.50

EDUCATION

Schools and Education, this index

EDUCATIONAL INSTITUTIONS

Student and Exchange Visitors, this index

E-FOIA

Records, this index

ELECTIONS

Votes and Voting, this index

ELECTRONIC DATA SYSTEM

Permanent residents, information on denials of applications for immigrant visas, § 9:119

Secretary of Homeland Security powers and duties as to databases, § 1:201

TN nonimmigrants, international system, § 4:729, 4:731

ELECTRONIC FREEDOM OF

INFORMATION ACT

AMENDMENTS OF 1996

(E-FOIA)

Records, this index

INDEX

ELECTRONIC SUBMISSION

H nonimmigrants, labor condition application for H-1B nonimmigrants, § **4:249**

ELIGIBILITY OR INELIGIBILITY

Amnesty, this index
Employment-Based Immigration, this index
Foreign Information Media Representatives, this index
H Nonimmigrants, this index
Inspections, evaluations, verifications, and compliance reviews, § **4:706**
Intracompany Transferees, this index
Nonimmigrant Visas, this index
O nonimmigrants, petition for determination of eligibility for classification, § **4:606-4:628**
Permanent Residents, this index
P nonimmigrants, status, § **4:644, 4:645**
Religious workers, § **4:694**
Temporary Visitors for Business, this index
TN nonimmigrants, § **4:711**
Treaty Traders and Investors, this index

EL SALVADOR

Advance parole, family-based immigrants, § **12:219.70**
Refugees and Asylum, this index
Removal, IIRIRA, transition rules, § **13:507**

EMBEZZLEMENT

Inadmissibility, denial of admission or visa, § **3:16**

EMPLOYER MISTREATMENT, EXTENSION OF STATUS FOR VICTIMS OF ALLEGED

Diplomatic visas, A-3, attendants, servants, or personal employees, § **6:17**
International organization representatives, G-5 visas, § **6:53**

EMPLOYER SANCTIONS AND UNFAIR IMMIGRATION RELATED EMPLOYMENT PRACTICES

Generally, § **12:1-12:168**
Administrative and judicial review, § **12:168**

EMPLOYER SANCTIONS AND UNFAIR IMMIGRATION RELATED EMPLOYMENT PRACTICES—Cont'd

Administrative hearings. Hearings, below
Administrative law judges (ALJ) Authority, § **12:116**
Decision, § **12:167**
Designation of presiding judge, § **12:114**
Disqualification or recusal, § **12:115**
Enforcement procedures, below
Jurisdiction, § **12:116**
Rules of practice and procedure governing administrative hearings, below
Administrative review, § **12:63**
Amended pleadings, administrative hearings, § **12:119**
Amendment and answer to complaint, enforcement proceedings, § **12:105**
Amicus curiae, § **12:146-12:148**
Answer and reply, administrative hearings, § **12:118**
Answer to notice of intent to fine, § **12:58**
Attorneys and representatives
Exclusion from participation, § **12:152**
Notice of appearance, § **12:150**
Qualification, § **12:151**
Representation of parties and withdrawal or substitution, § **12:151**
Attorneys' fees, unfair immigration related employment practices, § **12:111**
Basic employment verification pilot program. E-Verify Program, below
Certification by state employment agency to employer, § **12:29**
Civil penalties. Penalties, below
Closing of record, § **12:164**
Collective bargaining unit members, necessity of verification, § **12:26**
Compel discovery, motions to.
Discovery, below this group
Compliance. Employment eligibility verification, below
Compliance, prohibition against hiring or continuing to employ unautho-

**EMPLOYER SANCTIONS AND
UNFAIR IMMIGRATION
RELATED EMPLOYMENT
PRACTICES—Cont'd**

- rized aliens, § **12:12**
- Conferences, administrative hearings, § **12:123**
- Consent orders, administrative hearings, § **12:124**
- Consolidated hearings, § **12:156**
- Continuances, administrative hearings, § **12:145**
- Continuing employment, necessity of verification, § **12:25**
- Control of unlawful employment of aliens
 - Employment eligibility verification, below
 - Enforcement procedures, below
 - Penalties, below
 - Prohibition against hiring or continuing to employ unauthorized aliens, below
- Corrections to record, administrative hearings, § **12:163**
- Criminal penalties, § **12:75**
- Debarment, § **12:76**
- Decision. Record and decision, below
- Default judgments, administrative hearings, § **12:118**
- Defenses, § **12:60**
- Department of Labor officers, inspections by, § **12:48**
- Depositions. Discovery, below
- Discovery
 - Compel discovery, motions to Generally, § **12:139**
 - Sanctions for failure to comply with order compelling discovery, § **12:140**
- Depositions
 - Generally, § **12:131**
 - Motions to terminate or limit examination, § **12:132**
 - Objections to admissibility, § **12:134**
 - Use at hearings, § **12:133**
- Interrogatories, written, § **12:135**
- Limitations on discovery, § **12:141**
- Methods, § **12:130**
- Production and inspection, § **12:136**

**EMPLOYER SANCTIONS AND
UNFAIR IMMIGRATION
RELATED EMPLOYMENT
PRACTICES—Cont'd**

- Discovery—Cont'd
 - Protective orders, § **12:141**
 - Requests for admissions, § **12:137**
 - Sanctions for failure to comply with order compelling discovery, § **12:140**
 - Scope, § **12:130**
 - Supplementation of responses, § **12:138**
- Discrimination. Unfair immigration related employment practices, below
- Documents
 - Documentation required. Employment eligibility verification, below
 - Evidence, administrative hearings, § **12:159**
- Employer, recruiter, or referrer duties. Employment eligibility verification, below
- Employment eligibility verification
 - Certification by state employment agency to employer, § **12:29**
 - Collective bargaining unit members, necessity of verification, § **12:26**
 - Continuing employment, necessity of verification, § **12:25**
 - Documentation required. Employee and employer requirements, below this group
 - Employee and employer requirements Generally, § **12:13**
 - Collective bargaining unit members, necessity of verification, § **12:26**
 - Continuing employment, necessity of verification, § **12:25**
 - Documentation required Generally, § **12:19**
 - Employment authorization and identity, establishing both, § **12:21**
 - Employment eligibility only, establishing, § **12:23**
 - E-Verify Program, § **12:20**
 - Identity only, establishing, § **12:22**

**EMPLOYER SANCTIONS AND
UNFAIR IMMIGRATION
RELATED EMPLOYMENT
PRACTICES—Cont'd**

- Employment eligibility verification—Cont'd
 - Employee and employer requirements—Cont'd
 - Employee duties, § 12:15-12:18
 - Employer, recruiter, or referrer duties
 - Generally, § 12:16
 - Receipt, acceptance of receipt for application for employment authorization document, § 12:17
 - Retention of Form I-9, § 12:18
 - Employment authorization and identity, establishing both, § 12:21
 - Employment eligibility only, establishing, § 12:23
 - E-Verify Program, § 12:20
 - Form I-9, Employment Eligibility Verification Form, § 12:13 et seq.
 - Identity only, establishing, § 12:22
 - Recruiter duties. Employee and employer requirements, above this group
 - Referrer duties. Employee and employer requirements, above this group
 - Rehired employee, necessity of verification, § 12:24
 - Reverification of employment eligibility, § 12:27
 - When filing of Form I-9 required, § 12:14, 12:27
 - Employer, recruiter, or referrer duties. Employee and employer requirements, above this group
 - Employer's compliance with employment verification requirement. Verification of employment eligibility by state employment agencies, below this group
 - Employment authorization and identity, establishing both, § 12:21
 - Employment eligibility only, establishing, § 12:23

**EMPLOYER SANCTIONS AND
UNFAIR IMMIGRATION
RELATED EMPLOYMENT
PRACTICES—Cont'd**

- Employment eligibility verification—Cont'd
 - E-Verify Program, § 12:20
 - Form I-9, Employment Eligibility Verification Form, § 12:13 et seq.
 - Identity only, establishing, § 12:22
 - Previously referred and certified individual. Verification of employment eligibility by state employment agencies, below
 - Recruiter duties. Employer, recruiter, or referrer duties, above this group
 - Referrer duties. Employer, recruiter, or referrer duties, above this group
 - Rehired employee, necessity of verification, § 12:24
 - Reverification of employment eligibility, § 12:27
 - Short-term employees, verification and certification of individuals hired for period not exceeding three days, § 12:30
 - State employment agencies. Verification of employment eligibility by state employment agencies, below this group
 - Verification of employment eligibility by state employment agencies
 - Generally, § 12:28
 - Certification by state employment agency to employer, § 12:29
 - Employer's compliance with employment verification requirement
 - Evidence, § 12:31
 - When requirements satisfied, § 12:32
 - Previously referred and certified individual
 - Duties of employer, § 12:36
 - Duties of state employment agencies, § 12:35
 - Retention of certification, § 12:34
 - Retention of Form I-9 by state employment agencies, § 12:33

**EMPLOYER SANCTIONS AND
UNFAIR IMMIGRATION
RELATED EMPLOYMENT
PRACTICES—Cont'd**

- Employment eligibility verification—Cont'd
 - Verification of employment eligibility by state employment agencies—Cont'd
 - Short-term employees, verification and certification of individuals hired for period not exceeding three days, § **12:30**
 - When filing of Form I-9 required, § **12:14, 12:27**
- Enforcement procedures
 - Administrative law judges (ALJ)
 - Control of unlawful employment of aliens, § **12:62**
 - remedies, § **12:107**
 - Unfair immigration related employment practices, § **12:107, 12:108**
 - Answer to notice of intent to fine, § **12:56, 12:57**
 - Control of unlawful employment of aliens
 - Administrative law judge (ALJ), order of, § **12:62**
 - Administrative review, § **12:63**
 - Answer to notice of intent to fine, § **12:58**
 - Defenses, § **12:60**
 - Department of Labor officers, inspections by, § **12:48**
 - Evidence, § **12:59**
 - Failure to request hearing, effect of, § **12:57**
 - Farm labor contractor certificate of registration, suspension, revocation, or refusal to issue or renew, § **12:68**
 - Hearings
 - Answer to notice of intent to fine, § **12:56, 12:57**
 - Evidence, § **12:59**
 - Failure to request hearing, effect of, § **12:57**
 - Procedures, § **12:58, 12:59**
 - Request for hearing, § **12:56, 12:57**
 - Witnesses, § **12:59**

**EMPLOYER SANCTIONS AND
UNFAIR IMMIGRATION
RELATED EMPLOYMENT
PRACTICES—Cont'd**

- Enforcement procedures—Cont'd
 - Control of unlawful employment of aliens—Cont'd
 - ICE officers, inspections by
 - Inspections, below this group
 - Immigration and Customs Enforcement (ICE). Inspections, below this group
 - Inspections
 - Administrative plan for selection of employers to be inspected by ICE, § **12:40**
 - Availability of Form I-9, duty of employer, recruiter, or referer to make available for inspection, § **12:37**
 - Department of Labor officers, inspections by, § **12:48**
 - DHS and DOL, memorandum of understanding between, § **12:39**
 - ICE officers, inspections by
 - Generally, § **12:41**
 - Administrative plan for selection of employers to be inspected by ICE, § **12:40**
 - Completion of inspection, § **12:45**
 - Interrogation of employees, § **12:44**
 - Other employment records, inspection of, § **12:43**
 - Removal of evidence, § **12:42**
 - Report by ICE officer, § **12:46**
 - Subpoena or warrant, § **12:42**
 - Subsequent inspections, § **12:47**
 - Immigration and Customs Enforcement (ICE)
 - Administrative plan for selection of employers to be inspected by ICE, § **12:40**
 - ICE officers inspections, above this group
 - Memorandum of understanding between DHS and DOL, § **12:39**

INDEX

**EMPLOYER SANCTIONS AND
UNFAIR IMMIGRATION
RELATED EMPLOYMENT
PRACTICES—Cont'd**

- Enforcement procedures—Cont'd
 - Control of unlawful employment of aliens—Cont'd
 - Inspections—Cont'd
 - Notice of inspection, § 12:38
 - Waiver of advance notice, § 12:38, 12:41
 - Interlocutory order, review of, § 12:61
 - Investigations
 - Generally, § 12:49
 - Bases for, and conduct of, investigation
 - Generally, § 12:52
 - Questioning of employees, § 12:53
 - Conduct. Bases for, and conduct of, investigation, above this group
 - Filing complaint, § 12:51
 - Questioning of employees, § 12:53
 - When enforcement will take place, § 12:50
 - Judicial review, § 12:65
 - Notice of intent to fine or warning notice
 - Generally, § 12:54, 12:55
 - Contents, § 12:57
 - Order of administrative law judge (ALJ), § 12:62
 - Procedures at hearing, § 12:58, 12:59
 - Referral to Attorney General, § 12:64
 - Request for hearing, § 12:56, 12:57
 - Suits
 - Enforcement of orders, § 12:66
 - Enjoining pattern or practice of violations, § 12:67
 - Witnesses, § 12:59
- Hearings
 - Control of unlawful employment of aliens, above this group
 - Unfair immigration related employment practices, below this group

**EMPLOYER SANCTIONS AND
UNFAIR IMMIGRATION
RELATED EMPLOYMENT
PRACTICES—Cont'd**

- Enforcement procedures—Cont'd
 - ICE officers, inspections by. Control of unlawful employment of aliens, above this group
- Investigations
 - Control of unlawful employment of aliens, above this group
 - Unfair immigration related employment practices, § 12:102
- Judicial review
 - Control of unlawful employment of aliens, § 12:65
 - Unfair immigration related employment practices, § 12:109
- Letter of determination, § 12:102
- Notice of intent to fine or warning notice, Control of unlawful employment of aliens, above this group
- Suits
 - Control of unlawful employment of aliens, above this group
 - Unfair immigration related employment practices, suits to enforce orders, § 12:110
- Unfair immigration related employment practices
 - Administrative law judge (ALJ), decision of, § 12:107, 12:108
 - Amendment and answer to complaint, § 12:105
 - Attorneys' fees, § 12:111
- Complaint
 - Amendment and answer to complaint, § 12:105
 - Filing, § 12:103-12:105
 - Service of complaint and notice of hearing, § 12:105
- Filing charges
 - Content, § 12:96
 - When to file, § 12:97
 - Where to file, § 12:97
 - Who may file charge, § 12:95
- Filing complaint, § 12:103, 12:104
- Hearings
 - Procedures, § 12:106

**EMPLOYER SANCTIONS AND
UNFAIR IMMIGRATION
RELATED EMPLOYMENT
PRACTICES—Cont'd**

Enforcement procedures—Cont'd
 Unfair immigration related employ-
 ment practices—Cont'd
 Hearings—Cont'd
 Service of notice of hearing,
 § **12:105**
 Inadequate charge of violation,
 § **12:100, 12:101**
 Investigations, § **12:102**
 Judicial review, § **12:109**
 Letter of determination, § **12:102**
 Notice
 Hearing, § **12:105**
 Receipt of charge of violation,
 notice of, § **12:98, 12:99**
 Receipt of charge of violation,
 notice of, § **12:98, 12:99**
 Suits to enforce orders, § **12:110**
 E-Verify Program, documentation
 requirements, § **12:20**
 Evidence and witnesses
 Generally, § **12:157**
 Documents, § **12:159**
 Employer's compliance with employ-
 ment verification requirement,
 § **12:31**
 Exhibits, § **12:158**
 Hearing procedures, § **12:59**
 Intentional discrimination, proof of,
 § **12:80**
 Objections, § **12:161**
 Offers of proof, § **12:161**
 Official notice, § **12:160**
 Protective orders, § **12:162**
 Exhibits, administrative hearings,
 § **12:158**
 Ex parte communications, prohibition
 against in administrative hearings,
 § **12:154**
 Failure to request hearing, effect of,
 § **12:57**
 Farm labor contractor certificate of
 registration, suspension, revoca-
 tion, or refusal to issue or renew,
 § **12:68**
 Fines, answer to notice of intent,
 § **12:56, 12:57**

**EMPLOYER SANCTIONS AND
UNFAIR IMMIGRATION
RELATED EMPLOYMENT
PRACTICES—Cont'd**

Form I-9, Employment Eligibility
 Verification Form, § **12:13 et seq.**
 Hearings
 Attorneys and representatives
 Exclusion from participation,
 § **12:152**
 Notice of appearance, § **12:150**
 Qualification, § **12:151**
 Representation of parties and with-
 drawal or substitution,
 § **12:151**
 Consolidated hearings, § **12:156**
 Continuances, § **12:145**
 Enforcement procedures, above
 Ex parte communications, prohibition
 against, § **12:154**
 Expeditious conduct of proceedings,
 § **12:144**
 Location of hearing, § **12:143**
 Notice of appearance, § **12:150**
 Notice of hearing, § **12:142**
 Parties and amicus curiae, rights of
 Generally, § **12:146**
 Default decision, § **12:150**
 Dismissal upon abandonment or
 settlement, § **12:150**
 Waiver of right to appear, § **12:147**
 Withdrawal or substitution,
 § **12:149**
 Procedures, generally, § **12:142-
 12:156**
 Public and closed hearings, § **12:155**
 Representation of parties and with-
 drawal or substitution, § **12:151**
 Representatives. Attorneys and
 representatives, above this group
 Sanctions, ex parte communications,
 § **12:154**
 Standards of conduct, § **12:153**
 Unfair immigration related employ-
 ment practices
 Procedures, § **12:106**
 Service of notice of hearing,
 § **12:105**
 ICE (Immigrations and Customs
 Enforcement). Enforcement
 procedures, above

INDEX

**EMPLOYER SANCTIONS AND
UNFAIR IMMIGRATION
RELATED EMPLOYMENT
PRACTICES—Cont'd**

- Illegal Immigration Reform and
Immigrant Responsibility Act of
1996 (IIRIRA), § **12:1 et seq.**
- Immigration and Customs Enforcement
(ICE). Inspections, below this
group
- Inspections. Enforcement procedures,
above
- Interlocutory order, review of, § **12:61**
- Interrogatories, administrative hearings,
§ **12:135**
- Investigations. Enforcement procedures,
above
- Judicial review
 - Administrative hearings, § **12:168**
 - Enforcement procedures, above
- Legislation, § **12:1**
- Motions
 - Generally, § **12:125**
 - Compel discovery, motions to.
Discovery, above
 - Summary decision, motion for,
§ **12:126**
- Notices
 - Notice of intent to fine or warning
notice. Enforcement procedures,
above
 - Rules of practice and procedure
governing administrative hear-
ings, below
- Objections, administrative hearings,
§ **12:161**
- Offers of proof, administrative hearings,
§ **12:161**
- Office of the Chief Administrative Hear-
ing Officer (OCAHO), § **1:221**
- Official notice, administrative hearings,
§ **12:160**
- Orders
 - Administrative law judge (ALJ),
order of, § **12:62**
 - Consent orders, administrative hear-
ings, § **12:124**
 - Discovery, failure to comply with
order compelling, § **12:140**
 - Enforcement of orders and subpoenas,
§ **12:129**
 - Filing of order, § **12:166**

**EMPLOYER SANCTIONS AND
UNFAIR IMMIGRATION
RELATED EMPLOYMENT
PRACTICES—Cont'd**

- Orders—Cont'd
 - Interlocutory order, review of,
§ **12:61**
 - Protective orders, § **12:141**
- Parties and amicus curiae, rights of,
§ **12:148-12:150**
- Penalties
 - Civil penalties
 - Generally, § **12:69**
 - Bond or security, required posting
of, § **12:72**
 - Employee violations, § **12:73**
 - Employing unauthorized workers,
state civil penalties, § **12:74**
 - Hiring, recruiting, or referring
unauthorized aliens, § **12:70**
 - State civil penalties for employing
unauthorized workers, § **12:74**
 - Violating employment eligibility
verification requirements,
§ **12:71**
 - Criminal penalties, § **12:75**
 - Debarment, § **12:76**
 - Refusal of federal government to
contract with employer, § **12:76**
- Pleadings
 - Generally, § **12:117-12:119**
 - Amended pleadings, § **12:119**
 - Answer and reply, § **12:118**
 - Contents and form, § **12:117**
 - Default judgment, § **12:118**
 - Supplemental pleadings, § **12:119**
- Prehearing statement of position,
§ **12:122**
- Procedure
 - Enforcement procedures, above
 - Rules of practice and procedure
governing administrative hear-
ings, below
- Production and inspection, administra-
tive hearings, § **12:136**
- Prohibition against hiring or continuing
to employ unauthorized aliens
 - Employment covered under prohibi-
tion
 - Generally, § **12:8**
 - Definition of employee, § **12:8**

**EMPLOYER SANCTIONS AND
UNFAIR IMMIGRATION
RELATED EMPLOYMENT
PRACTICES—Cont'd**

- Prohibition against hiring or continuing to employ unauthorized aliens—Cont'd
 - Employment covered under prohibition—Cont'd
 - Independent contractors, § 12:9
 - Religious workers, § 12:9
 - Good faith defense, § 12:11
 - Indemnity bonds, prohibition against, § 12:6
 - Independent contractors, § 12:9
 - “Knowing,” what constitutes, § 12:3
 - Preenactment employment, effect on, § 12:12
 - Prohibited acts
 - Generally, § 12:2
 - “Knowing,” what constitutes, § 12:3
 - Recruitment or referral for fee of unauthorized aliens for employment, § 12:10
 - Religious belief and duty to employ, § 12:5
 - Religious workers, § 12:9
 - Termination, requirement that alien’s employment be terminated within reasonable time
 - Generally, § 12:4
 - Time or date
 - Compliance, time for, § 12:12
 - Termination, above this subgroup
 - “Unauthorized alien,” who is unauthorized alien with respect to employment, § 12:7
- Proposed findings of fact, conclusions of law and order, filing of, § 12:166
- Protective orders, § 12:141, 12:162
- Record and decision
 - Administrative and judicial review, § 12:168
 - Administrative law judge decisions, § 12:167
 - Administrative review, § 12:168
 - Closing of record, § 12:164, 12:166
 - Corrections, § 12:163
 - Judicial review, § 12:168

**EMPLOYER SANCTIONS AND
UNFAIR IMMIGRATION
RELATED EMPLOYMENT
PRACTICES—Cont'd**

- Record and decision—Cont'd
 - Proposed findings of fact, conclusions of law and order, filing of, § 12:166
 - Restricted access to record, § 12:165
 - Transcripts, corrections, § 12:163
- Referral to Attorney General, § 12:64
- Refusal of federal government to contract with employer, § 12:78
- Rehired employee, necessity of verification, § 12:24
- Remedies, decision of administrative law judge, § 12:107, 12:108
- Representatives
 - Exclusion from participation, § 12:152
 - Qualification, § 12:151
- Requests
 - Admissions, requests for, § 12:137
 - For hearing, § 12:56, 12:57
 - Motions, above
- Restricted access to record, § 12:165
- Rules of practice and procedure governing administrative hearings
 - Generally, § 12:112-12:168
 - Administrative law judges (ALJ), above
 - Amicus curiae, § 12:146-12:148
- Attorneys and representatives
 - Exclusion from participation, § 12:152
 - Notice of appearance, § 12:150
 - Qualification, § 12:151
 - Representation of parties and withdrawal or substitution, § 12:151
- Discovery, above
- Evidence and witnesses, above
- Hearings, above
- Parties and amicus curiae, rights of, § 12:146-12:148
- Pleadings, above
- Record and decision, above
- Subpoenas, § 12:127-12:129
- Sanctions
 - Control of unlawful employment of aliens, above

INDEX

**EMPLOYER SANCTIONS AND
UNFAIR IMMIGRATION
RELATED EMPLOYMENT
PRACTICES—Cont'd**

- Sanctions—Cont'd
 - Discovery, failure to comply with order compelling, § 12:140
 - Ex parte communications, § 12:154
 - Rules of practice and procedure governing administrative hearings, above
- Scope of rules, § 12:112
- Service and filing of documents, § 12:120
- Service of complaint and notice of hearing, unfair immigration related employment practices, § 12:105
- Settlements, § 12:124
- Standards of conduct, hearing procedures, § 12:153
- Stipulations, administrative hearings, § 12:121
- Subpoenas
 - Generally, § 12:127
 - Enforcement of orders and subpoenas, § 12:129
 - Petitions for revocation or modification, § 12:128
- Suits. Enforcement procedures, above
- Summary decision, motion for, § 12:126
- Supplemental pleadings, administrative hearings, § 12:119
- Time or date
 - Computation, § 12:113
 - Preenactment employment compliance, § 12:12
- Transcripts, administrative hearings, § 12:165
- Unfair immigration related employment practices
 - Generally, § 12:77-12:111
 - Citizenship discrimination
 - Coordination of efforts of Office of Special Counsel and EEOC, below this group
 - Prohibited practices, below this group
 - Coordination of efforts of Office of Special Counsel and EEOC
 - Citizenship discrimination
 - EEOC guidelines, § 12:92

**EMPLOYER SANCTIONS AND
UNFAIR IMMIGRATION
RELATED EMPLOYMENT
PRACTICES—Cont'd**

- Unfair immigration related employment practices—Cont'd
 - Coordination of efforts of Office of Special Counsel and EEOC—Cont'd
 - Citizenship discrimination—Cont'd
 - Office of Special Counsel guidelines, § 12:88
 - EEOC guidelines
 - Citizenship discrimination, § 12:92
 - National origin discrimination, § 12:91
 - Referral procedures, § 12:93, 12:94
 - Memorandum of understanding between Office of Special Counsel and EEOC, § 12:86
 - National origin discrimination
 - EEOC guidelines, § 12:91
 - Office of Special Counsel guidelines, § 12:87
 - Office of Special Counsel guidelines
 - Citizenship discrimination, § 12:88
 - National origin discrimination, § 12:87
 - Referral procedures, § 12:89, 12:90
 - Referral procedures
 - EEOC guidelines, § 12:93, 12:94
 - Office of Special Counsel guidelines, § 12:89, 12:90
- Enforcement procedures, above
- Equal Employment Opportunity Commission (EEOC). Coordination of efforts of Office of Special Counsel and EEOC, above this group
- Intentional discrimination, necessity of. Prohibited practices, below this group
- Intimidation, § 12:84
- National origin discrimination
 - Generally, § 12:81
 - Coordination of efforts of Office of Special Counsel and EEOC,

**EMPLOYER SANCTIONS AND
UNFAIR IMMIGRATION
RELATED EMPLOYMENT
PRACTICES—Cont'd**

- Unfair immigration related employment practices—Cont'd
 - National origin discrimination—Cont'd
 - below this group
 - Office of Special Counsel. Coordination of efforts of Office of Special Counsel and EEOC, above this group
 - Preference for equally qualified citizen or national permissible, § 12:85
 - Prohibited practices
 - Generally, § 12:78
 - Citizenship discrimination
 - Generally, § 12:82
 - Declaration of intending citizenship not required to assert discrimination, § 12:83
 - Intentional discrimination, necessity of
 - Generally, § 12:79
 - Proof of intentional discrimination, § 12:80
 - What constitutes intentional discrimination, § 12:80
 - Intimidation, § 12:84
 - National origin discrimination, § 12:81
 - Preference for equally qualified citizen or national permissible, § 12:85
 - Retaliation, § 12:84
 - Referral procedures. Coordination of efforts of Office of Special Counsel and EEOC, above this group
 - Retaliation, § 12:84
 - Verification of employment eligibility by state employment agencies. Employment eligibility verification, above

EMPLOYMENT

- Amnesty, this index
- Authorization of employment of aliens. Employment Authorization, this index

EMPLOYMENT—Cont'd

- Basis of immigration. Employment-Based Immigration, this index
- Conditions. Terms and conditions of employment, below
- Diplomatic visas, employment of A-1 and A-2 dependents, § 6:10, 6:11
- Employer Sanctions and Unfair Immigration Related Employment Practices, this index
- Employment and Training Administration (ETA), § 1:242
- Employment Standards Administration (ESA), § 1:245
- Expatriation, foreign government employment and
 - Generally, § 14:443
 - Oath of allegiance, § 14:444
- Foreign government employees, removal after termination, § 13:14
- Full-Time Employment, this index
- H Nonimmigrants, this index
- International Organization Representatives, this index
- Intracompany Transferees, this index
- K visa nonimmigrants, employment authorization, § 6:291
- Naturalization, this index
- O nonimmigrants, § 4:600-4:642
- Period of stay, extension, and revocation, § 6:368
- Permanent Residents, this index
- Religious Workers, this index
- Removal, this index
- Sanctions. Employer Sanctions and Unfair Immigration Related Employment Practices, this index
- Self-Employed Persons, this index
- S nonimmigrant visas, § 6:315
- Student and Exchange Visitors, this index
- Temporary visitors for business, § 4:109-4:161
- Terms and conditions of employment
 - H Nonimmigrants, this index
 - P nonimmigrants, effect of changes, § 4:656
- TN nonimmigrants, § 4:710-4:730
- Treaty Traders and Investors, this index
- Unfair practices. Employer Sanctions and Unfair Immigration Related

INDEX

EMPLOYMENT—Cont'd

- Employment Practices, this index
- Violations of laws. Removal, this index
- V nonimmigrant visas, employment authorization, § 6:374, 6:385

EMPLOYMENT AND TRAINING ADMINISTRATION (ETA)

- Generally, § 1:242
- H Nonimmigrants, this index

EMPLOYMENT AUTHORIZATION

- Generally, § 11:1-11:29
- Applicants for asylum, employment authorization for, § 11:8-11:11
- Application for employment authorization
 - Adjudication, § 11:23
 - Basic filing requirements, § 11:20
 - Country-specific USCIS benefit “holds” for “travel ban” countries, § 11:24
 - Denial of authorization, § 11:27
 - Foreign government officials, application by dependents of, § 11:21
 - Grant of authorization, § 11:26
 - Interim authorization, § 11:26
 - NATO noncitizens, application by dependents of, § 11:22
 - Speech affecting discretionary approval of requests for Reinstatement, § 11:25
 - Who must apply, generally, § 11:15-11:19
- Asylum matters, authorization in, § 11:8-11:11
- Automatic termination of authorization, § 11:28
- Classes of aliens may be employed, § 11:2
- Denial of authorization, § 11:27
- E nonimmigrant spouses, authorization for, § 11:13
- Foreign government officials, § 11:5
- Grant of authorization, § 11:26
- Information media representative, employment incident to status as, § 11:6
- Interim authorization, § 11:26
- L nonimmigrant spouses, authorization for, § 11:13

EMPLOYMENT AUTHORIZATION

—Cont'd

- NATO noncitizens, dependents of, § 11:19, 11:22
- Noncitizens admitted as refugees, authorization for, § 11:12
- Nonimmigrant, employment incident to status as, § 11:3, 11:4
- Persons granted asylum or withholding, § 11:7
- Revocation of authorization, § 11:29
- Status, employment incident to, § 11:2-11:14
- Termination of authorization, § 11:28

EMPLOYMENT-BASED IMMIGRATION

- Generally, § 8:1-8:216
- Ability
 - Employer's ability to pay wages Preference petitions, § 8:173, 8:176
 - Third preference eligibility, § 8:47
- Exceptional ability aliens, below
- Extraordinary ability aliens, below
- Practice occupation or profession, evidence of qualifications for preference petitions, § 8:170
- Abroad. Federal government employees abroad, below
- Abuse of discretion
 - Invalidation of labor certification, preference petition decision, § 8:179
- Acceptance or rejection
 - Copy of document, preference petitions, § 8:158
 - Employment acceptance, consular proceedings for obtaining permanent resident status, § 8:204, 8:211
 - Occupations accepted as professions, members of professions holding advanced degrees, § 8:28
- Adjustment of status
 - Permanent Residents, this index
 - Preference petitions, § 8:183, 8:185, 8:213
- Administrative review
 - Labor certification denial, § 8:140
 - Preference petition denial, § 8:190
 - Revocation of approved preference petitions, § 8:190

EMPLOYMENT-BASED

IMMIGRATION—Cont'd

- Advanced degrees. Members of professions holding degrees, below
- Advance parole for certain entrepreneurs (delayed implementation), § 2:219
- Adverse effect on wages and working conditions of U.S. workers, labor certification, generally, § 8:64
- Advisory opinions, preference petitions, § 8:181
- Affidavit of support, consular proceedings for obtaining permanent resident status, § 8:198
- Agents, concurrent immigrant petitions, § 8:213
- Allotment of visas, § 8:192
- Amendment. Changes, below
- Amount of visas available, § 8:192
- Appeal and review
 - Administrative review, above
 - Judicial review, below
 - Record on appeal, below
 - Revocation of approved preference petitions, § 8:189, 8:190
- Applications
 - Adjustment of status to permanent resident, § 8:213-8:216
 - Change of employer after adjustment application filed, preference petitions, § 8:185
 - National interest waiver, members of professions holding advanced degrees, § 8:37
 - Pre-September 11th petitioners, fourth preference eligibility, § 8:86
 - Schedule A occupations, below
 - Visa applications, consular proceedings, § 8:195-8:212
- Approval
 - Denial, below
 - Preference petitions, § 8:181.50-8:185, 8:195, 8:196
- Architects
 - Second preference eligibility, members of professions holding advanced degrees, § 8:21-8:38
 - Third preference eligibility, members of professions holding baccalaureate degrees, § 8:43, 8:54-8:58
- Area covered, labor certification, § 8:170

EMPLOYMENT-BASED

IMMIGRATION—Cont'd

- Armed forces foreign enlistees, fourth preference eligibility, § 8:75-8:81
- Arts and performing arts
 - Exceptional ability aliens, below
 - Extraordinary ability aliens, below
 - Labor certification, § 8:113, 8:114
- Athletics. Extraordinary ability aliens, below
- Attorneys
 - Basic labor certification process, legal representation, § 8:109
 - Second preference eligibility, members of professions holding advanced degrees, § 8:21-8:38
 - Third preference eligibility, members of professions holding baccalaureate degrees, § 8:43, 8:54-8:58
- Audit procedures, labor certification, § 8:136
- Authority and authorization
 - Consular proceedings for obtaining permanent resident status, § 8:195
 - Preference petition decision, § 8:175
- Automatic revocation of approved preference petitions, § 8:188
- Availability or unavailability. Visas, below
- Baccalaureate degrees
 - Members of professions holding degrees, below
 - Second preference eligibility, members of professions holding advanced degrees, § 8:24-8:26, 8:29
 - Third preference eligibility, members of professions, § 8:56-8:58
- BALCA (Board of Alien Labor Certification Appeals), administrative review of denial of labor certification, § 8:140
- Basic labor certification process
 - Generally, § 8:116-8:142
 - Legal representation, § 8:109
- Beneficiaries, § 8:1-8:216
- Board of Alien Labor Certification Appeals, administrative review of denial of labor certification, § 8:140

INDEX

EMPLOYMENT-BASED

IMMIGRATION—Cont'd

- Burden of proof
 - Business necessity, documentation for basic process applications for labor certification, § 8:130
 - Determinations, labor certification, § 8:101-8:107
 - Eligibility for preference classification, preference petitions, § 8:145
 - Revocation of approved preference petitions, § 8:187
- Business
 - Doing business, below
 - Exceptional ability aliens, below
 - Extraordinary ability aliens, below
- Cancellation. Termination or cancellation, below
- Capacity, multinational executives and managers, § 8:11-8:20
- Capricious. Arbitrary or capricious standard of judicial review, above
- Categories for preference, § 8:1-8:216
- Certification. Labor certification, below
- Changes
 - Adjustment of status, above
 - Consular proceedings for obtaining permanent resident status, § 8:196, 8:207
 - Preference petitions, § 8:185
- Children
 - Availability of visas, § 8:194
 - Humanitarian relief, adjustment of status to permanent resident, § 8:214
- Classification, preference petitions, § 8:143-8:188
- Colleges. Education, below
- Concurrent petitions
 - Adjustment of status to permanent resident, § 8:213
 - Preference petitions, § 8:213
- Conditions. Working conditions, below
- Conduct of hearing, administrative review of denial of labor certification, § 8:140
- Consideration or considerations
 - Multinational executives and managers, first preference eligibility, § 8:19

EMPLOYMENT-BASED

IMMIGRATION—Cont'd

- Consular matters
 - Officers. Consular officers, below
- Consular offices and officers
 - Obtaining permanent resident status, § 8:195-8:212
 - Preference petition decision, § 8:182
 - Proceedings, obtaining permanent resident status, § 8:195-8:212
 - Validity and invalidation of labor certification, duplicate of labor certification, § 8:141
- Continue or continuing
 - Intent to continue work in U.S., extraordinary ability aliens, § 8:8
 - Job offer, consular proceedings for obtaining permanent resident status, § 8:203
- Copy of document, preference petitions, § 8:158
- Corporations, filing preference petitions, § 8:149
- Counsel. Attorneys, above
- Courts. Judicial review, below
- Courts, validity and invalidation of labor certification, duplicate of labor certification, § 8:141
- Covered occupation and area, labor certification, § 8:170
- Creation of employment. Employment creation alien entrepreneurs, below
- Date. Time or date, below
- Decisions. Determinations and decisions, below
- Definitions
 - Affiliate, § 8:16
 - Doing business, § 8:11, 8:17
 - Exceptional ability, § 8:39
 - Executive capacity, § 8:12
 - Extraordinary ability, § 8:6
 - Full-time employment, § 8:88
 - Managerial capacity, § 8:13
 - Multinational, § 8:14
 - Outstanding professor or researcher, § 8:9
 - Profession, § 8:23, 8:54
 - Rural area, § 8:88
 - Specified terrorist activity, § 8:214
 - Subsidiary, § 8:15
 - Targeted employment area, § 8:88

EMPLOYMENT-BASED

IMMIGRATION—Cont'd

- Degrees
 - Advanced degrees. Members of professions holding degrees, below
 - Baccalaureate degrees, above
 - Members of professions holding degrees, below
 - Unaccredited schools' degrees, second or third preference eligibility, § 8:25, 8:57
- Denial
 - Approval, above
 - Preference petitions, § 8:156, 8:182, 8:190
 - Review of denial, preference petitions, § 8:191
- Department of Homeland Security
 - First preference eligibility, availability of visas, § 8:5
 - Second preference eligibility, availability of visas, § 8:21
 - Secretary of Homeland Security, below
 - USCIS (United States Citizenship and Immigration Services), § 8:13 et seq.
- Department of Labor
 - Advisory opinions, preference petitions, § 8:181
 - Decision on preference petition, § 8:175
 - Dictionary of Occupational Titles, below
 - Labor certification, below
 - Labor certification standards and burden of proof, § 8:103, 8:106, 8:107
 - Occupational Outlook Handbook, below
- Derivative preference status, spouses and children, § 8:194
- Description, letters describing training, experience, duties or responsibilities, preference petitions, § 8:171
- Designation. Schedule A occupations, below
- Determinations and decisions
 - Adjustment of status to permanent resident, § 8:216

EMPLOYMENT-BASED

IMMIGRATION—Cont'd

- Determinations and decisions—Cont'd
 - Consular proceedings for obtaining permanent resident status, § 8:199-8:211
 - EB-5 program, § 8:94
 - Fifth preference eligibility, § 8:94
 - Foreign military enlistees with honorable active duty records, fourth preference employment-based immigration, § 8:79
 - Labor certification, generally, § 8:64, 8:138
 - Multinational executives and managers, first preference eligibility, § 8:18-8:20
 - Notice, § 8:182, 8:183
 - Preference petitions, § 8:175-8:181
 - Prevailing wage determination, labor certification, § 8:118
 - Validity and invalidation of labor certification, duplicate of labor certification, § 8:141
- DHS. Department of Homeland Security, above
- Dictionary of Occupational Titles
 - O*NET Job Zones, § 8:119
 - Second preference eligibility, members of professions holding advanced degrees, § 8:27, 8:35
 - Third preference eligibility, members of professions holding baccalaureate degrees, § 8:55
- Disposition of approved preference petitions, § 8:183
- Doctors. Physicians, below
- Documents and documentation
 - Ability of prospective employer to pay wage, preference petitions, § 8:173
 - Concurrent immigrant petitions, § 8:213
 - Foreign enlistees with honorable active duty records, fourth preference employment-based immigration, § 8:77
 - Preference petitions, generally, § 8:152, 8:157-8:172
- Doing business
 - Employment creation alien entrepreneur, filing preference petitions, § 8:144

INDEX

EMPLOYMENT-BASED

IMMIGRATION—Cont'd

- Doing business—Cont'd
 - Multinational executives and managers, first preference eligibility, § 8:11, 8:17
- Domestic or personal employees or servants
 - Employee association employees abroad, fourth preference eligibility, § 8:66
 - Federal government employees abroad, fourth preference eligibility, § 8:67
 - Live-in employees, conditions of employment, labor certification, § 8:134
 - Recreation association employees abroad, fourth preference eligibility, § 8:66
- Duplicate of document, preference petitions, § 8:158
- Duties and responsibilities
 - Decision on preference petition, § 8:175
 - Job duties and responsibilities, § 8:129-8:132
 - Letters describing duties or responsibilities, evidence of qualifications for preference petitions, § 8:171
- EB-5 program, fifth preference eligibility, § 8:87-8:97
- EB-5 Reform and Integrity Act of 2022, § 8:98
- Education
 - Advisory opinions, preference petitions, § 8:181
 - Beneficiary found qualified by petitioner of good repute, preference petitions, § 8:174
 - Exceptional ability aliens, second preference eligibility, § 8:39
 - Extraordinary ability aliens, below
 - Members of professions holding degrees, below
 - O*NET Job Zones, § 8:119
 - Outstanding professors or researchers, below
 - Specific Vocational Preparation (SVP), use of, § 8:119
 - Teachers, below

EMPLOYMENT-BASED

IMMIGRATION—Cont'd

- Education—Cont'd
 - Unaccredited schools' degrees, second or third preference eligibility, § 8:25, 8:57
- Effect
 - Application for adjustment of status to permanent resident, effect on pending deportation proceeding, § 8:215
 - Baccalaureate degree from unaccredited school, § 8:25, 8:57
 - License requirement, § 8:30, 8:51
- Eligibility
 - Adjustment of status to permanent resident, § 8:213, 8:214, 8:216
 - Preference eligibility, § 8:1-8:97, 8:143-8:145
 - Qualifications, below
- Employee associations abroad, fourth preference eligibility, § 8:66
- Employment creation alien entrepreneurs
 - Business plan requirements, § 8:90
 - Eligibility for preference, § 8:1, 8:87-8:97
 - Evidence of qualifications, preference petitions, § 8:169
 - Filing preference petitions, § 8:144, 8:146, 8:151
 - Lawful permanent resident status, § 9:9
 - Special immigrants, § 8:154
- Engineers
 - Second preference eligibility, members of professions holding advanced degrees, § 8:21-8:38
 - Third preference eligibility, members of professions holding baccalaureate degrees, § 8:43, 8:54-8:58
- English language qualifications for employment, consular proceedings for obtaining permanent resident status, § 8:202
- Entrepreneurs, § 8:154
- Entrepreneurs. Employment creation alien entrepreneurs, above
- Entry facilitation, consular proceedings, § 8:212
- Equivalent of advanced degrees, members of professions holding

EMPLOYMENT-BASED

IMMIGRATION—Cont'd

- advanced degrees, § **8:21-8:38**
- Evidence
 - Ability of employer to pay wages, § **8:47, 8:173**
 - Adjustment of status to permanent resident, § **8:213**
 - Beneficiary found qualified by petitioner of good repute, preference petitions, § **8:174**
 - Burden of proof, above
 - Exceptional ability aliens, second preference eligibility, § **8:39**
 - Extraordinary ability aliens, first preference eligibility, § **8:6**
 - Outstanding professors and researchers, first preference eligibility, § **8:9**
 - Qualifications, documentation for preference petitions, § **8:160-8:172**
- Exceptional ability aliens
 - Concurrent immigrant petitions, § **8:213**
 - Documentation for Schedule A applications for labor certification, § **8:113, 8:114**
 - Eligibility for preference, § **8:21, 8:39-8:42**
 - Evidence of qualifications, preference petitions, § **8:164**
 - Filing preference petitions, § **8:147, 8:148, 8:151**
- Executives. Multinational executives and managers, below
- Experience
 - Consular proceedings for obtaining permanent resident status, § **8:201**
 - Difference between skilled and other workers, third preference eligibility, § **8:44**
 - Letters describing experience, evidence of qualifications for preference petitions, § **8:171**
 - Members of professions holding advanced degrees, second preference eligibility, § **8:26, 8:29, 8:34**
 - Members of professions holding baccalaureate degrees, third prefer-

EMPLOYMENT-BASED

IMMIGRATION—Cont'd

- Experience—Cont'd
 - ence eligibility, § **8:58**
 - O*NET Job Zones, § **8:119**
 - Progressive experience, members of professions holding advanced degrees, § **8:29, 8:34**
 - Specific Vocational Preparation (SVP), use of, § **8:119**
 - Subsequent experience, third preference eligibility, § **8:48**
- Extraordinary ability aliens
 - Education, first preference eligibility, § **8:6-8:8**
 - Eligibility for preference, § **8:6-8:8**
 - Evidence of qualifications, preference petitions, § **8:160**
 - Filing preference petitions, § **8:147, 8:151**
- Facilitation of entry, consular proceedings for obtaining permanent resident status, § **8:212**
- Faithful service, honorably retired federal employee, fourth preference eligibility, § **8:68**
- Federal government employees abroad
 - Filing preference petitions, § **8:144, 8:146**
 - Fourth preference eligibility, § **8:64-8:69**
 - Honorably retired, fourth preference eligibility, § **8:68**
- Fees
 - Filing preference petitions, § **8:151**
 - Labor certification, § **8:108**
- Fifth preference
 - Allotment of visas, § **8:192**
 - Determinations and decisions, precedent-setting, § **8:94**
 - EB-5 program, § **8:87-8:97**
 - Eligibility, § **8:1, 8:87-8:97**
 - Employment creation alien entrepreneurs, above
 - Investments, qualifying, § **8:89**
 - Lawful permanent resident status, § **9:9**
 - Litigation, § **8:94**
 - Petitions, generally, § **8:87-8:97**
 - Pilot program, § **8:93**

INDEX

EMPLOYMENT-BASED

IMMIGRATION—Cont'd

- Fifth preference—Cont'd
 - 21st Century Department of Justice Appropriations Authorization Act
 - Application procedures for designation of EB-5 regional centers, § 8:96
 - Recordkeeping procedures for EB-5 regional centers, § 8:97
- Filing
 - Applications for labor certification, generally, § 8:116
 - Basic process applications, labor certification, § 8:116
 - Change of employer after adjustment application filed, preference petitions, § 8:185
 - Foreign enlistees with honorable active duty records, fourth preference employment-based immigration, § 8:76
 - Preference petitions, § 8:143-8:155
 - Recruitment steps prior to filing, § 8:122
 - Schedule A applications, labor certification, § 8:115
 - Submission, below
- Financial ability of employer to employ alien, preference petition decision, § 8:175
- First preference
 - Allotment of visas, § 8:192
 - Eligibility, § 8:1, 8:5-8:20
 - Extraordinary ability aliens, above
 - Multinational executives and managers, below
 - Outstanding professors or researchers, below
 - Permanent Residents, this index
 - Petitions, generally, § 8:6, 8:143-8:188
- Foreign corporations, filing preference petitions, § 8:149
- Foreign Labor Application Gateway (FLAG), labor certification, § 8:100.50
- Foreign medical graduates, fourth preference eligibility, § 8:71
- Fourth preference
 - Allotment of visas, § 8:192

EMPLOYMENT-BASED

IMMIGRATION—Cont'd

- Fourth preference—Cont'd
 - Eligibility, § 8:1, 8:61-8:86
 - Permanent Residents, this index
 - Petitions, generally, § 8:61-8:86
 - Qualified special immigrant workers, below
- Fraud or willful misrepresentation
 - Cancellation of labor certification, consular proceedings for obtaining permanent resident status, § 8:208
 - Invalidation of labor certification, § 8:210
 - Validity and invalidation of labor certification, duplicate of labor certification, § 8:141
 - Validity of labor certification, preference petition decision, § 8:179
- Functional self-employment, consular proceedings for obtaining permanent resident status, § 8:208
- Good cause, revocation of approved preference petitions, § 8:186, 8:187
- Good repute, preference petitions, § 8:174
- Granting. Approval, above
- Hearings, administrative review of denial of labor certification, § 8:140
- Homeland Security
 - Department of Homeland Security, above
 - Secretary of Homeland Security, below
- Homeland Security Department. Department of Homeland Security, above
- Honorably retired federal employee, fourth preference eligibility, § 8:68
- Household domestic service workers, basic process applications for labor certification, § 8:134
- Humanitarian relief, adjustment of status to permanent resident, § 8:214
- Husband and wife. Spouses, below
- Immigrant visas, § 8:1-8:216
- Intent
 - Acceptance of employment, consular proceedings for obtaining permanent resident status, § 8:204

EMPLOYMENT-BASED**IMMIGRATION—Cont'd**

Intent—Cont'd

Continue work in U.S., extraordinary ability aliens, § **8:8**

Employer intending to employ alien in U.S., filing preference petitions, § **8:148-8:150**

Members of professions holding advanced degrees, second preference eligibility, § **8:31**

Members of professions holding baccalaureate degrees, third preference eligibility, § **8:52**

Willingness of employer to employ alien, preference petition decision, § **8:178**

International broadcasting employees, fourth preference eligibility, § **8:82, 8:83**

International organization officers and employees, fourth preference eligibility, § **8:72**

Intracompany transferees, effect of labor certification application on adjudication of petitions for visas, § **4:571**

Invalidation, labor certification, § **8:141, 8:179, 8:209-8:211**

Investment, employment creation immigrants, § **8:87-8:97**

Investments, fifth preference eligibility qualifications, § **8:89**

Issuance of visas based on priority date, order of, § **8:193**

Job

Alien influence and control over job opportunity, labor certification, § **8:135**

Duties and responsibilities, § **8:129-8:132**

Length of time job must be held, preference eligibility, § **8:4**

Minimum job requirements, § **8:133**

Notice, § **8:123**

Offer. Job offer, below

Job offer

Consular proceedings for obtaining permanent resident status, § **8:196, 8:203, 8:211**

Exceptional ability aliens, second preference eligibility, § **8:40**

EMPLOYMENT-BASED**IMMIGRATION—Cont'd**

Job offer—Cont'd

Extraordinary ability aliens, first preference eligibility, § **8:7**

First preference eligibility, generally, § **8:2**

Members of professions holding advanced degrees, second preference eligibility, § **8:36**

Multinational executives and managers, first preference eligibility, § **8:20**

Necessity, § **8:2, 8:45, 8:46**

Outstanding professors and researchers, first preference eligibility, § **8:10**

Preference petitions, § **8:173, 8:177**

Second preference eligibility, generally, § **8:2**

Third preference eligibility, § **8:2, 8:45, 8:46, 8:48, 8:53**

Judicial review

Preference petitions denials and revocations, § **8:191**

Scope of judicial review, below

Standard of judicial review, below

Jurisdiction

Adjustment of status to permanent resident, § **8:216**

Filing preference petitions, § **8:144**

Labor certification

Legacy Program Electronic Review Management (PERM) System, § **8:100**

Labor certification

Generally, § **8:3, 8:99-8:142**

Adjustment of status to permanent resident, § **8:213**

Alien influence and control over job opportunity, § **8:135**

Audit

Procedures, § **8:136**

Basic labor certification process, generally, § **8:116-8:142**

Consular proceedings, obtaining permanent resident status, § **8:195, 8:197, 8:201, 8:203, 8:205, 8:206, 8:208-8:212**

Determinations and decisions, § **8:64, 8:138**

INDEX

EMPLOYMENT-BASED

IMMIGRATION—Cont'd

Labor certification—Cont'd

Exceptional ability aliens, second preference eligibility, § **8:41, 8:42**

Extraordinary ability aliens, first preference eligibility, § **8:7**

Filing application for permanent employment certification, § **8:116**

H Nonimmigrants, this index

Intracompany transferees, effect of application on adjudication of petitions for visas, § **4:571**

Invalidation of labor certification, § **8:141, 8:179, 8:209-8:211**

Job duties and requirements, § **8:129-8:132**

Job notice, § **8:123**

Layoffs as pre-recruitment consideration, § **8:120**

Legal representation, § **8:109**

Length of time job must be held, preference eligibility, § **8:4**

Live-in household domestics, § **8:134**

Members of professions holding advanced degrees, second preference eligibility, § **8:36-8:38**

Minimum job requirements, § **8:133**

Multinational executives and managers, first preference eligibility, § **8:20**

O*NET Job Zones, § **8:119**

O nonimmigrants, § **4:603-4:605**

Outstanding professors and researchers, first preference eligibility, § **8:10**

P nonimmigrants, effect of approval, § **4:647**

Preference petitions

Generally, § **8:143-8:145**

Documentation, § **8:159**

Filing, what constitutes proper, § **8:152**

Priority date, § **8:153**

Qualifications of alien for certified job, § **8:176, 8:179-8:181**

Pre-recruitment considerations, § **8:117-8:121**

Recruitment procedures, § **8:122-8:128**

EMPLOYMENT-BASED

IMMIGRATION—Cont'd

Labor certification—Cont'd

Review of ETA Form 9089, § **8:121**

Revocation of approved certification, § **8:142**

Shepherders, § **8:115, 8:181**

Specific Vocational Preparation (SVP), use of, § **8:119**

Standards and burden of proof, generally, § **8:101-8:107**

Substitution, § **8:139, 8:171, 8:206**

Third preference eligibility, generally, § **8:53**

Validity of labor certifications, § **8:141, 8:179-8:181**

Labor Department. Department of Labor, above

Language qualifications for employment, consular proceedings for obtaining permanent resident status, § **8:202**

Lawyers. Attorneys, above

Layoffs as pre-recruitment consideration, § **8:120**

Legacy PERM (Program Electronic Review Management) System, labor certification

regulations and overview of changes made, traditional labor certification process to PERM applications, § **8:100**

Legacy Program Electronic Review Management (PERM), § **8:100**

Length of time job must be held, preference eligibility, § **8:4**

Letters describing training, experience, duties or responsibilities, evidence of qualifications for preference petitions, § **8:171**

Licenses

Ability to practice occupation or profession, evidence of qualifications for preference petitions, § **8:170**

Documentation for Schedule A applications, labor certification, § **8:111, 8:112**

Members of professions holding advanced degrees, second preference eligibility, § **8:29, 8:30**

EMPLOYMENT-BASED

IMMIGRATION—Cont'd

- Licenses—Cont'd
 - Members of professions holding baccalaureate degrees, third preference eligibility, § 8:50, 8:51
 - Third preference eligibility, generally, § 8:49
- Limitations or restrictions
 - Availability of visas, § 8:192
- Litigation, fifth preference eligibility, § 8:94
- Live-in employees, labor certification, § 8:134
- Location or place
 - Change in petitioner's location, consular proceedings for obtaining permanent resident status, § 8:207
 - Preference petitions, filing, § 8:144
- Managers. Multinational executives and managers, below
- Members of professions holding degrees
 - Advanced degrees
 - Concurrent immigrant petitions, § 8:213
 - Eligibility for preference, § 8:21-8:38
 - Evidence of qualifications, preference petitions, § 8:163
 - Filing preference petitions, § 8:148, 8:151
 - Baccalaureate degrees
 - Eligibility for preference, § 8:43, 8:54-8:58
 - Evidence of qualifications, preference petitions, § 8:165
 - Filing preference petitions, § 8:148, 8:151
- Minimum job requirements, documentation for basic process applications for labor certification, § 8:133
- Ministers and other religious persons, fourth preference eligibility, § 8:61-8:63
- Minor aliens declared dependent on juvenile court, fourth preference eligibility, § 8:73, 8:74
- Minors. Children, above
- Misrepresentation. Fraud or willful misrepresentation, above
- Modification. Changes, above

EMPLOYMENT-BASED

IMMIGRATION—Cont'd

- Multinational executives and managers
 - Eligibility for preference, § 8:11-8:20
 - Evidence of qualifications, preference petitions, § 8:162
 - Filing preference petitions, § 8:148, 8:151
- Name change, consular proceedings for obtaining permanent resident status, § 8:207
- National interest waivers
 - Exceptional ability aliens, second preference eligibility, § 8:42
 - Members of professions holding advanced degrees, second preference eligibility, § 8:37, 8:38
 - Preference petitions, § 8:159
- National Visa Center, consular proceedings for obtaining permanent resident status, § 8:195
- Necessity
 - Being professional at time of petition, § 8:29, 8:30, 8:50, 8:51
 - Business necessity, documentation for basic process applications for labor certification, § 8:130
 - Eligibility of alien at time of petition, third preference eligibility, § 8:48, 8:49
 - Intent to practice profession, § 8:31, 8:52
 - Job offer, § 8:2, 8:45, 8:46
- New commercial enterprise, employment creation immigrants, § 8:87-8:97
- Nonimmigrant employer, third preference eligibility, § 8:46
- Nonprofessionals, recruitment procedures, § 8:128
- Notice
 - Consular proceedings for obtaining permanent resident status, § 8:195
 - Decisions, § 8:182, 8:183
 - Invalidation of labor certification, § 8:141
 - Job notice, § 8:123
 - Revocation of approved preference petitions, § 8:189
 - Validity of labor certification, § 8:141
- Number of visas available, § 8:192

INDEX

EMPLOYMENT-BASED

IMMIGRATION—Cont'd

- Nurses
 - Documentation for Schedule A applications for labor certification, § **8:111**
 - Professional nurses
 - Documentation for Schedule A applications for labor certification, § **8:111**
 - Third preference, § **8:59, 8:60**
- Obtaining permanent resident status, § **8:192-8:216**
- Occupational Information Network (O*NET) Job Zones, § **8:119**
 - Second preference eligibility, § **8:27, 8:35**
- Occupational Outlook Handbook
 - Second preference eligibility, members of professions holding advanced degrees, § **8:27, 8:35**
 - Third preference eligibility, members of professions holding baccalaureate degrees, § **8:55**
- Occupations and professions
 - Architects, above
 - Attorneys, above
 - Covered occupation, labor certification, § **8:170**
 - Dictionary of Occupational Titles, above
 - Engineers, above
 - Exceptional ability aliens, second preference eligibility, § **8:39**
 - Labor certification, generally, § **8:99-8:142**
 - Members of professions holding degrees, above
 - Nurses, above
 - Physicians, below
 - Recruitment of nonprofessionals, procedures for, § **8:128**
 - Recruitment of professionals, procedures for, § **8:124-8:126**
 - Schedule A occupations, below
 - Schedule B occupations, below
 - Teachers, below
- Offer. Job offer, above
- Officers. Consular officers, above
- O*NET Job Zones
 - Generally, § **8:119**

EMPLOYMENT-BASED

IMMIGRATION—Cont'd

- O*NET Job Zones—Cont'd
 - Second preference eligibility, § **8:27, 8:35**
- O nonimmigrants, effect of labor certification, § **4:603-4:605**
- Order of issuance of visas based on priority date, § **8:193**
- Other workers. Unskilled (other) workers, below
- Outstanding professors or researchers
 - Eligibility for preference, § **8:9, 8:10**
 - Evidence of qualifications, preference petitions, § **8:161**
 - Filing preference petitions, § **8:148, 8:151**
- Overqualified aliens, consular proceedings for obtaining permanent resident status, § **8:205**
- Ownership change, consular proceedings for obtaining permanent resident status, § **8:207**
- Panels of Board of Alien Labor Certification Appeals, administrative review of denial of labor certification, § **8:140**
- Parole, advanced (delayed implementation), § **2:219**
- Partnerships, filing preference petitions, § **8:150**
- Payment. Employer's ability to pay wages. Ability, above
- Pending deportation proceeding, effect of application for adjustment of status to permanent resident, § **8:215**
- Permanent employment offer, third preference eligibility, § **8:45, 8:46**
- Permanent Residents, this index
- Petitions
 - Concurrent petitions, above
 - Labor certification, above
 - Preference petitions
 - Generally, § **8:143-8:188**
 - Approval, § **8:195, 8:196**
 - Consular proceedings for obtaining permanent resident status, § **8:195-8:212**
 - Labor certification, above
- Physical therapists, documentation for Schedule A applications for labor

EMPLOYMENT-BASED

IMMIGRATION—Cont'd

- certification, § **8:111, 8:112**
- Physicians
 - Exceptional ability aliens, second preference eligibility, § **8:42**
 - Members of professions holding advanced degrees, second preference eligibility, § **8:21-8:38**
 - Members of professions holding baccalaureate degrees, third preference eligibility, § **8:43, 8:54-8:58**
 - National interest waivers, § **8:38, 8:42**
- Pilot program, EB-5, fifth preference eligibility, § **8:93**
- Place. Location or place, above
- P nonimmigrants, effect of approval of labor certification, § **4:647**
- Preference
 - Categories, § **8:1-8:216**
 - Eligibility, § **8:1-8:97, 8:143-8:145**
 - Fifth preference, above
 - First preference, above
 - Fourth preference, above
 - Petitions, above
 - Petitions. Labor certification, above
 - Second preference, below
 - Third preference, below
- Pre-September 11th petitioners, fourth preference eligibility, § **8:84-8:86**
- Prevailing wage, labor certification, § **8:118**
- Priority
 - Date. Priority date, below
 - Workers. First preference, above
- Priority date
 - Derivative preference status for spouses and children, availability of visas, § **8:194**
 - Order of issuance of visas based on priority date, § **8:193**
 - Preference petitions, § **8:153-8:155**
- Professionals
 - Members of professions holding degrees, above
 - Nurses, above
 - Permanent Residents, this index
- Professions. Occupations and professions, above

EMPLOYMENT-BASED

IMMIGRATION—Cont'd

- Professors. Outstanding professors or researchers, above
- Proficiency in language, qualifications for employment, § **8:202**
- Program announcement, § **8:98.50**
- Progressive experience, members of professions holding advanced degrees, § **8:29, 8:34**
- Proof. Evidence, above
- Proper filing, preference petitions, § **8:152, 8:153, 8:157**
- Qualifications
 - Advisory opinions, preference petitions, § **8:181**
 - Beneficiary found qualified by petitioner of good repute, preference petitions, § **8:174**
 - Decision on preference petition, § **8:176, 8:181**
 - Eligibility, above
 - Employment, consular proceedings for obtaining permanent resident status, § **8:199-8:202**
 - Evidence of qualifications, preference petitions, § **8:160-8:172**
 - Validity of labor certification, preference petition decision, § **8:181**
- Qualified special immigrant workers
 - Eligibility for preference, § **8:1, 8:61-8:86**
- Federal government employees abroad, above
- Filing preference petitions, § **8:147, 8:151**
- Lawful permanent resident status, § **9:9, 9:198**
- Priority date
 - Employment creation alien entrepreneurs, § **8:154**
 - Preference petitions, § **8:154**
 - Retention from prior petitions, § **8:154.54**
- Religious workers, below
- Qualified workers, special immigrants. Qualified special immigrant workers, above
- Recreation association employees abroad, fourth preference eligibility, § **8:66**

INDEX

EMPLOYMENT-BASED

IMMIGRATION—Cont'd

- Recruitment, supervision, labor certification, § **8:137**
- Regulations, labor certification, § **8:99-8:142**
- Rejection. Acceptance or rejection, above
- Religious workers
 - Fourth preference eligibility, § **8:61-8:63**
 - Permanent Residents, this index
 - Preference petitions, § **8:151, 8:168**
- Requests, additional documents, preference petitions, § **8:157**
- Researchers. Outstanding professors or researchers, above
- Responsibilities. Duties and responsibilities, above
- Restrictions. Limitations or restrictions, above
- Retention of priority date, preference petitions, § **8:153**
- Retirement, Federal employee honorably retired after faithful service, fourth preference eligibility, § **8:68**
- Return, approved preference petition returned due to changed circumstances, § **8:196**
- Review. Appeal and review, above
- Revocation
 - Approved labor certification, § **8:142**
 - Approved preference petitions, § **8:156, 8:186-8:190**
 - Foreign enlistees with honorable active duty records, fourth preference employment-based immigration, § **8:80**
 - No priority date conferred on revocation of preference petition, § **8:156**
 - Priority date, order of issuance of visas based on priority date, § **8:193**
 - Review of revocation, preference petitions, § **8:191**
- Schedule A occupations
 - Application for Schedule A designation
 - Exceptional ability aliens, second preference eligibility, § **8:40**

EMPLOYMENT-BASED

IMMIGRATION—Cont'd

- Schedule A occupations—Cont'd
 - Application for Schedule A designation—Cont'd
 - Members of professions holding advanced degrees, second preference eligibility, § **8:36**
 - Preference petitions, § **8:153, 8:159**
 - Third preference eligibility, § **8:53**
 - Consular proceedings for obtaining permanent resident status, § **8:197, 8:202**
 - Covered occupation and area, labor certification, § **8:170**
 - Designation. Application for Schedule A designation, above this group
 - Labor certification, generally, § **8:64**
 - Preference petitions, § **8:153, 8:159, 8:181, 8:190**
 - Skilled workers, third preference eligibility, § **8:44**
 - Substitution of alien beneficiaries, labor certification, § **8:171**
- Schedule B occupations, labor certification, § **8:64**
- Schools. Education, above
- Sciences
 - Exceptional ability aliens, above
 - Extraordinary ability aliens, above
- Sciences, arts and performing arts, labor certification, § **8:113, 8:114**
- Second preference
 - Advanced degree holders. Members of professions holding degrees, above
 - Allotment of visas, § **8:192**
 - Concurrent immigrant petitions, § **8:213**
 - Eligibility, § **8:1, 8:3, 8:21-8:42**
 - Exceptional ability aliens, above
 - O*NET Job Zones, § **8:27**
 - Permanent Residents, this index
 - Petitions, generally, § **8:143-8:188**
- Secretary of Homeland Security
 - Affidavit of support, consular proceedings for obtaining permanent resident status, § **8:198**
 - National interest waivers, § **8:37, 8:38, 8:42**

EMPLOYMENT-BASED

IMMIGRATION—Cont'd

- Secretary of State
 - Consular proceedings for obtaining permanent resident status, § 8:195
 - Country-specific USCIS benefit “holds” for “travel ban” countries, § 8:181.50
 - Decision on preference petition, § 8:182
 - Filing preference petitions, § 8:144
- Self-employment, consular proceedings for obtaining permanent resident status, § 8:208
- Servants. Domestic or personal employees or servants, above
- Service Center, filing preference petitions, § 8:144
- Services
 - Household domestic service workers, basic process applications for labor certification, § 8:134
 - USCIS (United States Citizenship and Immigration Services), § 8:13 et seq.
- Shepherders, labor certification, § 8:115, 8:181
- Signatures, preference petitions, § 8:152
- Skilled workers
 - Eligibility for preference, § 8:43, 8:44
 - Evidence of qualifications, preference petitions, § 8:166
 - Filing preference petitions, § 8:148, 8:151
- Special matters. Qualified special immigrant workers, above
- Specific Vocational Preparation (SVP), use of, § 8:119
- Spouses
 - Availability of visas, § 8:194
 - Humanitarian relief, adjustment of status to permanent resident, § 8:214
- Staffing levels, multinational executives and managers, § 8:19
- Standard of judicial review
 - Abuse of discretion, above
 - Arbitrary or capricious standard of judicial review, above

EMPLOYMENT-BASED

IMMIGRATION—Cont'd

- Standards
 - Judicial review. Standard of judicial review, above
 - Labor certification determinations, § 8:101-8:107
- Statements, ability of prospective employer to pay wage, preference petitions, § 8:173
- Status
 - Generally, § 8:1-8:216
 - Immigration status of employer, third preference eligibility, § 8:46
 - Permanent Residents, this index
 - Preference petitions, § 8:183, 8:185, 8:213
 - Special immigrant status as present or former federal government employee abroad, filing preference petitions, § 8:144, 8:146
- Substitution
 - Experience not permitted as substitute for degree, § 8:26, 8:58
 - Labor certification, § 8:139, 8:171, 8:206
- Support
 - Adjustment of status to permanent resident, § 8:213
 - Affidavit of support, consular proceedings for obtaining permanent resident status, § 8:198
- Surviving spouses and children, adjustment of status to permanent resident, § 8:214
- Teachers
 - Labor certification, § 8:113, 8:114, 8:127
 - Members of professions holding advanced degrees, second preference eligibility, § 8:21-8:38
 - Members of professions holding baccalaureate degrees, third preference eligibility, § 8:43, 8:54-8:58
 - Outstanding professors or researchers, above
 - Recruitment procedures, § 8:127
- Termination or cancellation
 - Labor certification, § 8:205, 8:208, 8:211

EMPLOYMENT-BASED**IMMIGRATION—Cont'd**

- Third preference
 - Allotment of visas, § **8:192**
 - Baccalaureate degree holder.
 - Members of professions holding degrees, above
 - Baccalaureate degree requirement, § **8:56-8:58**
 - Concurrent immigrant petitions, § **8:213**
 - Eligibility, § **8:1, 8:3, 8:43-8:60**
 - Nurses, § **8:59, 8:60**
 - Permanent Residents, this index
 - Petitions, generally, § **8:48, 8:49, 8:143-8:188**
 - Skilled workers, above
 - Unskilled (other) workers, below
- Time or date
 - Length of time job must be held, preference eligibility, § **8:4**
 - Necessity of being professional at time of petition, § **8:29, 8:30, 8:50, 8:51**
 - Necessity of eligibility of alien at time of petition, third preference eligibility, § **8:48, 8:50**
 - Priority date, above
 - Revocation of approved preference petitions, § **8:186, 8:188**
- Trade. Occupations and professions, above
- Training
 - Difference between skilled and other workers, third preference eligibility, § **8:44**
 - Letters describing training, evidence of qualifications for preference petitions, § **8:171**
- Transferability of priority date, preference petitions, § **8:156**
- 21st Century Department of Justice Appropriations Authorization Act, fifth preference, § **8:95**
 - Application procedures for designation of EB-5 regional centers, § **8:96**
 - Recordkeeping procedures for EB-5 regional centers, § **8:97**
- Unaccredited schools' degrees, second or third preference eligibility, § **8:25, 8:57**

EMPLOYMENT-BASED**IMMIGRATION—Cont'd**

- Universities. Education, above
- Unskilled (other) workers
 - Eligibility for preference, § **8:43, 8:44**
 - Evidence of qualifications, preference petitions, § **8:167**
 - Filing preference petitions, § **8:148, 8:151**
- USCIS (United States Citizenship and Immigration Services), § **8:13 et seq.**
- Validity
 - Approved preference petitions, § **8:184, 8:185**
 - Invalidation, above
 - Labor certification, § **8:141, 8:179-8:181**
- Visas
 - Availability of visas
 - Fifth preference eligibility, § **8:87-8:97**
 - First preference eligibility, § **8:5, 8:6, 8:9, 8:11**
 - Fourth preference eligibility, § **8:61-8:86**
 - Obtaining permanent resident status, § **8:192-8:194**
 - Second preference eligibility, § **8:21-8:35, 8:39**
 - Third preference eligibility, § **8:43**
 - Immigrant visas, § **8:1-8:216**
 - Preference categories, generally, § **8:1**
- Wages
 - Adverse effect on wages and working conditions of U.S. workers, § **8:64**
 - Employer's ability to pay wages. Ability, above
 - Prevailing wage, labor certification, § **8:118**
- Waiver. National interest waivers, above
- Wife and husband. Spouses, above
- Willful misrepresentation. Fraud or willful misrepresentation, above
- Willing or willingness, employer's willingness to employ alien, preference petition decision, § **8:178**
- Withdrawal of offer of employment, consular proceedings for obtaining permanent resident status, § **8:196, 8:211**

EMPLOYMENT-BASED

IMMIGRATION—Cont'd

Working conditions

Actual working conditions different from those certified, validity of labor certification, § 8:180

Adverse effect on wages and working conditions of U.S. workers, § 8:64

EMPLOYMENT ELIGIBILITY

VERIFICATION

Employer Sanctions and Unfair Immigration Related Employment Practices, this index

EMPLOYMENT RELATED RIGHTS OF ALIENS

Generally, § 16:86-16:118

Backpay awards to undocumented workers, § 16:90

Civil rights legislation, § 16:92-16:94

Constitutional rights, § 16:109-16:115

Damages and awards to undocumented workers, § 16:90

Due process, § 16:112

Equal Employment Opportunities Act, § 16:94

Equal protection rights, § 16:109-16:111

Factory surveys, § 16:114

Fair Labor Standards Act, § 16:91

Fourth Amendment rights, § 16:113-16:115

Immigration Reform and Control Act of 1986 (IRCA), § 16:95

Labor unions

Threats, prohibition against union or employer, § 16:89

Vote in representation election, eligibility to, § 16:88, 16:89

National Labor Relations Act

Generally, § 16:87-16:89

Damages and awards to undocumented workers, § 16:90

“Employee,” alien as, § 16:88

Threats, prohibition against union or employer, § 16:89

Vote in representation election, eligibility to, § 16:88, 16:89

Railroad Retirement Act, § 16:107

Railroad Unemployment Insurance Act, § 16:106

EMPLOYMENT RELATED RIGHTS OF ALIENS—Cont'd

Severance pay legislation, § 16:108

State minimum wage laws, § 16:91

Statutory rights

Generally, § 16:87-16:118

Civil rights legislation, § 16:92-16:94

Immigration Reform and Control Act, § 16:95

Labor legislation, § 16:87-16:91

Severance pay legislation, § 16:108

Unemployment Compensation, this index

Taxation

Generally, § 16:116-16:118

Employment taxes, § 16:118

Residents and non-residents, taxation of income for, § 16:117

Undocumented aliens

Backpay awards to undocumented workers, § 16:90

Fair Labor Standards Act, § 16:91

Unemployment compensation benefits, ineligibility for, § 16:102-16:104

Unemployment Compensation, this index

Unions. Labor unions, above

EMPLOYMENT STANDARDS ADMINISTRATION (ESA)

Generally, § 1:245

ENEMY ALIENS

Actions by or against, § 16:8, 16:11

Confiscation of enemy alien's property, § 16:146

Defined, § 14:295

ENERGY SECURITY AND LIGHTERING INDEPENDENCE ACT

Legislation to control immigration, § 1:156

ENFORCEMENT

Employer Sanctions and Unfair Immigration Related Employment Practices, this index

H Nonimmigrants, this index

ICE (Immigration and Customs Enforcement), this index

INDEX

ENFORCEMENT—Cont'd

- Treasury Enforcement Communications System (TECS II), § **3:1**
- Voluntary departure, § **13:304-13:309**

ENGINEERS

- Employment-Based Immigration, this index
- TN nonimmigrants, qualifications for particular professions or occupations, § **4:722**

ENGLISH LANGUAGE

- Driver's license examinations, § **16:56**
- Employment-based immigration, qualifications for employment, § **8:202**
- Naturalization, this index

ENHANCED BORDER SECURITY AND VISA ENTRY REFORM ACT

- Generally, § **1:66**
- Information sharing requirements, § **13:9**
- Nonimmigrant visas, retention of applications, § **4:8**

ENLISTEES

- Foreign enlistees with honorable active duty records, fourth preference employment-based immigration, § **8:75-8:81**
- Permanent residents, armed forces foreign enlistees with honorable active duty records and fourth preference employment-based immigration, § **9:198**

E NONIMMIGRANTS

- Diplomatic Visas, this index
- Employment authorization for spouses, § **11:13**
- Permanent residents, adjustment of status, § **9:197, 9:272-9:277, 9:279**
- REAL ID Act of 2005, § **1:88**
- Treaty Traders and Investors, this index

EN ROUTE OR IN TRANSIT

- Nonimmigrant visas, revocation, § **4:54**
- Permanent Residents, this index

ENTERPRISE

- Treaty investors, § **4:181-4:194**

ENTERTAINERS

- B visa status, eligibility for, § **4:120**
- Creating Opportunities for Minor League Professionals, Entertainers, and Teams through Legal Entry Act, § **1:96**
- Musicians within fifty miles of Canadian border, labor certification for H-2B nonimmigrants, § **4:484**
- P Nonimmigrants, this index
- Temporary visitors for business, H-1 classifiable aliens eligible for B-1 classification, § **4:120**

ENTERTAINMENT GROUPS

- P nonimmigrants, § **4:672**

ENTITIES

- Intracompany transferees, legal entities, § **4:509-4:599**

ENTITLEMENT

- Fugitive disentitlement doctrine, § **10:253, 15:6**
- Permanent Residents, this index
- P nonimmigrant classification for alien qualifying individually, approved petition as prima facie evidence of entitlement to, § **4:685**
- Treaty traders and investors, burden of proof as to entitlement to E status, § **4:199**

ENTREPRENEURS

- Advance parole for certain entrepreneurs (delayed implementation), § **2:219**

ENTREPRENEURS

- Employment-Based Immigration, this index
- Employment creation alien entrepreneurs. Employment-Based Immigration, this index

ENTRY

- Creating Opportunities for Minor League Professionals, Entertainers, and Teams through Legal Entry Act, § **1:96**
- Crimes. Illegal Entry Crimes, this index
- Illegal Entry Crimes, this index

ENTRY INTO U.S.

- Amnesty, § **9:305-9:387**
- Definition of "entry," § **13:3**

ENTRY INTO U.S.—Cont'd

Employment-based immigration, consular proceedings, § 8:212

H Nonimmigrants, this index

Intracompany transferees, § 4:509 et seq.

Nonimmigrant Visas, this index

O nonimmigrants, § 4:600 et seq.

Permanent Residents, this index

P nonimmigrants, § 4:643 et seq.

Religious workers, § 4:694

TN nonimmigrants, § 4:710-4:730

Treaty traders and investors, § 4:203

ENTRY OF INFORMATION

Nonimmigrant Visas, this index

EQUAL ACCESS TO JUSTICE ACT

Attorneys' Fees, this index

EQUAL EMPLOYMENT**OPPORTUNITIES ACT**

Employment related rights of aliens, § 16:94

EQUAL PROTECTION

Aliens' rights, generally, § 16:42-16:46

Burden of proof, § 16:46

Employment related rights of aliens, § 16:109-16:111

Evidence, sufficiency of, § 16:46

Fifth Amendment provisions, § 16:45

Firearms, aliens' right to possess, § 16:25

Foreign policy decisions of executive branch, § 16:42

Fourteenth Amendment guarantee, § 16:42

Judicial review, standard of review applicable to classifications based on alienage, § 16:44

Practice of law, citizenship as requirement for, § 16:49, 16:111

Professions, state laws denying aliens right to enter certain, § 16:48

Public office and employment, alien's eligibility for, § 16:50, 16:51, 16:111

Race, national origin and gender, classifications based on, § 16:43

Standard of review applicable to classifications based on alienage, § 16:44

EQUAL PROTECTION—Cont'd

Tuition and financial aid for education, § 16:84

Voting rights denied aliens, § 16:6

EQUITABLE ESTOPPEL

Permanent residents, applications for adjustment of status under INA § 245, § 9:226

EQUIVALENT

Employment-based immigration, members of professions with equivalent of advanced degrees, § 8:21-8:38

Permanent residents, diversity immigrants with equivalent of high school education, § 9:11-9:19

ESCAPE

Removal, § 13:33

ESCHEAT

Property rights of aliens, § 16:144

ESPIONAGE

Inadmissibility, this index

Removal, this index

ESSENTIAL EMPLOYEES

Intracompany transfers, § 4:525

Treaty traders, availability of status to employees of trader, § 4:180

ESSENTIAL SUPPORT PERSON

P nonimmigrants, this index

ESTONIA

Permanent residence status, adjustment to, § 10:321

ESTOPPEL

Citizenship retention requirements, estoppel as not arising from failure to inform of, § 14:47

Denaturalization, § 14:418

Permanent residents, applications for adjustment of status under INA § 245, § 9:225, 9:226

Removal, this index

ETA (EMPLOYMENT AND TRAINING ADMINISTRATION)

H Nonimmigrants, this index

ETHIOPIA

Female genital mutilation, § 10:154

INDEX

ETHIOPIA—Cont'd

Refugees and asylum, § **10:158**

EUROPEAN UNION LAISSEZ - PASSER

Border crossing documents in lieu of passport for certain European Union representatives, § **2:132**

EVALUATION

H nonimmigrants, credentialing organizations for nurses, § **4:356**
Intracompany transferees, petitions for visas, § **4:568**
Permanent residents, evidence of eligibility for adjustment of status under INA § 245, § **9:192**

E-VERIFY

Documentation requirements, § **12:20**
Extensions
2008 legislation, § **1:110**
2009 legislation, § **1:116**

EVIDENCE

American Indian status, § **13:4**
Amnesty, Legal Immigration Family Equity (LIFE) Act, § **9:352-9:354**
Burden of proof, this index
Citizenship, action for declaratory judgment of U.S. nationality, § **14:80, 14:81**
Classified information in terrorist removal proceedings
Generally, § **13:468**
Special attorneys, use of, § **13:463, 13:470**
Credible evidence requirements, asylum claims, § **10:53**
Cross-examination rights, asylum claims, § **10:221**
Current events, administrative notice of, § **10:225**
Declaratory judgment of U.S. nationality, action for, § **14:80, 14:81**
Demeanor findings of immigration judges, § **10:224**
Denaturalization
Generally, § **14:416**
Burden of proof, § **14:415**
Documentary evidence as to well-founded fear of persecution, § **10:56, 10:57**

EVIDENCE—Cont'd

Documents, § **12:159**
Due process right to be heard, § **10:221**
Employer Sanctions and Unfair Immigration Related Employment Practices, this index
Employment-Based Immigration, this index
Equal protection rights of aliens, § **16:46**
Federal Rules of Evidence
Applicability in asylum proceedings, § **10:222**
Terrorist removal procedures, applicability in, § **13:466**
Fourth Amendment rights of aliens
False representations developed independent of initial apprehension, evidence of, § **16:34**
Suppression of evidence in removal proceedings, generally, § **16:27**
Suppression of evidence of illegal activities unrelated to immigration status, § **16:33**
Hearsay evidence, applications for adjustment of status to permanent resident under INA § 245, § **9:240**
H Nonimmigrants, this index
Intracompany Transferees, this index
Nonimmigrant Visas, this index
O Nonimmigrants, this index
Passport related crimes
Falsity, proof of, § **17:117, 17:118**
Intent, proof of, § **17:120**
Permanent Residents, this index
P Nonimmigrants, this index
Political opinions under INA, presumptive correctness of, § **10:249**
Presumptions, this index
Refugees and Asylum, this index
Religious workers, § **4:698, 4:705-4:707**
Removal, this index
Technical or scientific facts, administrative notice of, § **10:225**
TN Nonimmigrants, this index
Weight and sufficiency of evidence
Amnesty, Legal Immigration Family Equity (LIFE) Act, § **9:354**
Permanent residents, eligibility for adjustment of status under INA § 245, § **9:192**

EVIDENCE—Cont'd

Witnesses, this index

EXAMINATION OR EXAMINATIONS

H nonimmigrants, credentialing organizations for nurses, § **4:358**
 Illegal entry crimes, § **17:3**
 Permanent Residents, this index
 Refugees and Asylum, this index

EXCEEDED QUOTA

Permanent residents, numerical quotas, § **9:39, 9:40**

EXCEPTIONAL ABILITY ALIENS

Employment-Based Immigration, this index

EXCEPTIONAL MERIT AND ABILITY

H nonimmigrants, Defense Department visas for cooperative research, development and coproduction, § **4:221, 4:331-4:333**

EXCHANGE PROGRAMS

P nonimmigrants, reciprocal exchange programs, § **4:643 et seq., 4:664, 4:665, 4:673**

EXCHANGE VISITOR PROGRAM

Foreign residence requirement waiver (J-1 waiver), § **3:210**

EXCHANGE VISITORS

H nonimmigrants, change of status to H-1B nonimmigrants, § **4:232**
 Nurses, § **4:367, 4:368**
 Permanent Residents, this index
 Program transfer to obtain additional training, nurses, § **4:368**
 Student and Exchange Visitors, this index

EXCLUDABLE ALIENS

Continued detention
 Application of Zadvydas, § **13:321**

EXCLUSION

Amnesty, stay of final order under Legal Immigration Family Equity (LIFE) Act, § **9:360**
 Declaratory judgment of U.S. nationality, action for, § **14:70**
 IIRIRA changes in immigration law procedures, § **13:1**

EXCLUSION—Cont'd

Permanent residents, eligibility for adjustment of status under INA § 245, § **9:205**
 Removal, this index
 Temporary protected status (TPS) applications, § **10:410**

EXCUSAL OF EARLY TERMINATION OF EMPLOYMENT

H nonimmigrants, foreign medical graduates as H-1B nonimmigrants, § **4:327**

EXECUTION

Permanent Residents, this index

EXECUTIVE AGENCIES

Congress, § **1:265**
 Department of Health and Human Services, this index
 Department of Homeland Security, this index
 Department of Justice, this index
 Department of Labor (DOL), this index
 Department of State, this index
 President, § **1:264**

EXECUTIVE ASSOCIATE COMMISSIONER REVIEW DETERMINATIONS

Continued detention, § **13:341-13:345**

EXECUTIVE OFFICE FOR IMMIGRATION REVIEW (EOIR)

Generally, § **App 1-3**
 Department of Justice, this index
 Directives, source of law, § **1:180, 1:181**
 Ethics manual and guides, § **1:181**
 Records, this index

EXECUTIVE ORDERS

Source of law, § **1:186**

EXECUTIVES AND EXECUTIVE MATTERS

Employment-Based Immigration, this index
 Intracompany transferees, § **4:509-4:599**
 Treaty traders, availability of status to employees of trader, § **4:179**

EXEMPTIONS

H Nonimmigrants, this index

INDEX

EXEMPTIONS—Cont'd

- Intracompany Transferees, this index
- Nonimmigrant Visas, this index
- Permanent Residents, this index
- Temporary visitors for business, Canadian landed immigrant with border crossing card, § 4:158

EXHAUSTION OF ADMINISTRATIVE REMEDIES

- Administrative Procedures Act, actions under, § 15:31
- Declaratory judgment of U.S. nationality, action for, § 14:73
- Employment-Based Immigration, this index
- Judicial review
 - Generally, § 15:3
 - Administrative Procedures Act, actions under, § 15:31
 - Habeas corpus, § 15:26
- Nationality, action for declaratory judgment of U.S., § 14:73
- Re-entry after deportation, § 17:19

EXHIBITIONS

- Temporary visitors for business, employed at international fairs or exhibitions, § 4:138

EXHIBITORS

- H-2B nonimmigrants, § 4:471

EXHIBITS

- Employer sanctions and unfair immigration related employment practices, administrative hearings, § 12:158

EXIGENT CIRCUMSTANCES

- P nonimmigrants, waiver of one-year relationship requirement, § 4:644, 4:663

EXISTING OFFICE IN U.S.

- Intracompany transferees, eligibility, § 4:549

EXIT INSPECTION CONTROL AND BIOMETRICS PILOT

- Automated inspection services, § 2:61

EXPATRIATION

- Generally, § 14:428-14:465
- Administrative proceedings
 - Appeal, § 14:462

EXPATRIATION—Cont'd

- Administrative proceedings—Cont'd
 - Immigration proceedings, § 14:459
 - State Department proceedings
 - Determination of nationality by consular or diplomat officer, § 14:460
 - Renunciation of nationality, § 14:461
 - Age restriction on loss of nationality, § 14:435
 - Appeal, administrative, § 14:462
 - Armed forces
 - Oath of allegiance to foreign state in connection with military service, § 14:439
 - Service in forces of foreign state
 - Generally, § 14:440
 - Compelled military service, effect of, § 14:442
 - What constitutes military service, § 14:441
 - Burden of proof
 - Generally, § 14:450
 - Intent to renounce citizenship
 - Generally, § 14:451-14:456
 - Citizenship status, effect of official misinformation as to, § 14:453
 - Expatriating effect of citizen's actions, effect of official misinformation as to, § 14:454
 - Official misinformation, effect of, § 14:454
 - Relinquish citizenship, particular acts as showing intent to, § 14:455
 - Time at which intent is determined, § 14:452
 - Conventions, effect of, § 14:431
 - Dual citizenship, effect of, § 14:430
 - Duress defense, § 14:458
 - Effect of expatriation, § 14:433
 - Employment by government of foreign state as expatriative act
 - Generally, § 14:443
 - Oath of allegiance, § 14:444
 - Governing law, § 14:429
 - Intent to renounce citizenship. Burden of proof, above
 - Military service. Armed forces, above

EXPATRIATION—Cont'd

- Naturalization
 - In foreign state as expatriative act, § **14:436**
 - Nullity of expatriation based on residency abroad following, § **14:449**
- Oath of allegiance to foreign state as expatriative act
 - Generally, § **14:437**
 - Employment by government of foreign state, § **14:444**
 - Military service, oath in connection with, § **14:439**
 - Nature of oath, § **14:438**
- Particular expatriative acts, generally, § **14:436-14:449**
- Practice and procedure
 - Generally, § **14:450-14:465**
 - Administrative proceedings, above
 - Reconsideration of voidable expatriation, below
- Presumption of voluntariness, § **14:457**
- Reconsideration of voidable expatriation
 - Generally, § **14:463**
 - Certificate of naturalization or citizenship, return of, § **14:465**
 - Japanese ancestry, renunciation by person of, § **14:464**
- Renunciation of citizenship as expatriative act
 - Generally, § **14:445**
 - Absence of allegiance to any other nation, § **14:446**
- Restriction on loss of nationality
 - Acts in U.S., § **14:434, 14:435**
 - Age restriction, § **14:435**
- Sedition. Treason and sedition as expatriative act, below
- State Department proceedings
 - Determination of nationality by consular or diplomat officer, § **14:460**
 - Renunciation of nationality, § **14:461**
- Time
 - Intent to renounce citizenship, time at which determined, § **14:452**
 - Of expatriation, § **14:432**
- Treason and sedition as expatriative act
 - Generally, § **14:447**

EXPATRIATION—Cont'd

- Treason and sedition as expatriative act—Cont'd
 - Continuing impact of dual national claiming benefits of foreign nationality, § **14:448**
 - Nullity of expatriation based on residency abroad following naturalization, § **14:449**
- Treaties, effect of, § **14:431**
- Voidable expatriation. Reconsideration of voidable expatriation, above
- Voluntariness presumed, § **14:457**

EXPEDITED PROCEDURES

- H nonimmigrants, labor certification for H-2B nonimmigrants, § **4:483**
- Naturalization applications filed by members of armed forces, § **1:112**
- O nonimmigrants, consultation requirements, § **4:624**
- P nonimmigrants, consultation requirement, § **4:670**
- Re-entry after deportation, § **17:16**

EXPEDITED REMOVAL

- Generally, § **2:233-2:247**
- Application for admission, withdrawal of, § **2:237**
- Asylum, claim to asylee status. Defenses, below
- Charges, additional charges of inadmissibility, § **2:236**
- Claimed status review, § **2:244**
- Credible fear process. Defenses, below
- Defenses
 - Generally, § **2:238**
 - Asylum, claim to asylee status
 - Generally, § **2:241**
 - Claimed status review, § **2:244**
 - Verified asylee status, § **2:243**
 - Claimed status review, § **2:244**
- Credible fear process
 - Generally, § **2:239**
 - Asylum application, § **2:239**
- Forms
 - I-860, Notice and Order of Expedited Removal, § **2:240**
 - I-863, Notice of Referral to Immigration Judge, § **2:240**

INDEX

EXPEDITED REMOVAL—Cont'd

Defenses—Cont'd

Credible fear process—Cont'd

Forms—Cont'd

I-867, Record of Sworn Statement, § 2:239

I-869, Record of Negative Credible Fear Finding and Request for Review by Immigration Judge, § 2:240

M-444, Information About Credible Fear Interview, § 2:239

Removal of alien with no credible fear of prosecution, § 2:240

Forms

I-860, Notice and Order of Expedited Removal, § 2:240

I-863, Notice of Referral to Immigration Judge, § 2:240

I-867, Record of Sworn Statement, § 2:239

I-869, Record of Negative Credible Fear Finding and Request for Review by Immigration Judge, § 2:240

M-444, Information About Credible Fear Interview, § 2:239

Judicial review, § 2:247

Lawful permanent residents (LPRs), claim to LPR status

Generally, § 2:241

Claimed status review, § 2:244

Verified lawful permanent residents, § 2:242

Refugees, claim to refugee status

Generally, § 2:241

Claimed status review, § 2:244

Verified refugee status, § 2:243

Studies, expedited removal studies by governmental and non-governmental agencies, § 2:246

Supervisory review of expedited removal orders, § 2:245

U.S. citizenship, claim to

Generally, § 2:241

Claimed status review, § 2:244

Detention, § 2:235

Eligibility, persons subject to expedited removal, § 2:233

Forms

I-860, Notice and Order of Expedited Removal, § 2:234, 2:240

EXPEDITED REMOVAL—Cont'd

Forms—Cont'd

I-863, Notice of Referral to Immigration Judge, § 2:240

I-867, Record of Sworn Statement, § 2:239

I-867A, § 2:234

I-867B, Record of Sworn Statement in Proceedings, § 2:234

I-869, Record of Negative Credible Fear Finding and Request for Review by Immigration Judge, § 2:240

M-444, Information About Credible Fear Interview, § 2:239

Inspection and post-inspection detention of arriving aliens, § 2:159

Judicial review, § 2:247

Lawful permanent residents (LPRs), claim to LPR status. Defenses, above

Parole during expedited removal, § 2:235

Permanent residents, claim to LPR status. Defenses, above

Persons subject to expedited removal, § 2:233

Procedure

Generally, § 2:234

Charges, additional charges of inadmissibility, § 2:236

Detention during expedited removal, § 2:235

Forms

I-860, § 2:234

I-867A, § 2:234

I-867B, Record of Sworn Statement in Proceedings, § 2:234

Parole during expedited removal, § 2:235

Refugees, claim to refugee status. Defenses, above

Refugees and Asylum, this index

Secondary referrals, § 2:30

Studies, expedited removal studies by governmental and non-governmental agencies, § 2:246

Supervisory review of expedited removal orders, § 2:245

U.S. citizenship, claim to. Defenses, above

EXPEDITED REMOVAL—Cont'd

Withdrawal of application for admission, § 2:237

EXPERIENCE

Employment-Based Immigration, this index
 Permanent residents, work experience of diversity immigrants, § 9:11-9:19

EXPIRATION

Nonimmigrant Visas, this index

EXPLOITATION, EXTENSION OF STATUS FOR VICTIMS OF

Diplomatic visas, A-3, attendants, servants, or personal employees, § 6:17

International organization representatives, G-5 visas, § 6:53

EXPLOSIVES

Crimes and related conduct, § 17:200

EXTENDED FAMILY MEMBERS

B-2 visitors for pleasure status, § 6:248

EXTENSION OF STAY

Crew members, § 6:122
 Extension of Stay in the United States for Nurses Act, § 1:35
 H Nonimmigrants, this index
 Humanitarian/material witnesses, extension, and revocation, § 6:368
 International Organization Representatives, this index
 Intracompany transferees, § 4:68, 4:592-4:595
 K visa nonimmigrants, § 6:290
 O nonimmigrants, § 4:68, 4:642
 P nonimmigrants, § 4:68, 4:692
 Religious workers, § 4:68, 4:708
 Student and Exchange Visitors, this index
 Temporary visitors for business, § 4:65, 4:159
 TN nonimmigrants, § 4:730
 Treaty traders and investors, § 4:68, 4:200, 4:202

EXTENSION OF STAY IN THE UNITED STATES FOR NURSES ACT

Generally, § 1:35

EXTENSION OR EXTENSIONS

Amnesty, extension of voluntary departure, § 9:327, 9:328
 Intracompany Transferees, this index
 Nonimmigrant Visas, this index
 O Nonimmigrants, this index
 Permanent Residents, this index
 P Nonimmigrants, this index

EXTENUATING CIRCUMSTANCES

H nonimmigrants, foreign medical graduates as H-1B nonimmigrants, § 4:327

EXTORTION

Inadmissibility, denial of admission or visa, § 3:16

EXTRADITION MAGISTRATES

Refugee status determinations by, § 10:6

EXTRAORDINARY ABILITY ALIENS

Employment-Based Immigration, this index
 O Nonimmigrants, this index

FACILITATION OF ENTRY

Employment-based immigration, consular proceedings for obtaining permanent resident status, § 8:212

FACILITIES

DHS detention facilities, location, § 2:157
 H Nonimmigrants, this index

FACSIMILE TRANSMISSION

H nonimmigrants, labor condition application for H-1B nonimmigrants, § 4:249

FAIR LABOR STANDARDS ACT

Trafficking Victims Protection Act, § 16:91

FAIRNESS

Amnesty, family fairness policy, § 9:321-9:328
 H nonimmigrants, examinations by credentialing organizations for nurses, § 4:358

FAIRS

Temporary visitors for business, employed at international fairs or exhibitions, § 4:138

INDEX

FALSE REPRESENTATION

Crimes and Related Conduct, this index

FALSITY

Citizenship, false claims of, § 13:111

Document falsification. Removal, this index

Evidence of false representations developed independent of initial apprehension, § 16:34

False claims to U.S. citizenship, secondary referrals

Inspection and admission of arriving noncitizens, § 2:30

Fourth Amendment rights of aliens, § 16:34

Good moral character requirement for naturalization as affected by false testimony to obtain benefit under INA, § 14:151-14:154

Illegal entry crimes, § 17:4

Inadmissibility, denial of admission or visa for false pretenses, § 3:16

Inadmissibility, false pretenses, § 3:16

Inspection and admission of arriving noncitizens, § 2:30

Naturalization, § 14:151-14:154

Passports. Removal, this index

Removal, false pretenses, § 13:32, 13:33

FAMILY AND RELATIVES

Amnesty, this index

Diplomatic visas, § 6:7

Legal Immigration Family Equity (LIFE) Act, this index

Nonimmigrant Visas, this index

Permanent Residents, this index

Refugees and Asylum, this index

Relatives of Citizens or Permanent Residents, this index

Removal, this index

V nonimmigrants (spouses and children of permanent residents awaiting availability of immigrant visa). V Nonimmigrant Visas, this index

FAMILY PLANNING

Refugees and Asylum, this index

FAMILY-SPONSORED ELIGIBILITY

Relatives of Citizens or Permanent Residents, this index

FAMILY SPONSOR IMMIGRATION ACT OF 2002

Generally, § 1:65

FAMILY UNITY PROGRAM

Amnesty, § 9:321-9:328, 9:381-9:386

FARM LABOR CONTRACTORS

Certificate of registration, suspension, revocation, or refusal to issue or renew, § 12:68

FASHION MODELS

H Nonimmigrants, this index

FEDERAL BUREAU OF INVESTIGATION

Permanent Residents, this index

FEDERAL COURTS

Case law, source of law, § 1:164

FEDERAL GOVERNMENT EMPLOYEES

Employment-Based Immigration, this index

FEES

Amnesty, this index

Attorneys' fees, this index

Employment-Based Immigration, this index

H Nonimmigrants, this index

Inspection and Admission of Arriving Aliens, this index

International organization representatives, G nonimmigrant visas, § 6:59

Nonimmigrant Visas, this index

O nonimmigrants, change of status applications, § 4:606

Permanent Residents, this index

Petition for review, § 15:17

Records, this index

Removal, § 13:156

Student and Exchange Visitor Information System (SEVIS), § 5:2, 5:11, 5:93

FELONIES

Criminal aliens

Identification of noncitizens convicted persons, § 13:140

Naturalization's good moral character requirement as affected by conviction of aggravated felony, § 14:155

FELONIES—Cont'd

- Refugees and Asylum, this index
- Removal, this index
- Waivers of inadmissibility, § 3:171

FEMALE GENITAL MUTILATION (FGM)

- Generally, § 10:154
- Well-founded fear established by practice, § 10:64

FIANCE(E)S

- B-2 visitors for pleasure status, § 6:245
- Intracompany transferees, eligibility, § 4:514
- K Visa Nonimmigrants, this index

FIELD MANUALS

- Source of law, § 1:177

FIFTH AMENDMENT

- Due Process, this index
- Equal protection rights of aliens compared to due process rights, § 16:45
- Naturalization examination, Fifth Amendment protection regarding, § 14:332

FIFTH PREFERENCE

- Employment-Based Immigration, this index

FIFTY-PERCENT RULE

- H nonimmigrants, positive recruitment efforts for H-2A nonimmigrants, § 4:448
- Prohibition against withholding U.S. workers, § 4:449

FILING

- Amnesty, this index
- Employment-Based Immigration, this index
- H Nonimmigrants, this index
- Intracompany transferees, applications or petitions for visas, § 4:5, 4:552-4:566
- Late Filing, this index
- Nonimmigrant Visas, this index
- O Nonimmigrants, this index
- Permanent Residents, this index
- P Nonimmigrants, this index
- Removal motions, § 13:204
- TN Nonimmigrants, this index

FILMS

- Foreign Information Media Representatives, this index
- Motion Pictures or Films, this index
- O Nonimmigrants, this index

FINALITY

- Amnesty, stay under Legal Immigration Family Equity (LIFE) Act, § 9:360
- Permanent residents, rescission of status, § 9:300

FINANCIAL ABILITY

- Employment-based immigration, preference petition decision, § 8:177
- Temporary visitors for business, requirements for B-1 classification, § 4:111

FINANCIAL RESPONSIBILITY

- Amnesty, Legal Immigration Family Equity (LIFE) Act, § 9:372

FINANCIAL SUPPORT

- Inspections, evaluations, verifications, and compliance reviews, § 4:706

FINDINGS

- H Nonimmigrants, this index
- Permanent Residents, this index

FINES

- Employer sanctions and unfair immigration related employment practices, answer to notice of intent, § 12:56, 12:57
- Parking fines, failure to pay, § 14:168

FINGERPRINTING

- Crew members, fingerprinting not required to obtain D nonimmigrant visa, § 6:137
- International organization representatives, waiver of fingerprinting requirements for G nonimmigrants, § 6:56
- Nonimmigrant visas, supporting documentation for applications, § 4:17
- Permanent Residents, this index
- Port Passenger Accelerated Service System (PortPASS), § 2:52
- US-VISIT program, § 2:133

INDEX

FINGERPRINTING—Cont'd

Victims of trafficking, fingerprint procedures to obtain nonimmigrant visas, § **6:327**

FIREARMS AND AMMUNITION

Aliens' right to possess
Brady Bill, § **16:19**
Exempt importation, § **16:23**
Federal law, generally, § **16:19-16:24**
License, § **16:21, 16:22**
Records of firearms transactions, § **16:24**
State law, § **16:25**
Waiver of restrictions, § **16:20**
Inadmissibility, denial of admission or visa, § **3:19**
Offenses, § **17:198, 17:199**
Removal, aggravated felonies, § **13:72**

FIRM RESETTLEMENT

Refugee status and, § **10:11**

FIRMS OR COMPANIES

Companies or Firms, this index

FIRST AMENDMENT

Aliens' rights, § **16:17**
Illegal entry crimes, § **17:61**

FIRST PREFERENCE

Employment-Based Immigration, this index
Permanent Residents, this index

FIXED PLACE

Temporary visitors for business, performing work of continuing nature at fixed and permanent place of employment, § **4:144**

FLIGHT TRAINING

Student and exchange visitors, flight training program and participants, § **5:180**

F NONIMMIGRANTS

F-1 students. Student and Exchange Visitors, this index
F-2 spouses and children of academic students. Student and Exchange Visitors, this index
H-1B nonimmigrants, change of status to, § **4:232**
Visa application, § **4:5**

FOIA (FREEDOM OF INFORMATION ACT)

Records, this index

FOLLOW-UP PACKAGE

Permanent residents, applications for immigrant visas, § **9:112, 9:113**

FOOD STAMPS

Eligibility of aliens for, § **16:66, 16:68**

FOREIGN AFFAIRS MANUAL (FAM)

Source of law, § **1:185**

FOREIGN AGENTS REGISTRATION ACT

Nonimmigrant visas, § **4:94**

FOREIGN CORPORATIONS

Employment-based immigration, filing preference petitions, § **8:149**

FOREIGN COUNTRIES

Divorces, family members as immigrants, § **7:22**
Government officials
Employment authorization
Application by dependents of, § **11:21**
Dependents who must apply for employment authorization, § **11:16-11:18**
Incident to status, employment, § **11:5**
Status, foreign government official, § **11:5**
Right to possess firearms and ammunition, § **16:20, 16:23**
Temporary visitors for business, eligibility for B-1 classification, § **4:142**
Marriages. Relatives of Citizens or Permanent Residents, this index
Nonimmigrant visas, restrictions on issuance to nonimmigrants from state sponsors of international terrorism, § **4:31**
Permanent Residents, this index
Temporary visitors for business, officials and couriers, § **4:142**
Treaty traders and investors, countries having treaty with U.S., § **4:163-4:208**

FOREIGN DIPLOMATS

- Citizenship, children of foreign diplomatic personnel in U.S., § **14:15**
- Firearms and ammunition, aliens' right to possess, § **16:20, 16:23**
- Naturalization, birth in U.S. to foreign diplomat, § **14:109, 14:110**

FOREIGN INFORMATION MEDIA REPRESENTATIVES

- Generally, § **4:507**
- Activities, § **4:508**
- Application for reissuance of visa, § **4:30**
- Change of nonimmigrant classification, § **4:87**
- Eligibility or ineligibility
 - Extension of stay, § **4:65**
 - Status, § **4:507**
- Employment, § **4:507, 4:508**
- Extension of stay, ineligibility, § **4:65**
- Ineligibility. Eligibility or ineligibility, above
- Reciprocity, § **4:507**
- Regulations, § **4:507, 4:508**
- Reissuance of visas, § **4:30**
- Treaty traders and investors, alternative business related visas for aliens not eligible for E nonimmigrant visas, § **4:166**
- Visas
 - Generally, § **4:507**
 - Reissuance of visas, § **4:30**
 - Treaty traders and investors, alternative business related visas for aliens not eligible for E nonimmigrant visas, § **4:166**

FOREIGN INTELLIGENCE SURVEILLANCE ACT (FISA)

- Terrorist removal procedures, § **13:462**

FOREIGN INVESTORS DISCLOSURE ACT

- Generally, § **1:6**

FOREIGN LABOR APPLICATION GATEWAY (FLAG)

- New system for submitting PERM applications
 - labor certification, § **8:100.50**

FOREIGN MEDICAL GRADUATES

- Employment-based immigration, fourth preference eligibility, § **8:71**
- H Nonimmigrants, this index
- 1997 legislation, § **1:38**
- Permanent Residents, this index
- Permanent resident under INA § 245, eligibility for adjustment of status to, § **9:200**
- Student and Exchange Visitors, this index
- TN nonimmigrants, qualifications for particular professions or occupations, § **4:725, 4:726**

FOREIGN POLICY

- Inadmissibility, this index

FOREIGN RELATIONS AUTHORIZATION ACT

- Generally, § **1:68**

FOREIGN RESIDENCE REQUIREMENTS

- Permanent Residents, this index
- Student and Exchange Visitors, this index

FOREIGN STUDENT CLASSIFICATIONS AND PROGRAMS

- Student and Exchange Visitors, this index

FORFEITURE

- Permanent residents, right to appeal rescission of status, § **9:287**
- Temporary visitors for business, bond, § **4:153**

FORGERY

- Crimes and Related Conduct, this index
- Inadmissibility, denial of admission or visa, § **3:16**
- Removal
 - Aggravated felonies, § **13:69**
 - Moral turpitude crimes, § **13:32**

FORMER JEOPARDY

- Crimes and Related Conduct, this index

FORM OR FORMAT

- Intracompany transferees, application procedures for petitions for visas, § **4:558**

INDEX

FORM OR FORMAT—Cont'd

Permanent residents, discretionary denial of application for adjustment of status under INA § 245, § **9:241**

FORMS

Advance parole programs for certain Haitian and Cuban family-based immigrants, § **2:214**
DS-3035, J-1 Visa Waiver Application, § **3:213**
DSP-150, B-1/B-2 visa/ BCC, § **2:134 et seq., 2:136**
ETA 9033-A, Attestation by Employers Using Alien Crewmembers for Longshore Activities at Locations in the State of Alaska, § **6:186**
FD-258, Fingerprint cards, § **10:407**
FS-343, Application for Certificate of Identity, § **2:44**
FS-343a, Certificate of Identity, § **2:44**
I-9, Employment Eligibility Verification Form, § **12:13 et seq.**
I-68, Canadian Border Boat Landing Permit, § **2:38, 2:148 et seq.**
I-90, Application to Replace Permanent Resident Card, § **2:20**
I-94, Arrival/Departure Record, § **2:31-2:34, 2:38, 2:134 et seq., 2:148, 2:171**
I-94W, Nonimmigrant Visa Waiver Arrival/Departure Form, § **2:38, 2:148**
I-102, Application for Replacement/Initial Nonimmigrant Arrival-Departure Document, § **2:31**
I-130, Petition for Alien Relative, § **3:177, 3:180**
I-131, Application for Travel Document, § **2:196, 2:212, 2:215**
I-131, Request for Parole, § **3:177, 3:180**
I-175, Application for Nonresident Alien Canadian Border Crossing Card, § **2:38**
I-181, Memorandum of Creation of Record of Admission for Lawful Permanent Residence, § **2:20**
I-185, Nonresident Alien Canadian Border Crossing Card, § **2:134 et seq.**
I-186, Nonresident Alien Mexican Border Crossing Card, § **2:119, 2:120, 2:134 et seq.**

FORMS—Cont'd

I-190, Application for Nonresident Alien Mexican Border Crossing Card, § **2:38**
I-192, Application for Advance Permission to Enter as a Non-Immigrant, § **3:194**
I-193, Application for Waiver of Passport and/or Visa, § **2:20, 3:198**
I-212, Application for Permission to Reapply for Admission into the United States After Deportation or Removal, § **3:143**
I-275, Withdrawal of Application for Admission/Consular Notification, § **2:136**
I-485, Application to Register Permanent Residence or Adjust Status, § **3:167, 3:177**
I-508, Waiver of Rights, Privileges, Exceptions and Immunities, § **2:42**
I-512, Authorization for Parole or Conditional Entry of an Alien into the United States, § **2:207, 2:212, 2:216**
I-551, Permanent Resident Card, § **2:20, 2:64, 2:74, 2:78**
I-586, Nonresident Alien Border Crossing Card, § **2:119, 2:120**
I-600, Petition To Classify Orphan As an Immediate Relative, § **7:312**
I-600A, Application for Advance Processing of Orphan Petition, § **7:316**
I-601, Application for Waiver of Grounds of Inadmissibility, § **3:156, 3:157, 3:167, 3:180**
I-602, Application By Refugee For Waiver of Grounds of Excludability, § **3:156, 3:157**
I-604, Request For and Report of Overseas Adoption Investigation, § **7:310 et seq.**
I-688, Temporary Resident Card, § **7:223**
I-751, Petition to Remove the Conditions on Residence, § **2:74, 7:229 et seq.**
I-765, Application for Employment Authorization, § **10:407**
I-821, Application for temporary protected status, § **10:407**

FORMS—Cont'd

- I-823, Application-Alternative Inspection Services, § 2:49, 2:50
- I-829, Petition by Entrepreneur to Remove the Conditions, § 2:74
- I-860, Notice and Order of Expedited Removal, § 2:234, 2:240
- I-863, Notice of Referral to Immigration Judge, § 2:240
- I-864, Affidavits of Support, § 3:72-3:78
- I-867, Record of Sworn Statement, § 2:239
- I-867A, § 2:234
- I-867B, Record of Sworn Statement in Proceedings, § 2:234
- I-869, Record of Negative Credible Fear Finding and Request for Review by Immigration Judge, § 2:240
- M-444, Information About Credible Fear Interview, § 2:239
- Permanent residents, applications for immigrant visas, § 9:65

FORNICATION

- Inadmissibility, denial of admission or visa, § 3:21

FOURTEENTH AMENDMENT

- “Citizenship” for purposes of, § 14:6
- Due Process, this index
- Equal Protection, this index

FOURTH AMENDMENT

- Aliens’ rights
 - Generally, § 16:26-16:35
 - Airport inspections, § 16:32
 - Appearance, suspicion based on, § 16:30
 - Authority of immigration officers and employees, § 16:35
 - Basis for search or questioning, § 16:29-16:31
 - Consensual encounters
 - Generally, § 16:28
 - Employment related rights, § 16:115
 - Employment related rights, § 16:113-16:115
 - Evidence
 - False representations developed independent of initial apprehension, evidence of, § 16:34

FOURTH AMENDMENT—Cont'd

- Aliens’ rights—Cont’d
 - Evidence—Cont’d
 - Suppression of evidence of illegal activities unrelated to immigration status, § 16:33
 - False representations developed independent of initial apprehension, evidence of, § 16:34
 - Overview, § 16:26
 - Probable cause for search or questioning, § 16:31
 - Reasonable suspicion, § 16:29
 - Suppression of evidence
 - Illegal activities unrelated to immigration status, § 16:33
 - Removal proceedings, generally, § 16:27
 - Consent. Aliens’ rights, above
 - Detention and warrantless interrogation, arrest, search and custody of arriving aliens, § 2:155

FOURTH PREFERENCE

- Employment-Based Immigration, this index
- Permanent Residents, this index

FRAUD

- Crimes and Related Conduct, this index
- Document Fraud, this index
- Employment-Based Immigration, this index
- H Nonimmigrants, this index
- Inadmissibility, this index
- Nonimmigrant Visas, this index
- Permanent Residents, this index
- Removal, this index
- Waivers of Inadmissibility, this index

FREEDOM OF INFORMATION ACT (FOIA)

- Records, this index

FREE TRADE AGREEMENTS

- H-1B1 nonimmigrants, § 4:334-4:347
- North American Free Trade Agreement (NAFTA), this index
- United States-Chile Free Trade Agreement, § 4:334-4:347
- United States-Jordan Free Trade Area Implementation Act, § 1:59

INDEX

FREE TRADE AGREEMENTS

—Cont'd

United States-Singapore Free Trade Agreement, § 4:334-4:347

FRENCH NATIONALS

Passport and visa requirements, waiver of, § 3:205

FRIEND OF COURT

Amicus Curiae, this index

FUGITIVE DISENTITLEMENT DOCTRINE

Asylum matters, application in, § 10:253

Judicial review, § 15:6

FULL-TIME EMPLOYMENT

H nonimmigrants, amendment of labor condition application for H-1B nonimmigrants, § 4:252

Intracompany transferees, eligibility, § 4:519, 4:537

FUNCTIONAL SELF-EMPLOYMENT

Employment-based immigration, consular proceedings for obtaining permanent resident status, § 8:208

FUTURE POSSIBILITY

Permanent residents, adjustment of status under INA § 245, § 9:210

GAMBLING VIOLATIONS

Inadmissibility, denial of admission or visa, § 3:19

GARNISHMENT

Property rights of aliens, § 16:143

GAS LEASES

Property rights of aliens, § 16:125

GAY AND LESBIAN COUPLES

Same Sex Partners, this index

GEMSTONES

Importation ban, Burmese, § 1:107

GENDER

Civil Rights, this index

Equal protection and classifications based on gender, § 16:43

Identity, gender-based asylum claims, refugees and asylum, § 10:155

Naturalization, eligibility for, § 14:106

GENERAL COUNSEL OF INS

Memoranda and policy guidelines, § 1:173

GENERAL COUNSEL OF VISA OFFICE

Department of State, § 1:255

GENETIC TESTING

Relatives of Citizens or Permanent Residents, this index

GENEVA CONVENTION

Temporary refugee status, § 10:13

War refugees, § 10:170

GENOCIDE LAWS

Removal, this index

GENOCIDE PARTICIPANTS

Inadmissibility, denial of admission or visa, § 3:65

G NONIMMIGRANTS

A-1 and A-2 dependents employment, diplomatic visas, § 6:11

Change of nonimmigrant classification, visas, § 4:80, 4:87, 4:88

Diplomatic visas, employment of A-1 and A-2 dependents, § 6:11

Employment of A-1 and A-2 dependents, diplomatic visas, § 6:11

Extension of stay eligibility, visas, § 4:66

International Organization Representatives, this index

Permanent residents, adjustment of status, § 9:197, 9:256-9:260, 9:272-9:277, 9:279

Visas

Change of nonimmigrant classification, § 4:80, 4:87, 4:88

Extension of stay, eligibility, § 4:66

Waiver of registration, § 4:94

Waiver of registration, visas, § 4:94

GOATHERDING

H-2A nonimmigrants, requests for, § 4:436

GONORRHEA

Inadmissibility, denial of admission or visa, § 3:3

GOOD CAUSE

- Employment-based immigration, revocation of approved preference petitions, § **8:186, 8:187**
- Permanent residents, adjournment of hearing on rescission of status, § **9:292**

GOOD FAITH

- Nonimmigrant visas, change of classification, § **4:81**
- Permanent residents, adjustment of status under INA § 245, § **9:209-9:211**
- Prohibition against hiring or continuing to employ unauthorized aliens, good faith defense, § **12:11**

GOOD MORAL CHARACTER

- Denaturalization for Nazi activities indicating lack of character, § **14:396**
- Naturalization, this index
- Permanent Residents, this index

GOOD REPUTE

- Employment-based immigration, preference petitions, § **8:174**

GOODS, PROHIBITED TRANSFER OF

- Inadmissibility, denial of admission or visa, § **3:44**

GOVERNING LAW

- Denaturalization, § **14:385**
- Expatriation, § **14:429**
- Sources of Law, this index

GOVERNMENT

- Couriers, diplomatic visas, § **6:8**
- Crimes against governmental authority. Inadmissibility, this index
- Crimes and Related Conduct, this index
- Permanent Residents, this index
- Visitors. Student and Exchange Visitors, this index

GOVERNMENTAL MISINFORMATION

- Citizenship, birth abroad to citizen parents, § **14:48**
- Expatriation and burden of proof as to intent to renounce citizenship, § **14:454**

GOVERNMENTAL RESEARCH ORGANIZATION EMPLOYEES

- H nonimmigrants, labor condition application for H-1B nonimmigrants, § **4:268**

GOVERNMENT EMPLOYEES OR CONTRACTORS

- Naturalization, residence and physical presence requirements, § **14:119**

GOVERNOR OF GUAM

- H nonimmigrants, labor certification for H-2B nonimmigrants, § **4:491**

GRANDFATHERED ALIENS

- Permanent residents, entry without inspection and eligibility for adjustment of status under INA § 245, § **9:176-9:192**

GRANTS

- Government grants, property rights of aliens, § **16:133**
- Student and exchange visitors, foreign residence requirements, § **5:130**

GRANULAOMA INGUINALE

- Inadmissibility, denial of admission or visa, § **3:3**

GREEK SHIPS OF WAR

- Crew member deserters, § **6:125-6:127**

GROSS INDECENCY

- Inadmissibility, denial of admission or visa, § **3:20**

GROUPS

- O nonimmigrants, consultation with peer groups, § **4:620-4:624**
- P nonimmigrants, § **4:643 et seq.**

GUAM

- Border crossing documents, nonimmigrant aliens entering from Guam as exempt from passport and visa requirements by law or treaty, § **2:128**
- Border Crossing Documents, this index
- Citizenship of persons born in or inhabiting, § **14:25**
- H-2B exemptions to temporary need requirements, military realignment contracts, § **4:472**

INDEX

GUAM—Cont'd

- H nonimmigrants, labor certification for H-2B nonimmigrants, § **4:489-4:493**
- Military realignment, workers supporting, special provisions for, § **4:486**
- Permanent residents, eligibility for adjustment of status under INA § 245, § **9:195**
- Russian nationals, parole, § **2:221**

GUARDIANS

- Helpless noncitizen, guardian required to accompany, § **3:117**
- Nonimmigrant visas, applications, § **4:5**
- Permanent residents, rescission of status, § **9:290**

GUATEMALA

- Advance parole, family-based immigrants, § **12:219.70**
- Refugees and asylum, Ethnic minorities, § **10:159**
- Removal, IIRIRA, transition rules, § **13:507**

GUINEA-BISSAU, REFUGEES AND ASYLUM

- Female genital mutilation, § **10:154**
- Temporary protected status (TPS), § **10:401**

GUNS

- Firearms and Ammunition, this index

HABEAS CORPUS

- General considerations, § **15:26**
- Availability, § **15:17**
- Criminal procedure, § **17:221, 17:222**
- Custody matters, § **15:24**
- Filing of petition, generally, § **15:26**
- History of writ, § **15:23**
- Immediate custodial rule, § **15:24**
- Judicial review, generally, § **15:23-15:26**
- Overview, § **15:23**
- Refugees and asylum, § **10:250**
- Removal, this index
- Requirements for, § **15:33**
- Respondents in habeas petitions, § **15:25**
- Successive petitions, § **15:26**

HAGUE CONVENTION ON PROTECTION OF CHILDREN AND CO-OPERATION IN RESPECT OF INTERCOUNTRY ADOPTION

- Family members as immigrants, § **7:62**
- Orphan petitions and advanced processing applications, regulatory requirements for non-Hague Convention countries, § **7:338**

HAITI

- Help Haiti Act of 2010, § **1:20**
- Human rights violations, Haitians accused of, § **3:127**
- 1997 legislation regarding Haitian nationals, § **1:38**
- Orphans
 - Eligibility for adoption, special provisions for Haitian children in the United States, § **7:258**
 - Haitian Orphan Parole Program, special status adjustment, § **7:63**
- Refugees and Asylum, this index
- Welfare and public benefits, eligibility of entrants for, § **16:59, 16:60**

HAITIAN ORPHAN PAROLE PROGRAM

- Special adjustment of status procedures, § **7:63**

HAITIAN REFUGEE IMMIGRANT FAIRNESS ACT OF 1998 (HRIFA)

- Parole of Aliens Into United States, this index

HANDBOOKS AND MANUALS

- Occupational Outlook Handbook
 - Second preference eligibility, members of professions holding advanced degrees, § **8:27, 8:35**
 - Third preference eligibility, members of professions holding baccalaureate degrees, § **8:55**
- Source of law, generally, § **1:178**
- United Nations Handbook on Procedures and Criteria for Determining Refugee Status, § **10:6, 10:151**

HARBORING ALIENS

- Illegal Entry Crimes, this index

HARBORING FUGITIVE FROM JUSTICE

Inadmissibility, denial of admission or visa, § **3:18**
Removal, § **13:33**

HAWAII

Citizenship of persons born in, § **14:22**

HEADQUARTERS POST-ORDER DETENTION UNIT (HQPDU)

Detention reviews, § **13:347**

HEALTH

Contagious or Communicable Diseases, this index

Inadmissibility, this index

Permanent residents, medical examination of applicants for adjustment of status under INA § 245, § **9:237-9:239**

Public Health Service, this index

Public health waiver, foreign medical graduates as H-1B nonimmigrants, § **4:326, 4:327**

Waivers of Inadmissibility, this index

X-rays, procedure upon finding no medical defect, disease, or disability, § **9:237**

HEALTH AND HUMAN SERVICES DEPARTMENT

Department of Health and Human Services, this index

HEALTH CARE WORKERS

Inadmissibility, this index

Permanent residents, eligibility for adjustment of status under INA § 245, § **9:201**

HEARING

Governments application for removal of noncitizen, § **13:464**

HEARINGS

Adjournment of hearing

Permanent residents, rescission of status, § **9:292**

Removal, § **13:186**

Asylum. Refugees and Asylum, this index

Demeanor findings of immigration judges, § **10:224**

HEARINGS—Cont'd

Employer Sanctions and Unfair Immigration Related Employment Practices, this index

Employment-based immigration, administrative review of denial of labor certification, § **8:140**

H Nonimmigrants, this index

Permanent residents, rescission of status, § **9:288, 9:292-9:298**

Refugees and Asylum, this index

Removal, this index

HEARSAY EVIDENCE

Permanent residents, applications for adjustment of status under INA § 245, § **9:240**

HEAVY MACHINERY

Temporary visitors for business, installing, servicing or repairing heavy machinery purchased abroad, § **4:126**

HELP HAITI ACT OF 2010

Legislation to control immigration, § **1:120**

HELPLESS NONCITIZEN

Guardian required to accompany helpless alien, § **3:117**

HERZEGOVINA

Refugees and asylum, § **10:209**

HIGHER EDUCATION EMPLOYEES

H nonimmigrants, labor condition application for H-1B nonimmigrants, § **4:268**

HIGHLY TRAINED EMPLOYEES

Treaty investors, availability of status to employees of investor, § **4:192**

HIGH SCHOOL EDUCATION OR ITS EQUIVALENT

Permanent residents, diversity immigrants, § **9:11-9:19**

HIGH SPEED FLIGHT

Removal, this index

HISTORY

Amnesty, criminal history verification under Legal Immigration Family Equity (LIFE) Act, § **9:373**

Background and History, this index

INDEX

HIV

- Due process rights of HIV-positive detainees, § **16:41**
- Global leadership legislation against, § **1:108**
- Inadmissibility, denial of admission or visa, § **3:3**
- Notification of HIV positive inmates released to immigration detainer, § **17:228**
- Status, gender-based asylum claims, refugees and asylum, § **10:155**
- Waivers for noncitizens with HIV/AIDS, § **3:162**

HMONG VETERANS AND SPOUSES

- Hmong Veterans' Naturalization Act, 2000 amendments, § **1:53**
- Literacy and educational requirements for naturalization, § **14:175**

H NONIMMIGRANTS

- Generally, § **4:209-4:506**
- Ability
 - Defense Department visas for cooperative research, development and coproduction, H-1B nonimmigrants, § **4:221, 4:331-4:333**
 - Fashion models of distinguished merit and ability. H-1B nonimmigrants, below
- Acceptance or rejection
 - Attestations, H-1C nonimmigrants, § **4:385, 4:388, 4:390-4:393**
 - Labor certification application
 - H-2A nonimmigrants, § **4:450-4:452, 4:460, 4:461**
- Access
 - Public access, below
 - Violations, H-1B nonimmigrants, § **4:303**
 - Worksite, labor certification for H-2A nonimmigrants, § **4:417**
- Accreditation, credentialing organizations for nurses, § **4:350-4:363**
- Actions and proceedings
 - Administrative proceedings, below
 - Labor certification, H-2B nonimmigrants, § **4:487, 4:488, 4:493**
- Activities
 - Positive recruitment efforts, H-2A nonimmigrants, § **4:443**

H NONIMMIGRANTS—Cont'd

- Activities—Cont'd
 - Union activities, H-1C nonimmigrants, § **4:394**
- Actual wage, labor condition application for H-1B nonimmigrants, § **4:264, 4:272**
- Additional attestation, labor condition application for H-1B nonimmigrants, § **4:293, 4:294**
- Administrative law judges
 - Enforcement of contract obligations, H-2A nonimmigrants, § **4:422, 4:424**
 - Labor certification, H-2A nonimmigrants, § **4:460, 4:461**
- Violations
 - H-1B nonimmigrants, § **4:307-4:310**
 - H-1C nonimmigrants, § **4:404-4:406**
- Administrative proceedings
 - Administrative law judges, above
 - Enforcement of contract obligations, H-2A nonimmigrants, § **4:422-4:426**
 - Review. Administrative review, below
 - Violations, H-1B nonimmigrants, § **4:295-4:318**
- Administrative review
 - Administrative Review Board, § **4:310, 4:406**
 - Board of Alien Labor Certification Appeals (BALCA), below
 - Enforcement of contract obligations, H-2A nonimmigrants, § **4:425**
 - Labor certification, H-2A nonimmigrants, § **4:460, 4:461**
 - Violations, H-1B nonimmigrants, § **4:310**
- Administrative Review Board, § **4:310, 4:406**
- Admission
 - H-1B nonimmigrants, § **4:222, 4:224-4:226, 4:322**
 - H-2A nonimmigrants, § **4:410, 4:465, 4:466**
 - H-2B nonimmigrants, § **4:496-4:499**
 - H-3 nonimmigrants, § **4:505**
 - Nurses, generally, § **4:348**

H NONIMMIGRANTS—Cont'd

- Admission—Cont'd
 - Period of admission
 - H-1B nonimmigrants, § **4:224-4:226**
 - H-1B1 nonimmigrants, § **4:337**
 - Readmission, below
- Admissions
 - Seafood industry workers, H-2B nonimmigrants working until end of fiscal year 2014, special admission rules, § **4:498**
- Adverse effect standard
 - Positive recruitment efforts for H-2A nonimmigrants, § **4:447**
 - Wage rates, § **4:447**
- Advertisements, positive recruitment efforts for H-2A nonimmigrants, § **4:442**
- Affidavits, petitions for H-2A nonimmigrants, § **4:429**
- Agents
 - Filing petitions, generally, § **4:211, 4:212**
 - H-2A nonimmigrants, § **4:415, 4:428, 4:429**
 - H-2B nonimmigrants, § **4:494**
 - Labor certification application, H-2A nonimmigrants, § **4:415**
- Agreements. Contracts or agreements, below
- Agriculture
 - H-3 nonimmigrants, § **4:503**
 - Temporary agricultural workers. H-2A nonimmigrants, below
- ALJs. Administrative law judges, above
- Allocation of visas, H-1C nonimmigrants, § **4:382**
- Alternative matters
 - Certified statement, nurses, § **4:351**
 - Recommendation for alternative remedy for nursing shortage, H-1C nonimmigrants, § **4:408**
 - Treaty traders and investors, alternative business related visas for aliens not eligible for E nonimmigrant visas, § **4:166**
- Amendment
 - Applications
 - Labor certification, H-2A nonimmigrants, § **4:416, 4:451**

H NONIMMIGRANTS—Cont'd

- Amendment—Cont'd
 - Applications—Cont'd
 - Labor condition application, H-1B nonimmigrants, § **4:250-4:253**
 - Change, below
 - Petition amended to reflect material changes, § **4:219, 4:433**
- Amount. Number or amount, below
- Animal shearing, itinerant; requests for H-2A nonimmigrants, § **4:436**
- Appeal and review
 - Administrative review, above
 - Attestations, H-1C nonimmigrants, § **4:390-4:393**
 - Enforcement of contract obligations, H-2A nonimmigrants, § **4:424-4:426**
 - Hearings, below
 - Judicial review, below
 - Labor certification, H-2A nonimmigrants, § **4:460, 4:461**
 - Termination of credentialing organizations, nurses, § **4:362**
 - Violations, H-1C nonimmigrants, § **4:401-4:406**
- Applications
 - Amendment, above
 - Change in work location as material change, § **4:228**
 - Chile or Singapore national's visa application procedures, § **4:335**
 - Credentialing organizations, nurses, § **4:353**
 - Extension of stay, § **4:68, 4:227, 4:467, 4:499, 4:505**
 - Family members, H-2B nonimmigrants, § **4:502**
 - Filing, below
 - Initial application, H-2A nonimmigrants, § **4:428**
 - Labor certification, H-2B nonimmigrants, § **4:40-4:452, 4:480, 4:484**
 - Labor condition application (LCA), H-1B nonimmigrants
 - Generally, § **4:237, 4:239, 4:246-4:318**
 - Employer, withdrawal of H-1B petition with USCIS, § **4:240**
 - Nonimmigrant classification change, § **4:88**

INDEX

H NONIMMIGRANTS—Cont'd

- Applications—Cont'd
 - Reissuance of visas, § **4:30**
 - Status change, § **4:232, 4:501**
- Appointment of administrative law judge, H-1C nonimmigrants, § **4:404**
- Approval or denial
 - Application for labor certification, H-2A nonimmigrants, § **4:455-4:459**
 - Attestations, H-1C nonimmigrants, § **4:386, 4:389, 4:390**
 - Labor certification, H-2B nonimmigrants, § **4:487**
- Petitions
 - Generally, § **4:209**
 - H-1B nonimmigrants, § **4:224, 4:329**
 - H-2A nonimmigrants, § **4:433**
 - H-2B nonimmigrants, § **4:494**
 - Training programs, H-3 nonimmigrants, § **4:504**
- Arbitration process for disputes involving job offer requirement, H-1B nonimmigrants, § **4:311**
- Associations, H-2A nonimmigrants, § **4:415, 4:428**
- Assurances of employer, job offer for H-2A nonimmigrants, § **4:439**
- Athletes, labor condition application for H-1B nonimmigrants, § **4:268**
- Attestations
 - Complaints, below
 - Department of Labor, below
 - Determinations and decisions, below
 - Filing, below
 - H-1A nonimmigrants, § **4:371, 4:373-4:381**
 - H-1C nonimmigrants, § **4:382, 4:384-4:393, 4:396**
 - Hearings, below
 - Investigations, below
 - Labor attestations, H-1B1 nonimmigrants, § **4:335, 4:339-4:347**
 - Labor condition application, H-1B nonimmigrants, § **4:246 et seq.**
 - Misrepresentations, below
 - Notice, below
- Attorney General
 - Generally, § **4:209**

H NONIMMIGRANTS—Cont'd

- Attorney General—Cont'd
 - H-1A nonimmigrants, attestations, § **4:371, 4:377**
 - H-1C nonimmigrants, attestations, § **4:382**
 - Nurses, generally, § **4:350**
 - Violations, H-1B nonimmigrants, § **4:306**
- Audit violations, noncompliance, administrative review, and enforcement
 - Labor certification, H-2B nonimmigrants, § **4:481**
- Australian specialty occupation workers and their spouses and children, E-3 visa, § **4:195**
- Authority
 - Attestations, H-1A nonimmigrants, § **4:377**
 - Investigations, labor condition application for H-1B nonimmigrants, § **4:295**
- Availability, H-2B nonimmigrants, § **4:471, 4:490**
- Back wages, H-1B nonimmigrant violations, § **4:315, 4:318**
- BALCA. Board of Alien Labor Certification Appeals (BALCA), below
- Beekeeping, commercial; requests for H-2A nonimmigrants, § **4:436**
- Benching, H-1B nonimmigrants, § **4:243**
- Beneficiaries, § **4:209-4:506**
- Benefits
 - H-1B nonimmigrants, § **4:242**
 - Job offer, H-2A nonimmigrants, § **4:35-4:437**
- Blanket waiver of inadmissibility, nurses, § **4:349**
- Board of Alien Labor Certification Appeals (BALCA)
 - Attestations, H-1C nonimmigrants, § **4:390-4:393**
 - Labor certification, H-2A nonimmigrants, § **4:460, 4:461**
- Boards
 - Administrative Review Board, § **4:310, 4:406**
 - Board of Alien Labor Certification Appeals (BALCA), above

H NONIMMIGRANTS—Cont'd

Boilermakers, labor certification for H-2B nonimmigrants, § **4:483**

Briefs, H-1C nonimmigrant violations, § **4:404**

Burden of proof, petitions for H-2A nonimmigrants, § **4:431, 4:432**

Canada, labor certification for H-2B nonimmigrants, § **4:483, 4:484**

Candidate evaluation, credentialing organizations for nurses, § **4:356**

Caribbean workers, H-2A nonimmigrants, § **4:454**

Categories of visas, § **4:210**

Certificates, nurses, § **4:350, 4:357, 4:359, 4:360**

Certification

- H-1C nonimmigrants, § **4:409**
- Labor certification, below
- Labor condition application, H-1B nonimmigrants, § **4:255-4:258**
- Nurses, § **4:350, 4:357, 4:359, 4:360**

CGFNS (Commission on Graduates of Foreign Nursing Schools), nurses, § **4:350-4:354**

Challenges, labor condition application for H-1B nonimmigrants, § **4:258, 4:281**

Change

- Amendment, above
- Employer change, amended or new petition, § **4:219**
- Material changes, amended or new petition, § **4:219, 4:433**
- Nonimmigrant classification, § **4:87, 4:88**
- Status change, § **4:231, 4:232, 4:333, 4:501**

Change in work location as material change, § **4:228**

Children. Spouses and children, below

Civil penalties, H-1B nonimmigrant violations, § **4:314**

Classification, § **4:209-4:506**

Commerce Department

- H-1B nonimmigrants, § **4:244**

Commercial beekeeping, requests for H-2A nonimmigrants, § **4:436**

Commission on Graduates of Foreign Nursing Schools (CGFNS), nurses, § **4:350-4:354**

H NONIMMIGRANTS—Cont'd

Complaints

- Attestations
 - H-1A nonimmigrants, § **4:375, 4:381**
 - H-1C nonimmigrants, § **4:395, 4:397**
 - Labor attestations, H-1B1 nonimmigrants, § **4:342**
- Enforcement of contract obligations, H-2A nonimmigrants, § **4:420**
- Filing, below
 - Labor attestations, H-1B1 nonimmigrants, § **4:342**
 - Labor condition application, H-1B nonimmigrants, § **4:280, 4:295-4:299**
- Comptroller General, H-2A nonimmigrants, § **4:410**

Conditions

- Failure to meet conditions, below
- Labor condition application (LCA), H-1B nonimmigrants, § **4:237, 4:239, 4:246-4:318**
- Terms and conditions, below
- Working conditions, below

Conduct of investigation, H-1B nonimmigrant violations, § **4:301**

Consent finding and order, enforcement of contract obligations for H-2A nonimmigrants, § **4:423**

Construction and interpretation, labor attestations for H-1B1 nonimmigrants, § **4:340, 4:346**

Consular officers

- Generally, § **4:209**
- Family members, H-2B nonimmigrants, § **4:502**
- Nurses, generally, § **4:350**

Contents

- Job offer, H-2A nonimmigrants, § **4:435-4:439**
- Labor condition application, H-1B nonimmigrants, § **4:262**
- Notice of filing labor condition application, H-1B nonimmigrants, § **4:288**

Contracts or agreements

- Free trade agreements, H-1B1 nonimmigrants, § **4:334-4:347**
- McNamara-O'Hara Service Contract Act wages, labor condition

INDEX

H NONIMMIGRANTS—Cont'd

- Contracts or agreements—Cont'd
 - application for H-1B nonimmigrants, § **4:267**
- Cooperation
 - Defense Department visas for cooperative research, development and coproduction, H-1B nonimmigrants, § **4:221, 4:331-4:333**
 - Employer, H-1B nonimmigrant violations, § **4:304**
- Coproduction projects of Defense
 - Department, H-1B nonimmigrants, § **4:221, 4:331-4:333**
- Corporations, H-1B nonimmigrants, § **4:250, 4:322**
- Correction of labor condition application, H-1B nonimmigrants, § **4:257**
- Costs of return transportation, § **4:241, 4:476**
- Countervailing evidence, labor certification for H-2B nonimmigrants, § **4:482, 4:492**
- Credentialing organizations, nurses, § **4:350-4:363**
- Custom combine owner/operators, H-2A nonimmigrants, § **4:453**
- Debarment, H-1C nonimmigrant violations, § **4:407**
- Decisions. Determinations and decisions, below
- Deductions from wages, labor condition application for H-1B nonimmigrants, § **4:278**
- Defense Department visas for cooperative research, development and coproduction, H-1B nonimmigrants, § **4:221, 4:331-4:333**
- Definitions
 - Area of employment, § **4:346**
 - Displace, § **4:346**
 - Lays off, § **4:346**
 - Specialty occupation, § **4:335**
 - Temporary agricultural worker, § **4:410**
 - Temporary services or labor, § **4:474**
 - United States worker, § **4:346**
 - Wages paid, § **4:275**
- Denial. Approval or denial, above
- De novo hearings
 - Attestations, H-1C nonimmigrants, § **4:391**

H NONIMMIGRANTS—Cont'd

- De novo hearings—Cont'd
 - Labor certification, H-2A nonimmigrants, § **4:461**
- Department of Defense visas for cooperative research, development and coproduction, H-1B nonimmigrants, § **4:221, 4:331-4:333**
- Department of Homeland Security
 - Nurses, generally, § **4:348, 4:350, 4:351, 4:353, 4:354, 4:361, 4:362**
 - Secretary of Homeland Security, below
 - United States Citizenship and Immigration Services (USCIS), § **4:209 et seq.**
- Department of Labor
 - Generally, § **4:209**
 - Attestations
 - H-1A nonimmigrants, § **4:373-4:381**
 - H-1C nonimmigrants, § **4:382, 4:384, 4:385, 4:395**
 - Employment and Training Administration (ETA), below
 - H-1B nonimmigrants, § **4:237, 4:246 et seq.**
 - H-2A nonimmigrants, § **4:413 et seq.**
 - Nurses, generally, § **4:348**
 - Secretary of Labor, below
- Department of State. State Department, below
- Dependent employers, labor condition application for H-1B nonimmigrants, § **4:291, 4:292, 4:293, 4:294**
- Derivative status
 - Generally, § **4:209**
 - H-1B nonimmigrants, § **4:331**
 - H-1B1 nonimmigrants, § **4:338**
 - H-2A nonimmigrants, § **4:470**
- Determinations and decisions
 - Attestations
 - H-1A nonimmigrants, § **4:375, 4:379**
 - H-1C nonimmigrants, § **4:382, 4:387, 4:396**
 - Certification of labor condition application, H-1B nonimmigrants, § **4:256**

H NONIMMIGRANTS—Cont'd

- Determinations and decisions—Cont'd
 - Enforcement of contract obligations, H-2A nonimmigrants, § **4:421, 4:424**
 - Labor certification
 - H-2A nonimmigrants, § **4:455-4:459**
 - H-2B nonimmigrants, § **4:480-4:487, 4:493**
 - Labor condition application, H-1B nonimmigrants, § **4:254, 4:264-4:268**
 - Notice of determination or decision
 - Labor certification, H-2A nonimmigrants, § **4:458**
 - Violations, H-1B nonimmigrants, § **4:300, 4:305, 4:306**
 - Petitions, H-2A nonimmigrants, § **4:433, 4:434**
 - Positive recruitment efforts, H-2A nonimmigrants, § **4:450-4:452**
 - Prevailing wage and determination, below
 - Violations
 - H-1B nonimmigrants, § **4:300-4:305**
 - H-1C nonimmigrants, § **4:402-4:406**
- Development projects of Defense
 - Department, H-1B nonimmigrants, § **4:221, 4:331-4:333**
- Discretionary matters, nurses, § **4:363**
- Discrimination
 - Credentialing organizations, nurses, § **4:357**
 - Enforcement of contract obligations, H-2A nonimmigrants, § **4:427**
 - Labor condition application, H-1B nonimmigrants, § **4:298**
- Discrimination and intimidation
 - Prohibition by employer, § **4:477.50**
- Dismissals, appeals involving H-1C nonimmigrants, § **4:392**
- Disputes
 - Arbitration process for disputes involving job offer requirement, H-1B nonimmigrants, § **4:311**
 - Labor disputes, below
 - Disqualification of employer, H-1B nonimmigrant violations, § **4:312, 4:313**

H NONIMMIGRANTS—Cont'd

- Distinguished merit and ability fashion models. H-1B nonimmigrants, below
- Documents and documentation
 - Appeals regarding violations, H-1C nonimmigrants, § **4:403**
 - Attestations, H-1A nonimmigrants, § **4:377**
 - Labor condition application, H-1B nonimmigrants, § **4:271-4:273, 4:284**
 - Notice of filing labor condition application, H-1B nonimmigrants, § **4:288, 4:289**
 - Petitions
 - H-1B nonimmigrants, § **4:329**
 - H-2A nonimmigrants, § **4:429**
- Domestic workers, labor certification for H-2B nonimmigrants, § **4:488, 4:493**
- Dormant H-1B petitions, use of, § **4:220**
- Dual intent, H-1B nonimmigrants, § **4:235**
- Duration
 - Stay. Duration of stay, below
 - Validity of attestations, H-1C nonimmigrants, § **4:384**
- Duration of stay
 - H-1B nonimmigrants, § **4:229, 4:230, 4:337**
 - H-1B1 nonimmigrants, § **4:337**
 - H-2A nonimmigrants, § **4:465**
 - Limitations, § **4:229, 4:230, 4:337, 4:465**
- Duties and responsibilities
 - Credentialing organizations, nurses, § **4:357, 4:358**
 - Enforcement of contract obligations, H-2A nonimmigrants, § **4:420-4:427**
 - H-1B nonimmigrants, generally, § **4:236-4:245**
 - H-1C nonimmigrants, § **4:395**
 - Labor attestations, H-1B1 nonimmigrants, § **4:339, 4:341, 4:343**
 - Labor condition application, H-1B nonimmigrants, § **4:274, 4:293, 4:294**
 - Positive recruitment efforts, H-2A nonimmigrants, § **4:445, 4:446**

INDEX

H NONIMMIGRANTS—Cont'd

- Duties and responsibilities—Cont'd
 - Violations, H-1B nonimmigrants, § **4:303, 4:304**
- Early termination of employment
 - excused due to extenuating circumstances, foreign medical graduates as H-1B nonimmigrants, § **4:327**
- E-3 visa, Australian specialty occupation workers and their spouses and children, § **4:195**
- Education and schools
 - Commission on Graduates of Foreign Nursing Schools (CGFNS), nurses, § **4:350-4:354**
 - Documentation for petitions, H-2A nonimmigrants, § **4:429**
 - Family members, H-2B nonimmigrants, § **4:502**
 - Foreign medical graduates, below
 - H-1A nonimmigrants, § **4:372**
 - H-1B nonimmigrants, generally, § **4:323-4:325, 4:332**
 - Higher education employees, labor condition application for H-1B nonimmigrants, § **4:268**
 - Special education programs, H-3 nonimmigrants, § **4:506**
 - Students, below
- Electronic submission, labor condition application for H-1B nonimmigrants, § **4:249**
- Eligibility or ineligibility
 - Disqualification of employer, H-1B nonimmigrant violations, § **4:312, 4:313**
 - H-1A nonimmigrants, § **4:372**
 - H-1B nonimmigrants, § **4:221, 4:323-4:325, 4:328**
 - H-1B1 nonimmigrants, § **4:335**
 - H-1C nonimmigrants, § **4:383**
 - H-2A nonimmigrants, § **4:433**
 - H-2B nonimmigrants, § **4:471**
 - H-3 nonimmigrants, § **4:503**
 - Hospital's eligibility as facility, H-1C nonimmigrants, § **4:387**
- Employer, withdrawal H-1B petition with USCIS, § **4:240**
- Employer liability for costs, § **4:477**
- Employment and Training Administration (ETA)
 - Attestations, H-1C nonimmigrants, § **4:384-4:393, 4:396**

H NONIMMIGRANTS—Cont'd

- Employment and Training Administration (ETA)—Cont'd
 - Labor certification, H-2A nonimmigrants, § **4:413-4:419**
 - Labor condition application, H-1B nonimmigrants, § **4:237, 4:246-4:318**
- Enforcement
 - Attestations, H-1A nonimmigrants, § **4:381**
 - Contract obligations, H-2A nonimmigrants, § **4:420-4:421**
 - Labor condition application, H-1B nonimmigrants, § **4:280, 4:281, 4:295-4:318**
- Entry
 - H-1B nonimmigrants, § **4:222, 4:322**
 - H-1B1 nonimmigrants, § **4:335**
- ETA, Employment and Training Administration (ETA), above
- Evaluation of candidates, credentialing organizations for nurses, § **4:356**
- Evidence
 - Appeals regarding violations, H-1C nonimmigrants, § **4:402**
 - Labor certification, H-2B nonimmigrants, § **4:482, 4:485, 4:492**
 - Petitions, H-2A nonimmigrants, § **4:429, 4:431, 4:432**
 - Presumption of nonimmigrant status, § **4:3**
- Examinations, credentialing organizations for nurses, § **4:358**
- Exceptional merit and ability, Defense Department visas for cooperative research, development and coproduction, § **4:221, 4:331-4:333**
- Exchange visitors (J nonimmigrants), change of status to H-1B nonimmigrants, § **4:232**
- Excusal of early termination of employment, foreign medical graduates as H-1B nonimmigrants, § **4:327**
- Exemptions
 - Additional attestation obligations for labor condition application, H-1B nonimmigrants, § **4:294**
 - Fees for filing petitions, § **4:216**
 - Guam, temporary need requirement, military realignment contracts, § **4:472**

H NONIMMIGRANTS—Cont'd

- Exemptions—Cont'd
 - H-3 nonimmigrants, § **4:503**
- Exhibitors, H-2B nonimmigrants, § **4:471**
- Expedited determinations, labor certification for H-2B nonimmigrants, § **4:483**
- Extension
 - COVID-19, § **4:469**
 - Labor certification, H-2A nonimmigrants, § **4:468**
 - Stay. Extension of stay, below
- Extension of stay
 - Applications, § **4:68, 4:227, 4:467, 4:499, 4:505**
 - H-1B nonimmigrants, § **4:227, 4:230**
 - H-1B1 nonimmigrants, § **4:337**
 - H-1C nonimmigrants, § **4:382**
 - H-2A nonimmigrants, § **4:467**
 - H-2B nonimmigrants, § **4:499**
 - COVID-19, § **4:500**
 - H-3 nonimmigrants, § **4:505**
- Extenuating circumstances excusing early termination of employment, foreign medical graduates as H-1B nonimmigrants, § **4:327**
- Facilities
 - H-1A nonimmigrants, § **4:371-4:381**
 - H-1C nonimmigrants, § **4:382-4:409**
- Facsimile transmission, labor condition application for H-1B nonimmigrants, § **4:249**
- Failure to meet conditions
 - Labor attestations, H-1B1 nonimmigrants, § **4:340, 4:342, 4:343**
 - Labor condition application, H-1B nonimmigrants, § **4:295-4:318**
- Fair examinations, credentialing organizations for nurses, § **4:358**
- Fashion models. H-1B nonimmigrants, below
- Fees
 - Filing
 - Attestations, H-1C nonimmigrants, § **4:384, 4:386**
 - Petitions, § **4:216, 4:219**
 - Labor attestations, H-1B1 nonimmigrants, § **4:347**
 - Labor certification, H-2A nonimmigrants, § **4:419, 4:456**

H NONIMMIGRANTS—Cont'd

- Fifty-percent rule, positive recruitment efforts for H-2A nonimmigrants, § **4:448**
- Prohibition against withholding U.S. workers, § **4:449**
- Filing
 - Applications
 - Labor certification, § **4:413-4:416, 4:480, 4:484**
 - Labor condition application, H-1B nonimmigrants, § **4:248, 4:249, 4:282-4:289**
 - Visa application, § **4:5**
 - Attestations
 - H-1C nonimmigrants, § **4:384-4:393**
 - Labor attestations, H-1B1 nonimmigrants, § **4:335, 4:339-4:347**
 - Complaints
 - Labor attestations, H-1B1 nonimmigrants, § **4:342**
 - Labor condition application, H-1B nonimmigrants, § **4:295-4:299**
 - Fees, above
 - Labor attestations, H-1B1 nonimmigrants, § **4:335, 4:339-4:347**
 - Location, below
 - New petition, H-1B nonimmigrants, § **4:321**
 - Petitions
 - Generally, § **4:211-4:220**
 - Agents, above
 - H-1B nonimmigrants, § **4:214-4:216, 4:321**
 - H-2A nonimmigrants, § **4:215, 4:429, 4:433**
 - H-2B nonimmigrants, § **4:215, 4:494**
 - Labor certification, H-2B nonimmigrants, § **4:482, 4:485, 4:492**
 - New petition, H-1B nonimmigrants, § **4:321**
 - Time, below
- Findings
 - Enforcement of contract obligations, H-2A nonimmigrants, § **4:423**
 - Violations, H-1B nonimmigrants, § **4:300**

INDEX

H NONIMMIGRANTS—Cont'd

- F nonimmigrant students, change of status to H-1B nonimmigrants, § 4:232
- Foreign medical graduates
 - H-1B nonimmigrants, § 4:326, 4:327
 - H-2B nonimmigrants, § 4:471
- Fraud
 - Application, H-2A nonimmigrants, § 4:452
 - Labor certification for Guam, H-2B nonimmigrants, § 4:493
- Free trade agreements, H-1B1 nonimmigrants, § 4:334-4:347
- Full-time positions, amendment of labor condition application for H-1B nonimmigrants, § 4:252
- Goatherding, requests for H-2A nonimmigrants, § 4:436
- Governmental research organization employees, labor condition application for H-1B nonimmigrants, § 4:268
- Guam
 - exemptions to H-2B, temporary need requirements, military realignment contracts, § 4:472
 - Governor of Guam, labor certification for H-2B nonimmigrants, § 4:491
 - labor certification for H-2B nonimmigrants, § 4:489-4:493
- H-1A nonimmigrants, § 4:349, 4:350, 4:371-4:381
- H-1B nonimmigrants
 - Generally, § 4:210, 4:221-4:328
 - Fee for filing petition, § 4:216
 - H-1B1 (free trade agreements), § 4:334-4:347
 - Named and unnamed beneficiaries, petitions, § 4:217
 - Nurses, § 4:364
 - Use of dormant H-1B petitions, § 4:220
- H-1B1 nonimmigrants, § 4:334-4:347
- H-1C nonimmigrants
 - Generally, § 4:210, 4:382-4:409
 - Amended or new petition to reflect material changes, § 4:219
 - Multiple beneficiaries, petitions, § 4:217

H NONIMMIGRANTS—Cont'd

- H-2A nonimmigrants
 - Generally, § 4:210, 4:410-4:470
 - Regulations, § 4:412
 - Requests for, § 4:436
 - Substitution of beneficiaries, § 4:218
 - Unnamed beneficiaries, petitions, § 4:217
- H-2B nonimmigrants
 - Generally, § 4:210, 4:471
 - Amended or new petition to reflect material changes, § 4:219
 - Classification as temporary worker, § 6:240
 - DOL publication of H-2B foreign labor recruiters, § 4:479
 - Nurses, § 4:365
 - Proposed changes to H-2B program, § 4:473
 - REAL ID Act of 2005, § 1:88
 - Returning worker exemption, § 1:94
 - Substitution of beneficiaries, § 4:218
- H-3 nonimmigrants
 - Generally, § 4:210, 4:503-4:506
 - Filing petitions, § 4:211, 4:215
 - Multiple beneficiaries, petitions, § 4:217
 - Nurses, § 4:366, 4:503
 - Temporary visitors for business, eligibility for B-1 classification, § 4:121-4:126
- H-4 nonimmigrants. Derivative status, above
- Hearings
 - Appeals
 - H-1C nonimmigrants, § 4:391, 4:402, 4:404
 - Labor certification, H-2A nonimmigrants, § 4:461
 - Attestations
 - H-1A nonimmigrants, § 4:375, 4:381
 - H-1C nonimmigrants, § 4:387, 4:395, 4:396
 - Labor attestations, H-1B1 nonimmigrants, § 4:343
 - De novo hearings, above
 - Enforcement of contract obligations, H-2A nonimmigrants, § 4:422
 - Labor attestations, H-1B1 nonimmigrants, § 4:343

H NONIMMIGRANTS—Cont'd

Hearings—Cont'd

Request for hearing, § **4:307, 4:402, 4:422**

Violations

H-1B nonimmigrants, § **4:300, 4:307-4:310**

H-1C nonimmigrants, § **4:399, 4:404**

Higher education employees, labor condition application for H-1B nonimmigrants, § **4:268**

Homeland Security Department. Department of Homeland Security, above

Hospitals, H-1C nonimmigrants, § **4:382-4:409**

Hourly employees, labor condition application for H-1B nonimmigrants, § **4:276**

Hours of work, H-1C nonimmigrants, § **4:394**

Husband and wife. Spouses and children, below

Illegal Immigration Reform and Immigrant Responsibility Act of 1996, nurses, § **4:349**

Immigration Nursing Relief Act, former H-1A nonimmigrant category, § **4:349, 4:350, 4:371-4:381**

Immigration officers, H-1B nonimmigrants, § **4:222**

Impartial examinations, credentialing organizations for nurses, § **4:358**

Inadmissibility, blanket waiver for nurses, § **4:349**

Independent matters

Authoritative sources for wages, labor condition application for H-1B nonimmigrants, § **4:269**

Positive recruitment efforts, H-2A nonimmigrants, § **4:442**

Ineligibility. Eligibility or ineligibility, above

Information

Maintaining information, credentialing organizations for nurses, § **4:358**

Public access to information, H-1C nonimmigrants, § **4:396**

Initial matters

Certification, credentialing organizations for nurses, § **4:357**

H NONIMMIGRANTS—Cont'd

Initial matters—Cont'd

Petition and application, H-2A nonimmigrants, § **4:428**

Intent

Dual intent, H-1B nonimmigrants, § **4:235**

Residence in foreign country that alien has no intent of abandoning, § **4:466, 4:471, 4:503, 4:506**

Short term placement outside area of intended employment, amendment of labor condition application for H-1B nonimmigrants, § **4:253**

Intermittent need, H-2B nonimmigrants, § **4:474**

International fairs or expositions, H-2B nonimmigrants, § **4:471**

Interpretation and construction, labor attestations for H-1B1 nonimmigrants, § **4:340, 4:346**

Intimidation, enforcement of contract obligations for H-2A nonimmigrants, § **4:427**

Invalidation

Approved attestations, H-1C nonimmigrants, § **4:389, 4:390**

Labor condition application, H-1B nonimmigrant violations, § **4:312**

Temporary labor certification for Guam, H-2B nonimmigrants, § **4:493**

Investigations

Attestations

H-1A nonimmigrants, § **4:375, 4:381**

H-1C nonimmigrants, § **4:395, 4:396**

Labor attestations, H-1B1 nonimmigrants, § **4:345**

Enforcement of contract obligations, H-2A nonimmigrants, § **4:420**

Labor attestations, H-1B1 nonimmigrants, § **4:345**

Labor condition application, H-1B nonimmigrants, § **4:280**

Random investigations, below

Violations, H-1B nonimmigrants, § **4:295, 4:301, 4:316**

INDEX

H NONIMMIGRANTS—Cont'd

Issuance

- Certificates, credentialing organizations for nurses, § **4:359**
- Certified statements, nurses, § **4:351, 4:353, 4:354**
- Determination, H-1C nonimmigrant violations, § **4:403**
- Labor certification, § **4:455, 4:480**

Itinerant animal shearing, requests for H-2A nonimmigrants, § **4:436**

J nonimmigrants

- Exchange visitors, change of status to H-1B nonimmigrants, § **4:232**
- Foreign medical graduates, H-1B nonimmigrants, § **4:326, 4:327**

Job

- Offer. Job offer, below
- Order, positive recruitment efforts for H-2A nonimmigrants, § **4:441**

Job offer

- Arbitration process for disputes involving job offer requirement, H-1B nonimmigrants, § **4:311**
- H-2A nonimmigrants, generally, § **4:435-4:439**
- Labor certification, H-2A nonimmigrants, § **4:415, 4:416**

Judicial review

- Enforcement of contract obligations, H-2A nonimmigrants, § **4:426**
- Labor certification, H-2B nonimmigrants, § **4:487**
- Violations, H-1C nonimmigrants, § **4:399, 4:406**

Labor attestations, H-1B1 nonimmigrants, § **4:335, 4:339-4:347**

Labor certification

- Audit violations, noncompliance, administrative review, and enforcement, § **4:481**
- Determinations and decisions, above H-2A nonimmigrants
 - Generally, § **4:413-4:419, 4:470**
 - Positive recruitment efforts, § **4:40-4:452**
- H-2B nonimmigrants, § **4:480-4:487**
- Issuance, § **4:455, 4:480**

Labor condition application (LCA), H-1B nonimmigrants

- Generally, § **4:237, 4:239, 4:246-4:318**

H NONIMMIGRANTS—Cont'd

- Labor condition application (LCA), H-1B nonimmigrants—Cont'd
 - Employer, withdrawal of H-1B petition with USCIS, § **4:240**

Labor Department. Department of Labor, above

Labor disputes

- Attestations, H-1C nonimmigrants, § **4:384**
- H-1B nonimmigrants, § **4:247, 4:283, 4:284, 4:329**
- H-1B1 nonimmigrants, § **4:338**
- Labor certification, H-2A nonimmigrants, § **4:457**
- Labor condition application, H-1B nonimmigrants, § **4:247, 4:283, 4:284**
- Strikes, H-1B nonimmigrants, § **4:247, 4:283, 4:284, 4:329**

LCA (labor condition application), H-1B nonimmigrants, § **4:237, 4:239, 4:246-4:318**

Leaving or terminated worker, § **4:418**

Legal services, H-2A nonimmigrants, § **4:411**

Less than substantial violations, labor certification for H-2A nonimmigrants, § **4:464**

Liability for return transportation costs, § **4:241, 4:476**

Licenses

- Generally, § **4:209**
- H-1A nonimmigrants, § **4:372**
- H-1B nonimmigrants, § **4:209, 4:323-4:325**
- H-1B1 nonimmigrants, § **4:335**
- H-1C nonimmigrants, § **4:382**
- H-3 nonimmigrants, § **4:503**
- Nurses, generally, § **4:350**

Limitations or restrictions

- Admission, H-2B nonimmigrants, § **4:496-4:499**
- Change of status to H-1B nonimmigrants, § **4:231, 4:232**
- Duration of stay, § **4:229, 4:230, 4:337, 4:465**
- Numerical limitations
 - H-1A nonimmigrants, § **4:371**
 - H-1B nonimmigrants, § **4:223, 4:331**

H NONIMMIGRANTS—Cont'd

- Limitations or restrictions—Cont'd
 - Numerical limitations—Cont'd
 - H-1B1 nonimmigrants, § **4:336**
 - H-1C nonimmigrants, § **4:382**
 - H-2A nonimmigrants, § **4:410**
 - H-2B nonimmigrants, § **4:475**
 - Seafood industry workers, H-2B nonimmigrants working until end of fiscal year 2014, § **4:498**

Lists

- Facilities, H-1A and H-1C nonimmigrants, § **4:373, 4:395**
- Labor attestations, H-1B1 nonimmigrants, § **4:341**
- National list of labor condition applications, H-1B nonimmigrants, § **4:237**
- Livestock, open range production; requests for H-2A nonimmigrants, § **4:436**
- Local employment service office, positive recruitment efforts for H-2A nonimmigrants, § **4:441**

Location

Filing

- Applications, § **4:248, 4:249, 4:415**
- Complaints, labor condition application for H-1B nonimmigrants, § **4:299**
- Petitions, § **4:215**
- Hearing, appeals regarding H-1C nonimmigrant violations, § **4:404**
- Multiple places of employment, amendment of labor condition application for H-1B nonimmigrants, § **4:251**
- Musicians within fifty miles of Canadian border, labor certification for H-2B nonimmigrants, § **4:484**
- Lockouts, labor condition application for H-1B nonimmigrants, § **4:283, 4:284**
- Lower wages prohibited, labor condition application for H-1B nonimmigrants, § **4:270**
- Mailing, labor condition application for H-1B nonimmigrants, § **4:249**
- Maintaining
 - Accreditation, credentialing organizations for nurses, § **4:360**

H NONIMMIGRANTS—Cont'd

- Maintaining—Cont'd
 - Information, credentialing organizations for nurses, § **4:358**
- Material changes, amended or new petition, § **4:219, 4:433**
- McNamara-O'Hara Service Contract Act wages, labor condition application for H-1B nonimmigrants, § **4:267**
- Medical doctors/students eligibility for H-1 or H-3 status, § **4:122**
- Medical students, H-3 nonimmigrants, § **4:503**
- Merit
 - Exceptional merit and ability, Defense Department visas for cooperative research, development and coproduction, § **4:221, 4:331-4:333**
 - Fashion models of distinguished merit and ability. H-1B nonimmigrants, above
- Military realignment contracts, H-2B exemptions to temporary need requirements, Guam, § **4:472**
- Minimum benefits, wages and working conditions, job offer for H-2A nonimmigrants, § **4:35-4:437**
- Misrepresentations
 - Attestations
 - H-1A nonimmigrants, § **4:375, 4:381**
 - H-1C nonimmigrants, § **4:395, 4:396, 4:397**
 - Labor certification for Guam, H-2B nonimmigrants, § **4:493**
 - Labor condition application, H-1B nonimmigrants, § **4:295-4:318**
 - Positive recruitment efforts, H-2A nonimmigrants, § **4:452**
- Models (fashion). H-1B nonimmigrants, above
- Modification. Amendment, above
- Multiple matters
 - Beneficiaries, petitions, § **4:217, 4:430, 4:495**
 - Positions or places of employment, amendment of labor condition application for H-1B nonimmigrants, § **4:251**

INDEX

H NONIMMIGRANTS—Cont'd

- Multiple matters—Cont'd
 - Violations, labor certification for H-2A nonimmigrants, § **4:463**
- Multistate custom combine owner/operators, H-2A nonimmigrants, § **4:453**
- Musicians within fifty miles of Canadian border, labor certification for H-2B nonimmigrants, § **4:484**
- Named beneficiaries, petitions, § **4:217, 4:430, 4:495**
- National list of labor condition applications, H-1B nonimmigrants, § **4:237**
- Nature of employment, burden of proof for petitions for H-2A nonimmigrants, § **4:431**
- New determination, labor certification for H-2A nonimmigrants, § **4:459**
- New petitions
 - H-1B nonimmigrants, § **4:219, 4:321**
 - Material changes, § **4:219, 4:433**
- No cause of action by domestic workers not hired, labor certification for H-2B nonimmigrants, § **4:488**
- Non-agricultural services or labor. H-2B nonimmigrants, above
- Noncompliance with terms and conditions of labor certification for H-2A nonimmigrants, penalties, § **4:462-4:464**
- Nonprofit research organization employees, labor condition application for H-1B nonimmigrants, § **4:268**
- Notice
 - Appeals regarding violations, H-1C nonimmigrants, § **4:406**
 - Attestations
 - H-1A nonimmigrants, § **4:375**
 - H-1C nonimmigrants, § **4:389, 4:395, 4:396**
 - Labor attestations, H-1B1 nonimmigrants, § **4:343**
 - Determinations and decisions, above
 - Filing labor condition application, H-1B nonimmigrants, § **4:282-4:289**
 - Hearing, appeals regarding H-1C nonimmigrant violations, § **4:404**

H NONIMMIGRANTS—Cont'd

- Notice—Cont'd
 - Labor attestations, H-1B1 nonimmigrants, § **4:343**
 - Labor certification, H-2B nonimmigrants, § **4:480, 4:482, 4:493**
 - Penalties, enforcement of contract obligations for H-2A nonimmigrants, § **4:421**
 - Positive recruitment efforts, H-2A nonimmigrants, § **4:441, 4:444**
 - Substitution of beneficiaries, § **4:218**
 - Termination of credentialing organizations, nurses, § **4:362**
- Number or amount
 - Beneficiaries, petitions, § **4:430, 4:495**
 - Limitations or restrictions, above
 - Multiple matters, above
- Nurses
 - Generally, § **4:348-4:409**
 - H-1A nonimmigrants, § **4:349, 4:350, 4:371-4:381**
 - H-1C nonimmigrants, above
 - H-3 nonimmigrants, § **4:366, 4:503**
 - Registered nurses, below
- Nursing Relief for Disadvantaged Areas Act of 1999, H-1C nonimmigrant category, § **4:349, 4:350, 4:382-4:409**
- Nursing Relief for Disadvantaged Areas Reauthorization Act of 2005, § **1:95**
- Occupations and professions
 - Labor condition application for H-1B nonimmigrants, Occupational Employment and Wage Statistics (OEWS), § **4:266**
 - Specialty occupations. H-1B nonimmigrants, above
- OEWS (Occupational Employment and Wage Statistics), labor condition application for H-1B nonimmigrants, § **4:266**
- Offer of job. Job offer, above
- Officers
 - Certifying officer, labor condition application for H-1B nonimmigrants, § **4:255**
 - Consular officers, above
 - Immigration officers, H-1B nonimmigrants, § **4:222**

H NONIMMIGRANTS—Cont'd

- Online processing, labor condition application for H-1B nonimmigrants, § **4:249**
- Orders
 - Enforcement of contract obligations, H-2A nonimmigrants, § **4:423**
 - Violations, H-1B nonimmigrants, § **4:309**
- Organizations
 - Credentialing organizations, nurses, § **4:350-4:363**
 - Governmental or nonprofit research organization employees, labor condition application for H-1B nonimmigrants, § **4:268**
- Outer Continental Shelf, H-2B nonimmigrants, § **4:471**
- Part-time employment
 - Amendment of labor condition application, H-1B nonimmigrants, § **4:252**
 - H-2B nonimmigrants, § **4:478**
- Passports, H-1B nonimmigrants, § **4:222**
- Payment
 - Fees, labor certification for H-2A nonimmigrants, § **4:456**
 - Penalties or back wages, H-1B nonimmigrant violations, § **4:318**
 - Wages, labor condition application for H-1B nonimmigrants, § **4:264, 4:275-4:278**
- Peak-load need, H-2B nonimmigrants, § **4:474**
- Penalties or sanctions
 - Enforcement of contract obligations, H-2A nonimmigrants, § **4:421**
 - Noncompliance with terms and conditions of labor certification, H-2A nonimmigrants, § **4:462-4:464**
- Violations
 - H-1B nonimmigrants, § **4:312, 4:314, 4:318**
 - H-1C nonimmigrants, § **4:399**
- Performance review, credentialing organizations for nurses, § **4:361, 4:362**
- Period
 - Admission, above
 - Validity of certified labor condition application, H-1B nonim-

H NONIMMIGRANTS—Cont'd

- Period—Cont'd
 - migrants, § **4:259**
- Permanent residents, eligibility for adjustment of status under INA § 245, § **9:207**
- Petitions
 - Generally, § **4:209, 4:211-4:220**
 - Administrative review, enforcement of contract obligations for H-2A nonimmigrants, § **4:425**
 - Amendment of petition to reflect material changes, § **4:219, 4:433**
 - Approval or denial, above
 - Determinations and decisions, § **4:434**
 - Documents and documentation, above
 - Filing, above
 - H-1B nonimmigrants, generally, § **4:220, 4:224, 4:321, 4:329, 4:332**
 - H-1C nonimmigrants, generally, § **4:385, 4:386**
 - H-2A nonimmigrants, generally, § **4:410, 4:428-4:434**
 - H-2B nonimmigrants, § **4:471, 4:494, 4:495**
 - H-3 nonimmigrants, generally, § **4:503, 4:504, 4:506**
 - Labor certification, H-2B nonimmigrants, § **4:482, 4:483, 4:485, 4:492**
 - Multiple beneficiaries, § **4:217, 4:430, 4:495**
 - Named beneficiaries, § **4:217, 4:430, 4:495**
 - New petitions, above
 - Number of beneficiaries, § **4:430, 4:495**
 - Unnamed beneficiaries, § **4:217, 4:495**
- Place. Location, above
- Pleadings, appeals regarding H-1C nonimmigrant violations, § **4:403**
- Portability, H-1B nonimmigrants, § **4:319-4:333**
- Port of entry, H-1B nonimmigrants, § **4:222, 4:322**
- Positive recruitment efforts, H-2A nonimmigrants, § **4:40-4:452**
- Precertification, labor certification for H-2B nonimmigrants, § **4:484**

INDEX

H NONIMMIGRANTS—Cont'd

- Premium processing service, petitions for H-2A nonimmigrants, § **4:428**
- Presentation of certificate or certified statements, nurses, § **4:350**
- Presumption of nonimmigrant status, § **4:3**
- Prevailing wage and determination
 - Attestations, H-1A nonimmigrants, § **4:379**
 - Labor certification for Guam, H-2B nonimmigrants, § **4:493**
 - Labor condition application, H-1B nonimmigrants, § **4:263, 4:265-4:268, 4:273, 4:281**
 - Positive recruitment efforts, H-2A nonimmigrants, § **4:447**
- Private right of action, labor certification for H-2B nonimmigrants, § **4:488**
- Proceedings. Actions and proceedings, above
- Processing
 - Labor condition application, H-1B nonimmigrants, § **4:249**
 - Premium processing service, petitions for H-2A nonimmigrants, § **4:428**
- Professionals, H-1B nonimmigrants, § **4:323-4:325**
- Professions. Occupations and professions, above
- Programs, H-3 nonimmigrants, § **4:503, 4:504, 4:506**
- Prohibition
 - Actions of employer, labor attestations for H-1B1 nonimmigrants, § **4:344**
 - Discharging whistleblowers, labor condition application for H-1B nonimmigrants, § **4:298**
 - Discrimination, § **4:298, 4:427**
 - Intimidation, enforcement of contract obligations for H-2A nonimmigrants, § **4:427**
 - Lower wages, labor condition application for H-1B nonimmigrants, § **4:270**
- Prohibition against discrimination and intimidation by employer, § **4:477.50**
- Projects, Defense Department visas for cooperative research, development

H NONIMMIGRANTS—Cont'd

- and coproduction, § **4:221, 4:331-4:333**
- Proof. Evidence, above
- Proposed changes, H-2B program, § **4:473**
- Proposed regulations, labor condition application for H-1B nonimmigrants, § **4:261**
- Public access
 - Information, H-1C nonimmigrants, § **4:396**
 - Labor condition applications, H-1B nonimmigrants, § **4:239**
- Public health waiver, foreign medical graduates as H-1B nonimmigrants, § **4:326, 4:327**
- Qualifications
 - Burden of proof, petitions for H-2A nonimmigrants, § **4:432**
 - Job offer, H-2A nonimmigrants, § **4:438**
- Quantity. Number or amount, above
- Random investigations
 - Labor attestations, H-1B1 nonimmigrants, § **4:345**
 - Violations, H-1B nonimmigrants, § **4:316**
- Rates for wages, positive recruitment efforts for H-2A nonimmigrants, § **4:447**
- Readmission
 - H-1B nonimmigrants, § **4:226**
 - H-3 nonimmigrants, § **4:505**
- REAL ID Act of 2005, § **1:88**
- Recommendation for alternative remedy for nursing shortage, H-1C nonimmigrants, § **4:408**
- Records and recordkeeping
 - Appeals involving attestations, H-1C nonimmigrants, § **4:391**
 - H-1B nonimmigrants, § **4:236-4:245, 4:289**
 - Labor condition application, H-1B nonimmigrants, § **4:289**
- Recruitment efforts, H-2A nonimmigrants, § **4:40-4:452**
- Registered nurses
 - H-1C nonimmigrants, above
 - Immigration Nursing Relief Act, former H-1A nonimmigrant cate-

H NONIMMIGRANTS—Cont'd

- Registered nurses—Cont'd
 - gory, § 4:349, 4:350, 4:371-4:381
- Regulations
 - Generally, § 4:209-4:506
 - H-2A nonimmigrants, § 4:412
- Reissuance of visas, § 4:30
- Rejection. Acceptance or rejection, above
- Remedies for violations, H-1B and H-1C nonimmigrants, § 4:312-4:318, 4:399
- Renewal
 - Attestations, H-1A nonimmigrants, § 4:373
 - Certification, credentialing organizations for nurses, § 4:357
- Reorganization of corporation, H-1B nonimmigrants, § 4:322
- Replacement workers, petitions for H-2A nonimmigrants, § 4:433
- Reporting activities, positive recruitment efforts for H-2A nonimmigrants, § 4:443
- Requests
 - Hearings, § 4:307, 4:402, 4:422
 - Multistate custom combine owner/operators, H-2A nonimmigrants, § 4:453
 - New determination, labor certification for H-2A nonimmigrants, § 4:459
 - Substitution of beneficiaries, § 4:218
- Requirements, temporary need, exemptions to H-2B, Guam, § 4:472
- Research
 - Defense Department visas for cooperative research, development and coproduction, H-1B nonimmigrants, § 4:221, 4:331-4:333
 - Governmental or nonprofit research organization employees, labor condition application for H-1B nonimmigrants, § 4:268
- Residence
 - Foreign country residence that alien has no intent of abandoning, § 4:466, 4:471, 4:503, 4:506
 - Waiver of two-year foreign residence requirement, foreign medical graduates as H-1B nonim-

H NONIMMIGRANTS—Cont'd

- Residence—Cont'd
 - migrants, § 4:326, 4:327
- Resources of credentialing organizations, nurses, § 4:355
- Responsibilities. Duties and responsibilities, above
- Restrictions. Limitations or restrictions, above
- Resubmission of labor condition application, H-1B nonimmigrants, § 4:257
- Return transportation costs, liability for, § 4:241, 4:476
- Review. Appeal and review, above
- Revocation
 - Certification or certified statement, credentialing organizations for nurses, § 4:356, 4:359
 - Labor certification, H-2A nonimmigrants, § 4:460, 4:461
- Role of local employment service office, positive recruitment efforts for H-2A nonimmigrants, § 4:41
- Salaried employees, labor condition application for H-1B nonimmigrants, § 4:276
- Sanctions. Penalties or sanctions, above
- Satisfaction of wage obligation, labor condition application for H-1B nonimmigrants, § 4:274
- Schools. Education and schools, above
- Scope of review, attestations for H-1C nonimmigrants, § 4:388
- Seafood industry workers, H-2B nonimmigrants working until end of fiscal year 2014, special admission rules, § 4:498
- Seasonal work
 - H-2A nonimmigrants, § 4:410 et seq.
 - H-2B nonimmigrants, § 4:474
- Secretary of Health and Human Services, nurses, § 4:350, 4:372
- Secretary of Homeland Security
 - H-1B1 nonimmigrants, § 4:335, 4:343, 4:347
 - Nurses, generally, § 4:363
- Secretary of Labor
 - Attestations, H-1C nonimmigrants, § 4:382
 - H-1A nonimmigrants, § 4:371, 4:372, 4:377

INDEX

H NONIMMIGRANTS—Cont'd

- Secretary of Labor—Cont'd
 - H-1B nonimmigrants, § **4:246 et seq., 4:329**
 - H-1B1 nonimmigrants, § **4:335, 4:337, 4:340, 4:343**
 - H-1C nonimmigrants, § **4:382, 4:395**
 - H-2A nonimmigrants, § **4:410 et seq.**
 - Labor certification, generally, § **4:413-4:419, 4:480**
- Secretary of State, H-1B1 nonimmigrants, § **4:335, 4:337, 4:343, 4:347**
- Services
 - Determinations, § **4:305, 4:403**
 - H-2A nonimmigrants, above
 - H-2B nonimmigrants, above
 - Legal services, H-2A nonimmigrants, § **4:411**
 - Local employment service office, positive recruitment efforts for H-2A nonimmigrants, § **4:441**
 - Pleadings or documents, appeals regarding H-1C nonimmigrant violations, § **4:403**
 - Premium processing service, petitions for H-2A nonimmigrants, § **4:428**
 - United States Citizenship and Immigration Services (USCIS), § **4:209 et seq.**
- Shearing, itinerant animal shearing; requests for H-2A nonimmigrants, § **4:436**
- Shepherders
 - H-2A nonimmigrants, requests for, § **4:436**
 - H-2B nonimmigrants, § **4:471**
- Short term placement outside area of intended employment, amendment of labor condition application for H-1B nonimmigrants, § **4:253**
- Special education programs, H-3 nonimmigrants, § **4:506**
- Special rules and procedures
 - H-2A nonimmigrants, § **4:453-4:459**
- Seafood industry workers, H-2B nonimmigrants working until end of fiscal year 2014, § **4:498**
- Specialty occupations. H-1B nonimmigrants, above

H NONIMMIGRANTS—Cont'd

- Spouses and children
 - Australian specialty occupation workers and their spouses and children, E-3 visa, § **4:195**
 - Derivative status, above
 - H-1B1 nonimmigrants, § **4:336, 4:338**
- State Department
 - H-1B nonimmigrants, § **4:237**
 - Nurses, generally, § **4:348**
 - Secretary of State, H-1B1 nonimmigrants, § **4:335, 4:337, 4:343, 4:347**
- Statements
 - Certified statements, nurses, § **4:350, 4:351, 4:353, 4:354, 4:363**
 - Wage statement, labor condition application for H-1B nonimmigrants, § **4:271-4:273**
- State Workforce Agency (SWA), labor condition application for H-1B nonimmigrants, § **4:265**
- Status, § **4:209-4:506**
- Stays, appeals involving attestations for H-1C nonimmigrants, § **4:392**
- Streamlined certification process, nurses, § **4:352**
- Strikes, H-1B nonimmigrants, § **4:247, 4:283, 4:284, 4:329**
- Structure of credentialing organizations, nurses, § **4:354**
- Students
 - Change of status to H-1B nonimmigrants, § **4:232**
 - Medical students, H-3 nonimmigrants, § **4:503**
- Substantial violations, labor certification for H-2A nonimmigrants, § **4:463**
- Substitution of beneficiaries, § **4:218**
- Suspension
 - Approved attestations, H-1C nonimmigrants, § **4:389, 4:390**
 - Labor condition application, H-1B nonimmigrant violations, § **4:312**
- SWA (State Workforce Agency), labor condition application for H-1B nonimmigrants, § **4:265**
- Temporary matters
 - H-1B1 worker's stay, § **4:335**

H NONIMMIGRANTS—Cont'd

- Temporary matters—Cont'd
 - Labor certification
 - Generally, § 4:453-4:459, 4:490
 - Fees, § 4:419
 - Visitors for business, eligibility for
 - B-1 classification, § 4:121-4:126
- Temporary need requirements, exemptions to H-2B, Guam, military realignment contracts, § 4:472
- Termination
 - Credentialing organizations for nurses, § 4:362
 - Employment or worker
 - Foreign medical graduates, H-1B nonimmigrants, § 4:327
 - Whistleblowers, labor condition application for H-1B nonimmigrants, § 4:298
- Terms and conditions
 - Employment. Terms and conditions of employment, below
 - Penalties for noncompliance with terms and conditions of labor certification, H-2A nonimmigrants, § 4:462-4:464
- Terms and conditions of employment
 - H-2B nonimmigrants, § 4:471, 4:490
 - Labor certification, H-2A nonimmigrants, § 4:413
 - Material changes, amended or new petition for H-2A nonimmigrants, § 4:433
 - Working conditions, below
- Testing mechanisms, credentialing organizations for nurses, § 4:356
- Third party placements
 - Filing petitions, generally, § 4:213
- Time
 - Duration, above
 - Expedited determinations, labor certification for H-2B nonimmigrants, § 4:483
- Filing
 - Complaints, labor condition application for H-1B nonimmigrants, § 4:299
 - Labor certification application, H-2A nonimmigrants, § 4:416
 - Labor condition application, H-1B nonimmigrants, § 4:248, 4:249

H NONIMMIGRANTS—Cont'd

- Time—Cont'd
 - Filing—Cont'd
 - Petitions, § 4:215
 - Hearing, appeals regarding H-1C nonimmigrant violations, § 4:404
 - Hourly employees, labor condition application for H-1B nonimmigrants, § 4:276
 - Hours of work, H-1C nonimmigrants, § 4:394
 - Part-time employment, above
 - Period, above
 - Stay of H-1B1 worker, § 4:335
- Training and trainees
 - Employment and Training Administration (ETA), above
 - H-2B nonimmigrants, § 4:471
 - H-3 nonimmigrants, above
 - Petitions, H-2A nonimmigrants, § 4:429, 4:433
- Transition, nurses, § 4:363
- Treaty traders and investors, alternative business related visas for aliens not eligible for E nonimmigrant visas, § 4:166
- Two-year foreign residence requirement waived for foreign medical graduates, H-1B nonimmigrants, § 4:326, 4:327
- Union activities, H-1C nonimmigrants, § 4:394
- United States-Chile Free Trade Agreement, H-1B1 nonimmigrants, § 4:334-4:347
- United States Citizenship and Immigration Services (USCIS), § 4:209 et seq.
- United States-Singapore Free Trade Agreement, H-1B1 nonimmigrants, § 4:334-4:347
- Unnamed beneficiaries, petitions, § 4:217, 4:495
- Use of dormant H-1B petitions, § 4:220
- Validity
 - Attestations, H-1C nonimmigrants, § 4:384
 - Invalidation, above
 - Period of validity, certified labor condition application for H-1B1 nonimmigrants, § 4:259, 4:335

INDEX

H NONIMMIGRANTS—Cont'd

Violations

Administrative law judges, above
Determinations and decisions, above
H-1B nonimmigrants, § 4:279, 4:290-4:318

H-1C nonimmigrants, § 4:398-4:406

H-2A nonimmigrants, § 4:420, 4:421, 4:462-4:464

Hearings, above

Labor attestations, H-1B1 nonimmigrants, § 4:343

Labor certification, H-2A nonimmigrants, § 4:462-4:464

Penalties or sanctions, above

Visas, § 4:209-4:506

Wages

Adverse effect wage rates standard, § 4:447

Attestations, H-1C nonimmigrants, § 4:384

H-1C nonimmigrants, § 4:384, 4:394

H-2B nonimmigrants, § 4:471, 4:490

Job offer, H-2A nonimmigrants, § 4:35-4:437

Labor certification, H-2A nonimmigrants, § 4:413

Labor condition application, H-1B nonimmigrants, § 4:263-4:281

Positive recruitment efforts, H-2A nonimmigrants, § 4:447

Prevailing wage and determination, above

Waiver

Blanket waiver of inadmissibility, nurses, § 4:349

Two-year foreign residence requirement for foreign medical graduates, H-1B nonimmigrants, § 4:326, 4:327

Whistleblowers, labor condition application for H-1B nonimmigrants, § 4:298

Wife and husband. Spouses and children, above

Willful violators, labor condition application for H-1B nonimmigrants, § 4:290-4:294

Withdrawal of labor condition application, H-1B nonimmigrants
Generally, § 4:260

H NONIMMIGRANTS—Cont'd

Withdrawal of labor condition application, H-1B nonimmigrants—Cont'd
Employer withdrawal of petition, § 4:240

Woodsmen, labor certification for H-2B nonimmigrants, § 4:485

Working conditions

H-1C nonimmigrants, § 4:384, 4:394

H-2B nonimmigrants, § 4:471, 4:490

Job offer, H-2A nonimmigrants, § 4:35-4:437

Labor certification, H-2A nonimmigrants, § 4:413

Labor condition application, H-1B nonimmigrants, § 4:282

HOMELAND SECURITY

Act of 2002, § 1:73

Department of Homeland Security, this index

HOMELESS APPLICANTS

Permanent residents, immigrant visas, § 9:72

HOMESTEAD EXEMPTION

Bankruptcy proceeding, availability to aliens in, § 16:142

HOMESTEADING

Property rights of aliens, § 16:134

HOMOSEXUAL ACTS

Naturalization, impact on good moral character requirement for, § 14:160

HOMOSEXUALS

Same Sex Partners, this index

HONDURAS

Advance parole, family-based immigrants, § 12:219.70

HONG KONG

Federal government employees abroad, fourth preference eligibility, § 8:69

Permanent Residents, this index

HONORABLE ACTIVE DUTY

Foreign enlistees with honorable active duty records, fourth preference employment-based immigration, § 8:75-8:81

Permanent residents, armed forces foreign enlistees with honorable

HONORABLE ACTIVE DUTY

—Cont'd

active duty records and fourth preference employment-based immigration, § 9:198

HONORARIA

Temporary visitors for business, § 4:114

HOSPITALS

H-1C nonimmigrants, § 4:382-4:409

HOSTAGE TAKING

Crime, § 17:207

HOURLY EMPLOYEES

H nonimmigrants, labor condition application for H-1B nonimmigrants, § 4:276

HOURS OF WORK

H-1C nonimmigrants, § 4:394

HOUSING ASSISTANCE

Eligibility of aliens for, § 16:69

HUMANITARIAN CONSIDERATIONS

Employment-based immigration, adjustment of status to permanent resident, § 8:214

Refugees and Asylum, this index

HUMANITARIAN/MATERIAL WITNESSES

Nonimmigrant visas

Generally, § 6:364

Basic criteria, § 6:364

Eligibility, § 6:364, 6:369, 6:370

Employment authorization, § 6:366

Period of stay, extension, and revocation, § 6:368

Petition procedures and decision, § 6:365

Qualifying family members who have never held U nonimmigrant status, § 6:370

Waiver of certain grounds of inadmissibility, § 6:367

Period of stay, extension, and revocation, § 6:368

Permanent residents, eligibility for adjustment of status under INA § 245, § 9:204

HUMANITARIAN/MATERIAL WITNESSES—Cont'd

U nonimmigrant visas. Nonimmigrant visas, above

Waiver of certain grounds of inadmissibility, § 6:367

HUMANITARIAN PAROLE

Parole of Aliens Into United States, this index

HUMAN RIGHTS

Asylum claims based on abuses of, § 10:49

Refugees and Asylum, this index

HUMAN TRAFFICKING

Victims of Trafficking, this index

HUNGARY

Adjustment to permanent residence status, § 10:321 et seq.

HUNTING

Firearms, aliens' right to possess, § 16:20

HURRICANE ISAAC

Nonimmigrant visas, extension of status for aliens unable to return as result of natural disasters, § 4:79

HUSBAND AND WIFE

Spouses, this index

ICE (IMMIGRATION AND CUSTOMS ENFORCEMENT)

Board of Immigration Appeals (BIA), relationship with ICE, § 1:227

Department of Homeland Security, this index

Educational institution approval. Student and Exchange Visitors, this index

Employer Sanctions and Unfair Immigration Related Employment Practices, this index

Permanent residents, rescission of status, § 9:296, 9:302, 9:303

SEVP/SEVIS/CIPRIS Program, automatic withdrawal of ICE approval, § 5:231

Student and Exchange Visitors, this index

INDEX

IDENTIFICATION CHECK

Permanent residents, applications for adjustment of status under INA § 245, § **9:240**

IDENTITY OF ALIEN

Permanent residents, medical examination of applicants for immigrant visas, § **9:101-9:103**

IIRIRA

Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA), this index

ILLEGAL ALIENS

Definition, § **13:3**

ILLEGAL ENTRY

Crimes. Illegal Entry Crimes, this index
Inadmissibility, this index
Removal, this index

ILLEGAL ENTRY CRIMES

See also Re-entry After Deportation, this index

Aiding entry of excludable aliens, § **17:89**

Aiding illegal entry
Smuggling and harboring aliens, below

Avoiding examination or inspection, § **17:3**

Burden of proof
Smuggling and harboring aliens, § **17:68**

Concealment
Material facts, willful concealment of, § **17:4**
Smuggling and harboring aliens, § **17:56, 17:57**

Constitutional matters
Reentry after deportation, constitutionality of statute on, § **17:10**

Sentencing guidelines, departure from, § **17:43**

Deportation
Re-entry after deportation, below
Willful failure to depart
Generally, § **17:101-17:104**
Suspension of sentence for good cause, § **17:104**

ILLEGAL ENTRY CRIMES—Cont'd

Deportation—Cont'd
Willful failure to depart—Cont'd
Timely application for travel documents, § **17:103**

What constitutes, § **17:102**

Elements, § **17:1-17:28**

Eluding examination or inspection, § **17:3**

Evidence

Generally, § **17:36, 17:37**

Immoral processes, importing and keeping aliens for, § **17:95**

Smuggling and harboring aliens, below

Excludable aliens, aiding entry of, § **17:89**

Harboring. Smuggling and harboring aliens, this index

Immoral processes, importing and keeping aliens for

Generally, § **17:90-17:100**

Evidence, § **17:95**

Holding alien, § **17:92**

Indictment, § **17:93, 17:98**

Prostitution and other immoral purposes, importing for, § **17:90-17:95**

Self-incrimination, privilege against, § **17:100**

Statement about alien kept for immoral purpose, § **17:96-17:100**

Venue, § **17:94, 17:99**

Indictment

Generally, § **17:32-17:34**

Immoral processes, importing and keeping aliens for, § **17:93, 17:98**

Smuggling and harboring aliens, § **17:65-17:67**

Joinder of criminal counts under INA, § **17:34**

Jurisdiction

Limits on, § **17:30**

Smuggling and harboring aliens, § **17:62**

Jury instructions, § **17:39, 17:69**

Jury trial, right to, § **17:35**

Limitation of actions, § **17:29**

Operation streamline, § **17:6**

ILLEGAL ENTRY CRIMES—Cont'd

Prosecution, § 17:29-17:48

Sentencing

Generally, § 17:40-17:48

Civil penalty, § 17:48

Constitutional considerations regarding departure from guidelines, § 17:43

Form I-294, erroneous information in, § 17:46

Guidelines, generally, § 17:40-17:48

Parole as affecting departure from guidelines, § 17:44

Probation, § 17:47

Smuggling and harboring aliens, below

Smuggling and harboring aliens

Generally, § 17:49-17:100

Arrest, § 17:62

Burden of proof, § 17:68

Concealing or harboring aliens, § 17:56, 17:57

Deposition testimony, § 17:75, 17:79, 17:80

Double jeopardy, § 17:67

Elements of offenses, § 17:49-17:61

Employment exception, § 17:57

Employment related transportation, § 17:52

Encouraging or inducing entry of aliens, § 17:58

Evidence

Generally, § 17:70-17:77

Admissibility, § 17:75, 17:76

Co-defendants and co-conspirators, statements by, § 17:73

Depositions, admissibility of, § 17:75, 17:79, 17:80

Hearsay, § 17:74

Illegal status of alien transported, proof of, § 17:72

Sufficiency of evidence, § 17:77

Vehicle stop, reasonable suspicion warranting, § 17:70, 17:71

Videotaped depositions, admissibility of, § 17:75, 17:80

First Amendment necessity defense for sanctuary workers, § 17:61

Former jeopardy, § 17:67

Government misconduct, effect of, § 17:54, 17:55

ILLEGAL ENTRY CRIMES—Cont'd

Smuggling and harboring aliens

—Cont'd

Indictment or information, § 17:65-17:67

Joinder of offenses, § 17:66

Jurisdiction, § 17:62

Jury instructions, § 17:69

Jury trial, § 17:69

Mistake of law defense for sanctuary workers, § 17:60

Necessity defense for sanctuary workers, § 17:60

Prosecution

Generally, § 17:62 et seq.

Sanctuary workers, § 17:59-17:61

Sanctuary workers, prosecution of, § 17:59-17:61

Sentencing

Generally, § 17:81-17:88

Cumulative punishment, § 17:88

Endangering or harming aliens transported, § 17:85

Guidelines, departure from, § 17:82-17:87

Large scale operation affecting sentence, § 17:84

Leadership role as affecting sentence, § 17:83

Other convictions affecting sentence, § 17:86

Standing, effect of government misconduct, § 17:55

Transporting or moving aliens within U.S., § 17:51-17:55

Unlawful status requirement, § 17:53

Venue, § 17:64

Verdict, § 17:69

Witnesses, § 17:78-17:80

Statute of limitations, § 17:29

Stowaways, § 17:5

Timeliness of indictment, § 17:33

Time or place, § 17:2, 17:33

Venue

Generally, § 17:31

Immoral processes, importing and keeping aliens for, § 17:94, 17:99

Smuggling and harboring aliens, § 17:64

INDEX

ILLEGAL ENTRY CRIMES—Cont'd

- Willful concealment of material facts, § 17:4
- Willfully false or misleading representations, § 17:4
- Witnesses, § 17:38, 17:78-17:80

ILLEGAL IMMIGRATION REFORM AND IMMIGRANT RESPONSIBILITY ACT (HIRIRA)

- Deportation procedures, elimination of, § 13:1
- Employer sanctions and unfair immigration related employment practices, § 12:1 et seq.
- Exclusion procedures, elimination of, § 13:1
- H nonimmigrants, nurses, § 4:349
- Inspection and Admission of Arriving Aliens, this index
- Judicial review
 - Detention decisions, § 13:141-13:144
 - Transition rules, § 13:500-13:505
- Legislation to Control Immigration, this index
- Regulations, § 13:497
- Removal procedures, creation of, § 13:1
- Transition rules
 - Generally, § 13:496-13:511
 - Effective dates, § 13:496
 - Judicial review, § 13:500-13:505
 - new rules do not apply, § 13:498
 - noncitizens in proceedings, General rule that new rules do not apply, § 13:498
 - Options to elect to apply new procedures, § 13:499
 - Period of transition, calculating, § 13:511
 - Physical presence, § 13:507
 - References, transitional, § 13:510
 - Regulations, § 13:497
 - Reinitiation options, Option to terminate, § 13:500
 - Suspension of deportation, § 13:506, 13:509
 - Termination options, reinitiate proceedings, § 13:500
- Transition rules for certain
 - Family unity aliens, § 13:508

ILLEGAL REENTRY

- Reentry into US, this index

ILLNESS

- P nonimmigrants, waiver of one-year relationship requirement, § 4:644, 4:663

IMMEDIATE AVAILABILITY OF IMMIGRANT VISA

- Permanent residents, eligibility for adjustment of status under INA § 245, § 9:168-9:171

IMMEDIATE CUSTODIAL RULE

- Habeas corpus, § 15:24

IMMEDIATE RELATIVES

- Permanent Residents, this index
- Relatives of Citizens or Permanent Residents, this index

IMMIGRATION ACT OF 1891

- Generally, § 1:2

IMMIGRATION ACT OF 1990 (IMMACT)

- Generally, § 1:18
- Amnesty, § 9:322
- Inadmissibility, denial of admission or visa, § 3:7

IMMIGRATION AND CUSTOMS ENFORCEMENT (ICE)

- Employer Sanctions and Unfair Immigration Related Employment Practices, this index

IMMIGRATION AND NATIONALITY ACT AMENDMENTS OF 1986

- Generally, § 1:11

IMMIGRATION AND NATIONALITY ACT OF 1952

- Generally, § 1:5
- Legislation to Control Immigration, this index
- Source of law, § 1:162

IMMIGRATION AND NATIONALITY TECHNICAL CORRECTIONS ACT OF 1994

- Generally, § 1:24

**IMMIGRATION AND
NATURALIZATION SERVICE**

Generally. USCIS (United States
Citizenship and Immigration Ser-
vices), this index
Data Management Improvement Act of
2000, § **1:45**
General Counsel's memoranda and
policy guidelines, § **1:173**
Information sharing requirements,
§ **13:9**
INS Basic Law Manual, U.S. Law and
INS Refugee/Asylum Procedures,
§ **1:179**
Interpretations, § **1:175**
Reports and records, § **1:299**

IMMIGRATION COURTS

Commencement of proceedings, § **1:226**
Jurisdiction, § **1:228**
Representation before the court, § **1:225**
Rules of procedures, § **1:224**

IMMIGRATION INSPECTORS

Generally, § **2:1**

IMMIGRATION JUDGES

Decisions, source of law, § **1:167**
Demeanor findings of, § **10:224**
Ethics manual and guides, § **1:181**
Permanent Residents, this index
Refugees and Asylum, this index
Removal, this index

**IMMIGRATION MARRIAGE FRAUD
AMENDMENTS OF 1986 (IMFA)**

Generally, § **1:10**
Relatives of Citizens or Permanent
Residents, this index

**IMMIGRATION NURSING RELIEF
ACT OF 1989**

Former H-1A nonimmigrant category,
§ **4:349, 4:350, 4:371-4:381**

IMMIGRATION OFFICERS

Evidence, submission with petition,
§ **4:705**
H-1B nonimmigrants, § **4:222**
Intracompany transferees, visa-exempt
aliens seeking classification under
blanket petitions for visas, § **4:561**
Nonimmigrant Visas, this index
Permanent Residents, this index

IMMIGRATION OFFICERS—Cont'd

TN nonimmigrants, § **4:712, 4:715**

**IMMIGRATION REFORM AND
CONTROL ACT OF 1986 (IRCA)**

Generally, § **1:9**
Amnesty, § **9:305-9:387**
Employment related rights of aliens,
§ **16:95**
IRCA legalization aliens, literacy and
educational requirements for,
§ **14:175**

**IMMIGRATION TECHNICAL
CORRECTIONS ACT OF 1988**

Generally, § **1:16**

**IMMIGRATION TECHNICAL
CORRECTIONS ACT OF 1991**

Amnesty, temporary resident status
eligibility, § **9:323**

**IMMIGRATION VISA
APPOINTMENT PACKAGE**

Permanent residents, § **9:17, 9:111**

IMMUNITY FROM PROSECUTION

Inadmissibility, denial of admission or
visa, § **3:37**

IMMUNIZATIONS OF IMMIGRANTS

1997 legislation, § **1:38**

IMPARTIAL EXAMINATIONS

H nonimmigrants, credentialing
organizations for nurses, § **4:358**

IMPERSONATION

Crimes and Related Conduct, this index

**IMPLEMENTING
RECOMMENDATIONS OF THE
9/11 COMMISSION ACT OF 2007**

Generally, § **1:100**

IMPUTED ABANDONMENT

Permanent resident status, § **9:278**

INABILITY

Ability or Inability, this index

INADMISSIBILITY

Generally, § **3:1-3:225**
Abandonment of minor child, § **3:20**
Abortion, foreign nationals involved in
forced abortion, § **3:121**
Accessories to crime, § **3:27**

INDEX

INADMISSIBILITY—Cont'd

- Addiction, § 3:8
- Admissions. Crimes and related conduct, below
- Aiding and abetting crimes, § 3:27
- Alcoholism, § 3:6, 3:7
- Aliens
 - Documents, below
 - Present without admission or parole.
 - Illegal entrants and immigration violators, below
 - Previously removed aliens, § 3:109
 - Public charges, aliens likely to become, below
 - Recruitment and use of child soldiers, § 1:111
 - Unlawfully present aliens, below
- Amnesty, this index
- Anti-social personality disorders, § 3:7
- Antiterrorism and Effective Death Penalty Act (AEDPA), § 3:52
- Arson, § 3:16
- Assault. Crimes and related conduct, below
- Asylum
 - Asylum application pending, § 3:113
 - Authorized period of stay, § 3:115
 - Misrepresentation, § 3:96
- Athletes, labor certifications and qualifications, § 3:80
- Attempted crimes, § 3:13
- Automated Visa Lookout System (AVLOS), § 3:1, 3:107
- Bastardy, § 3:21
- Bigamy, § 3:20
- Blackmail, § 3:16
- Blackmarket violations, § 3:19
- Breach of peace, § 3:19
- Breaking and entering, § 3:17
- Bribery, § 3:18
- Burglary, § 3:16
- Chancroid, § 3:3
- Child abductors, international, § 3:118
- CHIMERA system, § 3:1
- Citizenship ineligibility
 - Generally, § 3:107
 - Automated Visa Lookout System (AVLOS), § 3:107
 - Draft evaders, § 3:108
- Communicable diseases of public health significance, § 3:3

INADMISSIBILITY—Cont'd

- Communists. Totalitarian party membership, below
- Conspiracy to commit crime, § 3:13
- Contributing to delinquency of minor, § 3:20
- Controlled substances
 - Abuse or addiction, § 3:8
 - Crimes and related conduct, above
- Conviction, definition. Crimes and related conduct, below
- Counterfeiting, § 3:18
- Crimes and related conduct
 - Generally, § 3:9
 - Abandonment of minor child, § 3:20
- Accessories, § 3:27
- Aiding and abetting, § 3:27
- Arson, § 3:16
- Assault
 - Dangerous or deadly weapon, assault with, § 3:20
 - Intent to commit various crimes, assault with, § 3:20
 - Simple assault, § 3:21
- Attempt, § 3:13, 3:27
- Bastardy, § 3:21
- Bigamy, § 3:20
- Blackmail, § 3:16
- Blackmarket violations, § 3:19
- Breach of peace, § 3:19
- Breaking and entering, § 3:17
- Bribery, § 3:18
- Burglary, § 3:16
- Categories of inadmissible crimes and conduct, § 3:10
- Conspiracy, § 3:13
- Contributing to delinquency of minor, § 3:20
- Controlled substances offenses
 - Generally, § 3:29
 - “Controlled substance,” definition, § 3:31
 - List of controlled substances, § 3:31
 - Look-alike paraphernalia, § 13:81
 - Look-alike substances, § 13:81
- Traffickers
 - Generally, § 3:32
 - “Reason to believe” standard, § 3:32, 3:35

INADMISSIBILITY—Cont'd

- Crimes and related conduct—Cont'd
 - Controlled substances offenses
 - Cont'd
 - Traffickers—Cont'd
 - Spouses, sons and daughters inadmissible, § 3:33
 - Standard of proof, § 3:35
 - What constitutes trafficking, § 3:34
 - Conviction, definition
 - Evidence of conviction, § 3:12
 - Term of imprisonment or sentence
 - Generally, § 3:11
 - Evidence of conviction, § 3:12
 - Counterfeiting, § 3:18
 - Crimes involving moral turpitude (CMTs)
 - Generally, § 3:13
 - Abandonment of minor child, § 3:20
 - Accessories, § 3:27
 - Aiding and abetting, § 3:27
 - Arson, § 3:16
 - Assault, simple, § 3:21
 - Assault with dangerous or deadly weapon, § 3:20
 - Assault with intent to commit various crimes, § 3:20
 - Attempt, § 3:13, 3:27
 - Bastardy, § 3:21
 - Bigamy, § 3:20
 - Blackmail, § 3:16
 - Blackmarket violations, § 3:19
 - Breach of peace, § 3:19
 - Breaking and entering, § 3:17
 - Bribery, § 3:18
 - Burglary, § 3:16
 - Considered to be CMTs, § 3:18
 - Conspiracy, § 3:13
 - Contributing to delinquency of minor, § 3:20
 - Counterfeiting, § 3:18
 - Customs violations, § 3:19
 - Damaging private property, § 3:17
 - Definition, what constitutes moral turpitude, § 3:14
 - Desertion from armed forces, § 3:19
 - Disorderly conduct, § 3:19
 - Drunk driving, § 3:19

INADMISSIBILITY—Cont'd

- Crimes and related conduct—Cont'd
 - Crimes involving moral turpitude (CMTs)—Cont'd
 - Embezzlement, § 3:16
 - Examples of CMTs
 - Generally, § 3:15
 - Governmental authority, crimes against, below this group
 - Persons, family relationships and sexual offenses, crimes against, below this group
 - Property crimes, below this group
 - Extortion, § 3:16
 - False pretenses, § 3:16
 - Firearms violations, § 3:19
 - Forgery, § 3:16
 - Fornication, § 3:21
 - Fraud, § 3:16
 - Fraud against revenue or other government functions, § 3:18
 - Gambling violations, § 3:19
 - Governmental authority, crimes against
 - Generally, § 3:19
 - Bribery, § 3:18
 - Considered to be CMTs, § 3:18
 - Counterfeiting, § 3:18
 - Fraud against revenue or other government functions, § 3:18
 - Harboring a fugitive from justice, with guilty knowledge, § 3:18
 - Mail fraud, § 3:18
 - Not generally considered to be CMTs, § 3:19
 - Perjury, § 3:18
 - Tax evasion, willful, § 3:18
 - Gross indecency, § 3:20
 - Harboring a fugitive from justice, with guilty knowledge, § 3:18
 - Immigration violations, § 3:19
 - Incest, if result of improper sexual relationship, § 3:20
 - Incest, when result of prohibited marital relationship, § 3:21
 - Involuntary manslaughter involving recklessness, § 3:20
 - Joy riding, § 3:17

INDEX

INADMISSIBILITY—Cont'd

- Crimes and related conduct—Cont'd
 - Crimes involving moral turpitude (CMTs)—Cont'd
 - Juvenile delinquency, § 3:17
 - Kidnapping, § 3:20
 - Larceny, § 3:16
 - Lewdness, § 3:20
 - Libel, § 3:21
 - Liquor violations, § 3:19
 - Loan sharking, § 3:19
 - Mail fraud, § 3:18
 - Mailing obscene letter, § 3:21
 - Malicious destruction of property, § 3:16
 - Mann Act violations not involving coercion, § 3:21
 - Mayhem, § 3:20
 - Murder, § 3:20
 - Not generally considered to be CMTs
 - Assault, simple, § 3:21
 - Bastardy, § 3:21
 - Blackmarket violations, § 3:19
 - Breach of peace, § 3:19
 - Breaking and entering, § 3:17
 - Customs violations, § 3:19
 - Damaging private property, § 3:17
 - Desertion from armed forces, § 3:19
 - Disorderly conduct, § 3:19
 - Drunk driving, § 3:19
 - Firearms violations, § 3:19
 - Fornication, § 3:21
 - Gambling violations, § 3:19
 - Governmental authority, crimes against, § 3:19
 - Immigration violations, § 3:19
 - Incest, when result of prohibited marital relationship, § 3:21
 - Joy riding, § 3:17
 - Juvenile delinquency, § 3:17
 - Libel, § 3:21
 - Liquor violations, § 3:19
 - Loan sharking, § 3:19
 - Mailing obscene letter, § 3:21
 - Mann Act violations not involving coercion, § 3:21
 - Nuisance, creating or maintaining, § 3:21

INADMISSIBILITY—Cont'd

- Crimes and related conduct—Cont'd
 - Crimes involving moral turpitude (CMTs)—Cont'd
 - Not generally considered to be CMTs—Cont'd
 - Passing bad checks, § 3:17
 - Persons, family relationships and sexual offenses, crimes against, § 3:21
 - Possessing stolen property, § 3:17
 - Property crimes, § 3:17
 - Reckless driving, § 3:19
 - Riot, § 3:21
 - Smuggling, § 3:19
 - Suicide attempted, § 3:21
 - Tax violations, § 3:19
 - Vagrancy, § 3:19
 - Nuisance, creating or maintaining, § 3:21
 - Pandering, § 3:20
 - Passing bad checks, § 3:17
 - Perjury, § 3:18
 - Persons, family relationships and sexual offenses, crimes against
 - Abandonment of minor child, § 3:20
 - Assault with dangerous or deadly weapon, § 3:20
 - Assault with intent to commit various crimes, § 3:20
 - Bigamy, § 3:20
 - Contributing to delinquency of minor, § 3:20
 - Gross indecency, § 3:20
 - Incest, if result of improper sexual relationship, § 3:20
 - Involuntary manslaughter involving recklessness, § 3:20
 - Kidnapping, § 3:20
 - Lewdness, § 3:20
 - Mayhem, § 3:20
 - Murder, § 3:20
 - Not generally considered to be CMTs, § 3:21
 - Pandering, § 3:20
 - Prostitution, § 3:20
 - Rape, § 3:20
 - Sodomy, § 3:20

INADMISSIBILITY—Cont'd

- Crimes and related conduct—Cont'd
 - Crimes involving moral turpitude (CMTs)—Cont'd
 - Petty offense exception for CMTs, § 3:25, 3:26
 - Possessing stolen property, § 3:17
 - Property crimes
 - Arson, § 3:16
 - Blackmail, § 3:16
 - Burglary, § 3:16
 - Considered to be CMTs, § 3:16
 - Embezzlement, § 3:16
 - Extortion, § 3:16
 - False pretenses, § 3:16
 - Forgery, § 3:16
 - Fraud, § 3:16
 - Larceny, § 3:16
 - Malicious destruction of property, § 3:16
 - Not generally considered to be CMTs, § 3:17
 - Receiving stolen goods with guilty knowledge, § 3:16
 - Robbery, § 3:16
 - Theft, with intent of permanent taking, § 3:16
 - Transporting stolen goods with guilty knowledge, § 3:16
 - Prostitution, § 3:20
 - Purely political offenses, § 3:13, 3:24
 - Rape, § 3:20
 - Receiving stolen goods with guilty knowledge, § 3:16
 - Reckless driving, § 3:19
 - Riot, § 3:21
 - Robbery, § 3:16
 - Smuggling, § 3:19
 - Sodomy, § 3:20
 - Suicide attempted, § 3:21
 - Tax evasion, willful, § 3:18
 - Tax violations, § 3:19
 - Theft, with intent of permanent taking, § 3:16
 - Transporting stolen goods with guilty knowledge, § 3:16
 - Vagrancy, § 3:19
 - Customs violations, § 3:19
 - Damaging private property, § 3:17
 - Desertion from armed forces, § 3:19

INADMISSIBILITY—Cont'd

- Crimes and related conduct—Cont'd
 - Diplomats, immunity from prosecution, § 3:37
 - Disorderly conduct, § 3:19
 - Drugs. Controlled substances offenses, above this group
 - Drunk driving, § 3:19
 - Embezzlement, § 3:16
 - Extortion, § 3:16
 - False pretenses, § 3:16
 - Firearms violations, § 3:19
 - Forgery, § 3:16
 - Fornication, § 3:21
 - Fraud
 - Generally, § 3:16
 - Revenue or other government functions, fraud against, § 3:18
 - Gambling violations, § 3:19
 - Governmental authority, crimes against. Crimes involving moral turpitude (CMTs), above this group
 - Gross indecency, § 3:20
 - Harboring a fugitive from justice, with guilty knowledge, § 3:18
 - Immigration violations, § 3:19
 - Immunity from prosecution, § 3:37
 - Incest
 - Improper sexual relationship, result of, § 3:20
 - Prohibited marital relationship, result of, § 3:21
 - Involuntary manslaughter involving recklessness, § 3:20
 - Joy riding, § 3:17
 - Juvenile delinquency, § 3:17
 - Kidnapping, § 3:20
 - Larceny, § 3:16
 - Lewdness, § 3:20
 - Libel, § 3:21
 - Liquor violations, § 3:19
 - Loan sharking, § 3:19
 - Mail fraud, § 3:18
 - Mailing obscene letter, § 3:21
 - Malicious destruction of property, § 3:16
 - Mann Act violations not involving coercion, § 3:21
 - Mayhem, § 3:20
 - Money laundering, § 3:40

INDEX

INADMISSIBILITY—Cont'd

- Crimes and related conduct—Cont'd
 - Moral turpitude. Crimes involving moral turpitude (CMTs), above this group
 - Multiple criminal convictions, § 3:28
 - Murder, § 3:20
 - Nuisance, creating or maintaining, § 3:21
 - Pandering, § 3:20
 - Passing bad checks, § 3:17
 - Perjury, § 3:18
 - Persons, family relationships and sexual offenses, crimes against. Crimes involving moral turpitude (CMTs), above this group
 - Petty offense exception for CMTs, § 3:25, 3:26
 - Possessing stolen property, § 3:17
 - Property crimes. Crimes involving moral turpitude (CMTs), above this group
 - Prostitution, § 3:20, 3:36
 - Purely political offenses, § 3:13, 3:24
 - Rape, § 3:20
 - Receiving stolen goods with guilty knowledge, § 3:16
 - Reckless driving, § 3:19
 - Religious freedom, foreign government official violators, § 3:38
 - Riot, § 3:21
 - Robbery, § 3:16
 - Smuggling, § 3:19
 - Sodomy, § 3:20
 - Suicide attempted, § 3:21
 - Tax violations
 - Generally, § 3:19
 - Tax evasion, willful, § 3:18
 - Theft, with intent of permanent taking, § 3:16
 - Traffickers
 - Controlled substances offenses, above this group
 - Persons, traffickers in, § 3:39
 - Transporting stolen goods with guilty knowledge, § 3:16
 - Vagrancy, § 3:19
 - Vice, commercialized, § 3:36

INADMISSIBILITY—Cont'd

- Crimes involving moral turpitude (CMTs). Crimes and related conduct, above
- Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996
 - Generally, § 1:25, 3:122
 - “Confiscated” and “confiscation,” § 3:122
 - Noncitizen who converts confiscated or expropriated property for personal gain, § 3:125
 - Revocation of previously issued visa, § 3:124
 - State department guidelines for implementation, § 3:123
 - “Traffics,” § 3:122
- Customs violations, § 3:19
- Damaging private property, § 3:17
- Desertion from armed forces, § 3:19
- Diplomats, immunity from prosecution, § 3:37
- Disorderly conduct, § 3:19
- Disorders, physical and mental disorders and associated behaviors. Health, below
- Documents
 - Failure to comply, aliens failing to comply with documentary requirements
 - Immigrants, § 3:105
 - Nonimmigrants, § 3:106
 - Fraud, aliens subject to final removal order for document fraud. Illegal entrants and immigration violators, below
- Draft evaders, citizenship ineligibility, § 3:108
- Drugs
 - Abuse or addiction, § 3:8
 - Crimes and related conduct, above
- Drunk driving, § 3:19
- Due process rights, § 16:40
- Embezzlement, § 3:16
- Espionage, sabotage and other unlawful activity. Security and related grounds of inadmissibility, below
- Extortion, § 3:16
- False pretenses, § 3:16
- Firearms violations, § 3:19

INADMISSIBILITY—Cont'd

Foreign policy grounds
 Generally, § 3:57
 Exceptions
 Foreign officials, § 3:57
 Other persons, § 3:58
 Foreign officials, § 3:57
 Forgery, § 3:16
 Form I-864, Affidavits of Support,
 § 3:72-3:78
 Fornication, § 3:21
 Fraud
 Crimes and related conduct, above
 Illegal entrants and immigration
 violators, below
 Gambling violations, § 3:19
 Genocide participants, § 3:65, 3:66
 Gonorrhea, § 3:3
 Goods, prohibited transfer of, § 3:44
 Governmental authority, crimes against.
 Crimes and related conduct, above
 Granuloma inguinale, § 3:3
 Gross indecency, § 3:20
 Grounds of inadmissibility
 Abortion, foreign nationals involved
 in forced abortion, § 3:121
 Chart, grounds of inadmissibility and
 relief available, § App 3-1
 Child abductors, international,
 § 3:118
 Citizenship ineligibility, above
 Criminal and related grounds. Crimes
 and related conduct, above
 Cuban Liberty and Democratic Soli-
 darity (LIBERTAD) Act of 1996,
 above
 Documents, aliens failing to comply
 with documentary requirements.
 Documents, above
 Foreign policy grounds. Foreign
 policy, above
 Genocide participant, § 3:65, 3:66
 Guardian required to accompany
 helpless noncitizen, § 3:117
 Haitians accused of human rights
 violations, § 3:127
 Health related grounds. Health, below
 Helpless noncitizen, guardian
 required to accompany, § 3:117
 Immigration violators. Illegal entrants
 and immigration violators, below

INADMISSIBILITY—Cont'd

Grounds of inadmissibility—Cont'd
 Nazis, § 3:65, 3:66
 Polygamy, immigrants practicing,
 § 3:116
 Presidential proclamations, § 3:128
 Previously removed aliens, § 3:109
 Public charges, aliens likely to
 become, below
 Relief available, chart, § App 3-1
 Security and related grounds of
 inadmissibility, below
 Sterilization, foreign nationals
 involved in forced sterilization,
 § 3:121
 Tax avoiders, former citizens who
 renounced citizenship to avoid
 taxes, § 3:120
 Totalitarian party membership, below
 “United States confidential business
 information,” unauthorized
 disclosure of, § 3:126
 Unlawfully present aliens, below
 Voters, unlawful, § 3:119
 Guardian required to accompany help-
 less noncitizen, § 3:117
 Haitians accused of human rights viola-
 tions, § 3:127
 Harboring fugitive from justice, with
 guilty knowledge, § 3:18
 Health
 Generally, § 3:2
 Addiction, § 3:8
 Alcoholism, § 3:6, 3:7
 Anti-social personality disorders,
 § 3:7
 Chancroid, § 3:3
 Communicable diseases of public
 health significance, § 3:3
 Disorders, physical and mental
 disorders and associated
 behaviors
 Generally, § 3:6
 Alcoholism, § 3:6, 3:7
 Anti-social personality disorders,
 § 3:7
 Immigration Act of 1990, modifica-
 tions by, § 3:7
 “Mental disorder,” definition, § 3:6
 Paraphilias, § 3:7

INDEX

INADMISSIBILITY—Cont'd

- Health—Cont'd
 - Disorders, physical and mental disorders and associated behaviors—Cont'd
 - “Physical disorder,” definition, § 3:6
 - Psychotic disorders, § 3:7
 - Drug abuse or addiction, § 3:8
 - Gonorrhea, § 3:3
 - Granuloma inguinale, § 3:3
 - HIV/AIDS, § 3:3, 3:4, 3:162
 - Immigration Act of 1990, modifications by, § 3:7
 - Leprosy, infectious, § 3:3
 - Lymphogranuloma venereum, § 3:3
 - “Mental disorder,” definition, § 3:6
 - Paraphilias, § 3:7
 - “Physical disorder,” definition, § 3:6
 - Psychotic disorders, § 3:7
 - Syphilis, infectious stage, § 3:3
 - Tuberculosis, active, § 3:3
 - Vaccination requirements, § 3:2, 3:5
 - Waivers of Inadmissibility, this index
- Health care workers. Labor certifications and qualifications, below this group
- Helpless noncitizen, guardian required to accompany, § 3:117
- HIV/AIDS, § 3:3, 3:4, 3:162
- H nonimmigrants, blanket waiver for nurses, § 4:349
- Illegal entrants and immigration violators
 - Generally, § 3:85
 - Asylum and misrepresentation, § 3:96
 - Document fraud, aliens subject to final removal order for document fraud
 - Generally, § 3:101
 - Assistance to immigrant’s spouse or child, § 3:103
 - Fraud and misrepresentation
 - Generally, § 3:89
 - Asylum and misrepresentation, § 3:96
 - Citizenship claim, false, § 3:95
 - Document fraud, aliens subject to final removal order for document fraud, above this group
 - Fraud, what constitutes, § 3:91

INADMISSIBILITY—Cont'd

- Illegal entrants and immigration violators—Cont'd
- Fraud and misrepresentation—Cont'd
 - Material misrepresentation, what constitutes, § 3:92
 - 90 day rule, § 3:90
 - Noncitizens subject to final removal order for document fraud, § 3:102
 - spouse or child assistance, § 3:103
 - Timely retractions, § 3:94
 - Waiver available, § 3:97
 - Willful misrepresentation, what constitutes, § 3:93
- Misrepresentation. Fraud and misrepresentation, above this group
- Noncitizens present without admission or parole
 - Generally, § 3:86
 - Battered spouse or child, VAWA exception, § 3:87
 - VAWA exceptions, § 3:87
- Noncitizens previously removed, § 3:109
- Removal hearing, failure to attend, § 3:88
- Smugglers
 - Generally, § 3:99
 - Family reunification exception, § 3:100
 - “For gain” no longer element, § 3:101
- Stowaways, § 3:98
- Student visa abusers, § 3:104
- Immigration Act of 1990, modifications by, § 3:7
- Immigration violations, § 3:19
- Immigration violators. Illegal entrants and immigration violators, above
- Immunity from prosecution, § 3:37
- Incest. Crimes and related conduct, above
- Ineligibility, citizenship. Citizenship ineligibility, above
- Interagency Border Inspection System (IBIS), § 3:1
- Involuntary manslaughter involving recklessness, § 3:20
- Joy riding, § 3:17

INADMISSIBILITY—Cont'd

Juvenile delinquency, § 3:17
 Kidnapping, § 3:20
 Labor certifications and qualifications
 Generally, § 3:79
 Health care workers
 Generally, § 3:82
 Immigrant and nonimmigrant
 foreign health care workers
 Generally, § 3:83
 Temporary waiver for nonim-
 migrant foreign health care
 workers, § 3:84
 Nonimmigrant. Immigrant and
 nonimmigrant foreign health
 care workers, above this group
 Physicians, § 3:81
 Temporary waiver for nonim-
 migrant foreign health care
 workers, § 3:84
 Physicians, § 3:81
 Professional athletes, § 3:80
 Waivers of Inadmissibility, this index
 Larceny, § 3:16
 Leprosy, infectious, § 3:3
 Lewdness, § 3:20
 Libel, § 3:21
 Liquor violations, § 3:19
 Loan sharking, § 3:19
 “Lookout books,” § 3:1
 Lymphogranuloma venereum, § 3:3
 Mail fraud, § 3:18
 Mailing obscene letter, § 3:21
 Malicious destruction of property,
 § 3:16
 Mann Act violations not involving coer-
 cion, § 3:21
 Mayhem, § 3:20
 “Mental disorder,” definition, § 3:6
 Misrepresentation. Illegal entrants and
 immigration violators, above
 Money laundering, § 3:40
 Moral turpitude. Crimes and related
 conduct, below
 Multiple criminal convictions, § 3:28
 Murder, § 3:20
 National Automated Immigration
 Lookout System (NAILS), § 3:1
 National security. Security and related
 grounds of inadmissibility, below
 Nazis, § 3:65, 3:66

INADMISSIBILITY—Cont'd

Noncitizens
 Helpless alien, guardian required to
 accompany, § 3:117
 Noncitizens unlawfully present aliens
 Generally, § 3:110
 Adjustment of status, authorized
 period of stay, § 3:115
 Admission for specified time period,
 authorized period of stay,
 § 3:115
 Asylees, authorized period of stay,
 § 3:115
 Asylum application pending, § 3:113
 Authorized period of stay, § 3:115
 Battered spouses and children,
 § 3:113
 Conditional permanent residence,
 authorized period of stay,
 § 3:115
 Deferred action, authorized period of
 stay, § 3:115
 Departure, § 3:112
 Determining when noncitizen accrues
 unlawful presence, § 3:111
 Exceptions, tolling and waivers for
 three and ten year bars for
 unlawful presence, § 3:113
 Extension of stay, authorized period
 of stay, § 3:115
 Family unity, § 3:113
 Good cause, tolling for, § 3:113
 Minors, § 3:113
 Nonimmigrants and duration of
 status, authorized period of stay,
 § 3:115
 Parolees, authorized period of stay,
 § 3:115
 Post 9/11, § 3:113
 Refugees, authorized period of stay,
 § 3:115
 Registry applicants, authorized period
 of stay, § 3:115
 Temporary Protected Status (TPS),
 authorized period of stay,
 § 3:115
 Three- and 10-year bars, § 3:110
 Tolling, § 3:113
 Tolling for good cause, § 3:114
 Voluntary departure, authorized
 period of stay, § 3:115

INDEX

INADMISSIBILITY—Cont'd

- Nuisance, creating or maintaining, § 3:21
- Opposition to or overthrow of U.S. government, § 3:45
- Palestine Liberation Organization (PLO), § 3:49
- Palestinian Interim Self-Governing Authority, § 3:49
- Pandering, § 3:20
- Paraphilias, § 3:7
- Passing bad checks, § 3:17
- Pedophilia, § 3:7
- Perjury, § 3:18
- Permanent Residents, this index
- Persons, family relationships and sexual offenses, crimes against. Crimes and related conduct, above
- Petty offenses, § 3:25
- “Physical disorder,” definition, § 3:6
- Physicians, labor certifications and qualifications, § 3:81
- Political offenses, § 3:13, 3:24
- Polygamy, immigrants practicing, § 3:116
- Possessing stolen property, § 3:17
- Presidential proclamations, § 3:128
- Previously removed aliens, § 3:109
- Professional athletes, labor certifications and qualifications, § 3:80
- Property crimes. Crimes and related conduct, above
- Prostitution, § 3:20, 3:36
- Psychotic disorders, § 3:7
- Public charges, aliens likely to become
 - Affidavits of support. Form I-864, Affidavits of Support, below
 - Form I-864, Affidavits of Support
 - Change of address notification, § 3:77
 - Enforceability, § 3:76
 - Procedures for completing form, § 3:74
 - Remedies, § 3:78
 - When not required, § 3:73
 - Who completes it, § 3:75
- Public charges, noncitizens likely to become
 - Generally, § 3:67
 - Effective date, § 3:68

INADMISSIBILITY—Cont'd

- Public charges, noncitizens likely to become—Cont'd
 - Employment-based immigrants, § 3:71
 - Factors/criteria, § 3:69
 - Family-sponsored immigrants, § 3:70
 - Form I-864, Affidavits of Support
 - When required, § 3:72
- Rape, § 3:20
- Receiving stolen goods with guilty knowledge, § 3:16
- Reckless driving, § 3:19
- Refugees and Asylum, this index
- Relief available, chart on grounds of inadmissibility and, § App 3-1
- Religious freedom, foreign government official violators, § 3:38
- Removal
 - Hearing, failure to attend, § 3:88
 - Previously removed aliens, § 3:109
- Riot, § 3:21
- Robbery, § 3:16
- Sabotage. Security and related grounds of inadmissibility, below
- Security and related grounds of inadmissibility
 - Generally, § 3:41
 - Advocacy of terrorism, § 3:53
 - Antiterrorism and Effective Death Penalty Act (AEDPA), § 3:52
 - Engage in terrorist activity, § 3:49
 - Espionage, sabotage and other unlawful activity
 - Generally, § 3:42
 - Espionage or sabotage, § 3:43
 - Goods, prohibited transfer of, § 3:44
 - Opposition to or overthrow of U.S. government, § 3:45
 - Other unlawful activities, § 3:46
 - Sensitive information, prohibited transfer of, § 3:44
 - Technology, prohibited transfer of, § 3:44
 - Goods, prohibited transfer of, § 3:44
 - “Material support” clause, § 3:50
 - Membership in, or affiliation with, terrorist organization, § 3:52
 - National security, definition, § 3:52

INADMISSIBILITY—Cont'd

- Security and related grounds of inadmissibility—Cont'd
 - Opposition to or overthrow of U.S. government, § 3:45
 - Palestine Liberation Organization (PLO), § 3:49
 - Palestinian Interim Self-Governing Authority, § 3:49
 - “Representative,” definition, § 3:47
 - “Responsible cooperators,” § 3:54
 - Sabotage. Espionage, sabotage and other unlawful activity, above this group
 - Sensitive information, prohibited transfer of, § 3:44
 - September 11, 2001 attacks, aftermath, § 3:54
 - Technology, prohibited transfer of, § 3:44
 - Terrorist activities
 - Generally, § 3:47
 - Advocacy of terrorism, § 3:53
 - Association with terrorist organization, § 3:55
 - Definitions
 - Engage in terrorist activity, § 3:49
 - Membership in, or affiliation with, terrorist organization, § 3:52
 - National security, § 3:52
 - Representative, § 3:47
 - Terrorist activity, § 3:48
 - Terrorist organization, § 3:51
 - Engage in terrorist activity, § 3:49
 - “Material support” clause, § 3:50
 - Membership in, or affiliation with, terrorist organization, § 3:52
 - National security, definition, § 3:52
 - Palestine Liberation Organization (PLO), § 3:49
 - Palestinian Interim Self-Governing Authority, § 3:49
 - “Representative,” definition, § 3:47
 - “Responsible cooperators,” § 3:54
 - Waiver of “material support” clause, § 3:50
 - Terrorist organization
 - Association with, § 3:55

INADMISSIBILITY—Cont'd

- Security and related grounds of inadmissibility—Cont'd
 - Terrorist organization—Cont'd
 - Definition, § 3:51
 - Membership in, or affiliation with, § 3:52
 - Unlawful activity. Espionage, sabotage and other unlawful activity, above this group
 - USA PATRIOT ACT, § 3:41 et seq.
 - Visa Viper, § 3:54
 - Waiver of “material support” clause, § 3:50
- Sensitive information, prohibited transfer of, § 3:44
- September 11, 2001 attacks, aftermath, § 3:54
- Smuggling and smugglers
 - Crime, § 3:19
 - Illegal entrants and immigration violators, above
- Sodomy, § 3:20
- Sterilization, foreign nationals involved in forced sterilization, § 3:121
- Stowaways, § 3:98
- Student visa abusers, § 3:104
- Suicide attempted, § 3:21
- Syphilis, infectious, § 3:3
- Taxes
 - Avoiders, former citizens who renounced citizenship to avoid taxes, § 3:120
 - Violations, tax. Crimes and related conduct, above
- Technology, prohibited transfer of, § 3:44
- Terrorist activities. Security and related grounds of inadmissibility, above
- Theft, with intent of permanent taking, § 3:16
- Totalitarian party membership
 - Generally, § 3:59
 - Affiliation, definition, § 3:61
 - Communists, § 3:59 et seq.
 - Definitions
 - Affiliation, § 3:61
 - “Totalitarian dictatorship,” § 3:60
 - “Totalitarianism,” § 3:60
 - “Totalitarian party,” § 3:60

INDEX

INADMISSIBILITY—Cont'd

Totalitarian party membership—Cont'd
Exceptions

Family, close family members of
U.S. citizens or lawful permanent residents, § 3:64

Involuntary membership, § 3:62

Past membership, § 3:63

Family, close family members of U.S. citizens or lawful permanent residents, § 3:64

“Operation of law,” involuntary membership, § 3:62

Past membership, § 3:63

“Totalitarian dictatorship,” definition, § 3:60

“Totalitarianism,” definition, § 3:60

“Totalitarian party,” definition, § 3:60

Traffickers. Crimes and related conduct, above

Transporting stolen goods with guilty knowledge, § 3:16

Treasury Enforcement Communications System (TECS II), § 3:1

Tuberculosis, active, § 3:3

“United States confidential business information,” unauthorized disclosure of, § 3:126

USA PATRIOT ACT, § 3:41 et seq.

Vaccination requirements, § 3:2, 3:5

Vagrancy, § 3:19

Vice, commercialized, § 3:36

Visa Viper, security and related grounds of inadmissibility, § 3:54

Voters, unlawful, § 3:119

Waiver of “material support” clause, security and related grounds of inadmissibility, § 3:50

Waivers of Inadmissibility, this index

Willfulness

Misrepresentation, § 3:93

Tax evasion, § 3:18

INCEST

Inadmissibility, this index

Removal, § 13:32

INCOME TAX EVASION

Removal, § 13:32

INCOMPLETE MATTERS

Permanent resident adjustment of status under INA § 245, certification of

INCOMPLETE MATTERS—Cont'd

health care workers, § 9:201

INDEFINITE MATTERS

Temporary visitors for business, general rule of indefinite durational validity of visa, § 4:157, 4:158

INDEPENDENT MATTERS

H Nonimmigrants, this index

INDIA

Sikhs, religious persecution claims, § 10:132

INDIANS

American Indians Born in Canada, this index

INDICTMENTS

False claim of citizenship or nationality, § 17:189

Fraud and misuse of visas, permits and other documents, § 17:144

Fraudulent procurement or misuse of documents relating to naturalization, citizenship or registry of aliens, § 17:179

Illegal Entry Crimes, this index

Passports, § 17:125

INDIVIDUAL ARTISTS OR ENTERTAINERS

P nonimmigrants, § 4:644, 4:685

INDIVIDUAL PETITIONS FOR VISAS

Intracompany transferees, § 4:552 et seq.

INDOCHINA

Cambodia, this index

Laos, this index

Parolees, eligibility for adjustment of status under INA § 245, § 9:164

Refugees and Asylum, this index

Vietnam, this index

INELIGIBILITY

Eligibility or Ineligibility, this index

INFORMAL EXAMINATION OF FAMILY MEMBERS

Permanent residents, applications for immigrant visas, § 9:116

INFORMANTS

Permanent residents, S nonimmigrant adjustment of status under INA § 245, § **9:243-9:250**

INFORMATION

Foreign Information Media Representatives, this index
H Nonimmigrants, this index
Permanent Residents, this index

INFORMATION MEDIA REPRESENTATIVE

Employment incident to status as, § **11:6**

INHERITANCE

Property Rights of Aliens, this index

INITIAL ADMISSION

Religious workers, § **4:708**

INJUNCTIONS

Refugees and asylum, domestic resettlement, termination of benefits, § **10:39**

INNOCENT ABSENCES

Amnesty, temporary resident status eligibility, § **9:313**

I NONIMMIGRANTS

Foreign Information Media Representatives, this index

INS BASIC LAW MANUAL, U.S. LAW AND INS REFUGEE/ASYLUM PROCEDURES

Source of law, § **1:179**

INSIDE U.S.

Nonimmigrant Visas, this index

INS PASSENGER ACCELERATED SERVICE SYSTEM (INSPASS)

Generally, § **2:151**

INSPECTION AND ADMISSION OF ARRIVING ALIENS

Abandonment of lawful permanent residency, secondary referrals, § **2:30**

“Admission,” definition, § **2:2**

“Admitted,” definition, § **2:2**

American Indians born in Canada
Generally, § **2:43**

INSPECTION AND ADMISSION OF ARRIVING ALIENS—Cont’d

American Indians born in Canada

—Cont’d

Individuals regarded as “not arriving,” § **2:8**

“Applicants for admission,” arriving aliens defined as, § **2:2**

Application fees at land border ports of entry, § **2:38**

“Application for admission,” definition, § **2:2**

Armed forces, U.S. and NATO country members

Generally, § **2:39**

Individuals regarded as “not arriving,” § **2:7**

Spouses and children of U.S. military and civilian personnel, § **2:40**

Arrest. Detention and Warrantless Interrogation, Arrest, Search and Custody of Arriving Aliens, this index

Arrival/departure record. Procedures, below

“Arriving,” individuals regarded as, § **2:3**

Assisting alien to evade inspection, § **2:3**

Attorney, right to, § **2:25**

Automated inspection services

Automated Passport Control (APC), pilot program, § **2:60**

Global Entry Program, CBP, § **2:57**

NEXUS alternative inspection program at northern border, § **2:59**

Outlying Area Reporting Station (OARS), § **2:62**

Port Passenger Accelerated Service System (PortPASS), below

Pre-enrolled Access Lane (PAL), § **2:55**

Ready Lane Program, § **2:56**

RFID-enabled document holders, Ready Lane Program, § **2:56**

Secure Electronic Network for Travelers Rapid Inspection (SENTRI), § **2:58**

Small Vessel Reporting System (SVRS) Program, § **2:63**

INDEX

**INSPECTION AND ADMISSION OF
ARRIVING ALIENS—Cont'd**

- Automated Passport Control (APC),
pilot program, § 2:60
- Automated permit port (APP), § 2:48
- Biometric identifiers, § 2:133
- Border Crossing Documents, this index
- Border interrogations and searches,
§ 2:26
- “Brief, casual and innocent trips” by
LPRs, individuals regarded as “not
arriving,” § 2:5
- Burden of proof, requirements for
admission, § 2:24
- Certificate of identity, persons applying
under, § 2:44
- Children, requirements for admission,
§ 2:20
- Citizenship. U.S. citizenship, below
- Conduct and scope of inspection
 - Abandonment of lawful permanent
residency, secondary referrals,
§ 2:30
 - Application fees at land border ports
of entry, § 2:38
 - Arrival/departure record. Procedures,
below
 - Attorney, right to, § 2:25
 - Border interrogations and searches,
§ 2:26
 - Burden of proof, requirements for
admission, § 2:24
 - Children, requirements for admission,
§ 2:20
 - Citizenship, claims to U.S. citizen-
ship, § 2:35
 - Creation of record following entry
without inspection, § 2:34
 - Customs and Border Protection (CBP)
officers, § 2:15
 - Department of Homeland Security’s
Directorate of Border and
Transportation Security, § 2:15
- Documents
 - Fees at land border ports of entry,
§ 2:38
 - Presentation and surrender of visa
or other required documenta-
tion. Requirements for admis-
sion, below
- Expedited removal cases, secondary
referrals, § 2:30

**INSPECTION AND ADMISSION OF
ARRIVING ALIENS—Cont'd**

- Conduct and scope of inspection
 - Cont'd
 - False claims to U.S. citizenship, sec-
ondary referrals, § 2:30
- Fees
 - Application fees at land border
ports of entry, § 2:38
 - Documentation fees at land border
ports of entry, § 2:38
- Forms
 - I-68, Canadian Border Boat
Landing Permit, § 2:38
 - I-94, Arrival/Departure Record,
§ 2:38
 - I-94W, Nonimmigrant Visa
Waiver Arrival/Departure
Form, § 2:38
 - I-175, Application for Nonresi-
dent Alien Canadian Border
Crossing Card, § 2:38
 - I-190, Application for Nonresi-
dent Alien Mexican Border
Crossing Card, § 2:38
- Inspection fees, below
- Forms
 - I-68, Canadian Border Boat Land-
ing Permit, § 2:38
 - I-90, Application to Replace Per-
manent Resident Card, § 2:20
 - I-94, Arrival/Departure Record,
§ 2:31-2:34, 2:38
 - I-94W, Nonimmigrant Visa Waiver
Arrival/Departure Form,
§ 2:38
 - I-102, Application for
Replacement/Initial Nonim-
migrant Arrival-Departure
Document, § 2:31
 - I-175, Application for Nonresident
Alien Canadian Border Cross-
ing Card, § 2:38
 - I-181, Memorandum of Creation of
Record of Admission for Law-
ful Permanent Residence,
§ 2:20
 - I-190, Application for Nonresident
Alien Mexican Border Cross-
ing Card, § 2:38
 - I-193, Application for Waiver of
Passport and/or Visa, § 2:20

**INSPECTION AND ADMISSION OF
ARRIVING ALIENS—Cont'd**

- Conduct and scope of inspection
 - Cont'd
 - Forms—Cont'd
 - I-551, Permanent Resident Card, § 2:20, 2:64
 - Fraudulent documents, secondary referrals, § 2:30
 - Immigrants, documents required for admission, § 2:18
 - Immigration inspection fee, § 2:36
 - In-person application to enter, § 2:16
 - Inspection fees
 - Immigration inspection fee, § 2:36
 - Land border inspection fee, § 2:37
 - Interrogation of noncitizens at border, § 2:26
 - Land border inspection fee, § 2:37
 - Lookout intercepts, secondary referrals, § 2:30
 - Medical referrals, secondary referrals, § 2:30
 - Miranda warnings, border interrogations, § 2:26
 - Multiple entries, § 2:32
 - Nonimmigrants, requirements for admission, § 2:19, 2:21
 - One-stop inspection, § 2:29
 - Passports, requirements for admission, § 2:22
 - Procedures
 - Abandonment of lawful permanent residency, secondary referrals, § 2:30
 - Arrival/departure record
 - Generally, § 2:31
 - Creation of record following entry without inspection, § 2:34
 - Forms
 - I-94, Arrival/Departure Record, § 2:31-2:34
 - I-102, Application for Replacement/Initial Nonimmigrant Arrival-Departure Document, § 2:31
 - Multiple entries, § 2:32
 - When Form 1-94 not required, § 2:33

**INSPECTION AND ADMISSION OF
ARRIVING ALIENS—Cont'd**

- Conduct and scope of inspection
 - Cont'd
 - Procedures—Cont'd
 - Creation of record following entry without inspection, § 2:34
 - Expedited removal cases, secondary referrals, § 2:30
 - False claims to U.S. citizenship, secondary referrals, § 2:30
 - Forms
 - I-94, Arrival/Departure Record, § 2:31-2:34
 - I-102, Application for Replacement/Initial Nonimmigrant Arrival-Departure Document, § 2:30
 - Fraudulent documents, secondary referrals, § 2:30
 - Lookout intercepts, secondary referrals, § 2:30
 - Medical referrals, secondary referrals, § 2:30
 - Multiple entries, § 2:32
 - One-step inspection, § 2:29
 - Refugee admissions, secondary referrals, § 2:30
 - Secondary referrals, § 2:30
 - Temporary inadmissibility, secondary referrals, § 2:30
 - Waivers of inadmissibility, secondary referrals, § 2:30
 - When Form 1-94 not required, § 2:33
- Reentry permits, § 2:17, 2:20
- Refugee admissions, secondary referrals, § 2:30
- Requirements for admission
 - Alien Registration Receipt Card, § 2:20
 - Attorney, right to, § 2:25
 - Border interrogations and searches, § 2:26
 - Burden of proof, § 2:24
 - Children, § 2:20
 - Documents, presentation and surrender of visa or other required documentation
 - Generally, § 2:17
 - Immigrants, documents required for, § 2:18

INDEX

**INSPECTION AND ADMISSION OF
ARRIVING ALIENS—Cont'd**

Conduct and scope of inspection
—Cont'd
Requirements for admission—Cont'd
Documents, presentation and sur-
render of visa or other
required documentation
—Cont'd
Nonimmigrants, documents
required for, § 2:19
Reentry permits, § 2:17
Forms
I-181, Memorandum of Creation
of Record of Admission for
Lawful Permanent Resi-
dence, § 2:20
I-190, Application to Replace
Permanent Resident Card,
§ 2:20
I-193, Application for Waiver of
Passport and/or Visa, § 2:20
I-551, Permanent Resident Card,
§ 2:20
Immigrants, documents required
for, § 2:18
In-person application to enter,
§ 2:16
Interrogation of noncitizens at bor-
der, § 2:26
Miranda warnings, border inter-
rogations, § 2:26
Nonimmigrants, § 2:19, 2:21
Passports, § 2:22
Reentry permits, § 2:17, 2:20
Returning residents, documents for,
§ 2:23
Right to counsel, § 2:25
SB-1 visa, § 2:20
Search of noncitizens and convey-
ances at border, § 2:26
“Unrelinquished lawful permanent
residence,” § 2:20
Waiver of documentary require-
ments
Alien Registration Receipt Card,
§ 2:20
Children, § 2:20
Forms
I-181, Memorandum of Cre-
ation of Record of
Admission for Lawful

**INSPECTION AND ADMISSION OF
ARRIVING ALIENS—Cont'd**

Conduct and scope of inspection
—Cont'd
Requirements for admission—Cont'd
Waiver of documentary require-
ments—Cont'd
Forms—Cont'd
Permanent Residence,
§ 2:20
I-190, Application to Replace
Permanent Resident
Card, § 2:20
I-193, Application for Waiver
of Passport and/or Visa,
§ 2:20
I-551, Permanent Resident
Card, § 2:20
Nonimmigrant visas, § 2:21
Passports, § 2:22
Reentry permits, § 2:20
Returning residents, documents
for, § 2:23
SB-1 visa, § 2:20
“Unrelinquished lawful perma-
nent residence,” § 2:20
When admission of noncitizens
occurs, § 2:28
Withdrawal of application for
admission and cancellation of
visa, § 2:27
Returning residents, documents
required for admission, § 2:23
Right to counsel, § 2:25
SB-1 visa, § 2:20
Search of noncitizens and convey-
ances at border, § 2:26
Secondary referrals, § 2:30
Temporary inadmissibility, secondary
referrals, § 2:30
“Unrelinquished lawful permanent
residence,” § 2:20
Waiver of documentary requirements.
Requirements for admission,
above
Waivers of inadmissibility, secondary
referrals, § 2:30
When admission of noncitizens
occurs, § 2:28
Withdrawal of application for admis-
sion and cancellation of visa,
§ 2:27

**INSPECTION AND ADMISSION OF
ARRIVING ALIENS—Cont'd**

- COVID-19, suspension, restriction, and extensions on entry, § **2:10**
- Creation of record following entry without inspection, § **2:34**
- Custody. Detention and Warrantless Interrogation, Arrest, Search and Custody of Arriving Aliens, this index
- Customs and Border Protection (CBP) officers, § **2:15**
- Dedicated commuter lane (DCL), § **2:48, 2:58**
- Deferred inspection, § **2:47**
- Department of Homeland Security's Directorate of Border and Transportation Security, § **2:15**
- Detention and Warrantless Interrogation, Arrest, Search and Custody of Arriving Aliens, this index
- Diplomats, § **2:42**
- Documents. Conduct and scope of inspection, above
- “Entry,” definition supplanted by concepts of “admission” and “admitted,” § **2:2**
- Expedited Removal, this index
- False claims to U.S. citizenship, secondary referrals, § **2:30**
- Fees. Conduct and scope of inspection, above
- Fingerprints
 - Port Passenger Accelerated Service System (PortPASS), § **2:52**
 - US-VISIT program, § **2:133**
- Forms
 - FS-343, Application for Certificate of Identity, § **2:44**
 - FS-343a, Certificate of Identity, § **2:44**
 - I-68, Canadian Border Boat Landing Permit, § **2:38**
 - I-94, Arrival/Departure Record, § **2:31-2:34, 2:38**
 - I-94W, Nonimmigrant Visa Waiver Arrival/Departure Form, § **2:38**
 - I-102, Application for Replacement/Initial Nonimmigrant Arrival-Departure Document, § **2:30**
 - I-175, Application for Nonresident Alien Canadian Border Crossing Card, § **2:38**

**INSPECTION AND ADMISSION OF
ARRIVING ALIENS—Cont'd**

- Forms—Cont'd
 - I-181, Memorandum of Creation of Record of Admission for Lawful Permanent Residence, § **2:20**
 - I-190, Application for Nonresident Alien Mexican Border Crossing Card, § **2:38**
 - I-190, Application to Replace Permanent Resident Card, § **2:20**
 - I-193, Application for Waiver of Passport and/or Visa, § **2:20**
 - I-508, Waiver of Rights, Privileges, Exceptions and Immunities, § **2:42**
 - I-551, Permanent Resident Card, § **2:20, 2:64**
 - I-823, Application-Alternative Inspection Services, § **2:49, 2:50**
- Fraudulent documents, secondary referrals, § **2:30**
- Global Entry Program, CBP, § **2:57**
- IIRIRA. Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA), below
- Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA)
 - “Brief, casual and innocent trips” by LPRs, concept as not surviving adoption of IIRIRA, § **2:5**
 - “Entry” supplanted by concepts of “admission” and “admitted,” § **2:2**
 - Pre-inspection, § **2:12**
- Immigrants
 - Documents required for admission, § **2:18**
 - Immigration inspection fee, § **2:36**
 - Immigration inspectors, § **2:1**
- Immigration inspectors, § **2:1**
- Inadmissibility, this index
- Indians. American Indians born in Canada, above
- Individuals subject to inspection
 - American Indians born in Canada, individuals regarded as “not arriving,” § **2:8**
 - Armed forces members, individuals regarded as “not arriving,” § **2:7**

INDEX

**INSPECTION AND ADMISSION OF
ARRIVING ALIENS—Cont'd**

- Individuals subject to inspection
 - Cont'd
 - “Arriving,” individuals regarded as, § 2:3
 - Assisting alien to evade inspection, § 2:3
 - “Brief, casual and innocent trips” by LPRs, individuals regarded as “not arriving,” § 2:5
 - Citizens of United States, individuals regarded as “not arriving,” § 2:4
 - Interdiction of noncitizens at sea, § 2:11
 - Lawful permanent residents (LPRs), individuals regarded as “not arriving,” § 2:5
 - “Not arriving,” individuals regarded as
 - American Indians born in Canada, § 2:8
 - Armed forces members, § 2:7
 - “Brief, casual and innocent trips” by LPRs, § 2:5
 - Citizens of United States, § 2:4
 - Lawful permanent residents (LPRs), § 2:5
 - Stowaways, § 2:6
 - Restrictions on entry, § 2:9
 - Stowaways, individuals regarded as “not arriving,” § 2:6
 - Suspension of entry, § 2:9
 - In-person application to enter, § 2:16
 - Inspection fees. Conduct and scope of inspection, above
 - Interdiction of noncitizens at sea, § 2:11
 - International organization representatives, § 2:42
 - Interrogation. Detention and Warrantless Interrogation, Arrest, Search and Custody of Arriving Aliens, this index
 - Land border inspection fee, § 2:37
 - Lawful permanent residents (LPRs)
 - Abandonment of lawful permanent residency, secondary referrals, § 2:30
 - Form I-181, Memorandum of Creation of Record of Admission for Lawful Permanent Residence, § 2:20

**INSPECTION AND ADMISSION OF
ARRIVING ALIENS—Cont'd**

- Lawful permanent residents (LPRs)
 - Cont'd
 - Individuals regarded as “not arriving,” § 2:5
 - “Unrelinquished lawful permanent residence,” § 2:20
- Lookout intercepts, secondary referrals, § 2:30
- Marshall Islands citizens, § 2:41
- Medical referrals, secondary referrals, § 2:30
- Micronesia citizens, § 2:41
- Miranda warnings, border interrogations, § 2:26
- Multiple entries, § 2:32
- Native Americans. American Indians born in Canada, above
- NATO. Armed forces, U.S. and NATO country members, above
- NEXUS alternative inspection program at northern border, § 2:59
- Nonimmigrants, requirements for admission, § 2:19, 2:21
- “Not arriving,” individuals regarded as. Individuals subject to inspection, above
- One-stop inspection, § 2:29
- Outlying Area Reporting Station (OARS), automated inspection service, § 2:62
- Parole of Aliens into United States, below
- Passports
 - Automated Passport Control (APC), pilot program, § 2:60
 - Requirements for admission, § 2:22
- Permanent residents
 - Eligibility for adjustment of status to permanent resident under INA § 245, § 9:162
 - Lawful permanent residents (LPRs), above
- Photographs, § 2:133
- Port Passenger Accelerated Service System (PortPASS)
 - Generally, § 2:48
 - Application procedures
 - Conditions, § 2:54
 - Decision and reapplication, § 2:53

**INSPECTION AND ADMISSION OF
ARRIVING ALIENS—Cont'd**

Port Passenger Accelerated Service System (PortPASS)—Cont'd
Application procedures—Cont'd
Fees, § 2:50
Fingerprints, § 2:52
Form I-823, Application-Alternative Inspection Services, § 2:50
Supporting evidence, § 2:51
Violations, consequences, § 2:54
Automated permit port (APP), § 2:48
Dedicated commuter lane (DCL), § 2:48
Eligibility, § 2:49
Form I-823, Application-Alternative Inspection Services, § 2:49, 2:50
Pre-enrolled Access Lane (PAL), § 2:55
Pre-inspection
Generally, § 2:12
Foreign territories, § 2:14
Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA), § 2:12
Territories and possessions of United States, § 2:13
Presumption of alien status, § 2:1
Procedures. Conduct and scope of inspection, above
Ready Lane Program, § 2:56
Reentry permits, § 2:17, 2:20
Refugee admissions, secondary referrals, § 2:30
Requirements for admission. Conduct and scope of inspection, above
Restrictions on entry, § 2:9
Returning residents, documents required for admission, § 2:23
RFID-enabled document holders, Ready Lane Program, § 2:56
Right to counsel, § 2:25
SB-1 visa, § 2:20
Scope of inspection. Conduct and scope of inspection, above
Search. Detention and Warrantless Interrogation, Arrest, Search and Custody of Arriving Aliens, this index
Secondary referrals, § 2:30

**INSPECTION AND ADMISSION OF
ARRIVING ALIENS—Cont'd**

Small Vessel Reporting System (SVRS) Program, automated inspection service, § 2:63
Stowaways, individuals regarded as “not arriving,” § 2:6
Suspension of entry, § 2:9
Temporary inadmissibility, secondary referrals, § 2:30
Trade representatives, § 2:42
Transits without visas (TWOV), suspension of program, § 2:45
Transits with visas, § 2:46
Treaty traders and investors, port of entry, § 4:203
Undocumented noncitizens, “zero-tolerance policy,” southwest border, § 2:158
“Unrelinquished lawful permanent residence,” § 2:20
U.S. citizenship
Claims to U.S. citizenship, § 2:35
False claims to U.S. citizenship, secondary referrals, § 2:30
“Not arriving,” U.S. citizens regarded as, § 2:4
US-VISIT program, § 2:133
Visas
Forms
I-94W, Nonimmigrant Visa Waiver Arrival/Departure Form, § 2:38
I-193, Application for Waiver of Passport and/or Visa, § 2:20
SB-1 visa, § 2:20
Transits without visas (TWOV), suspension of program, § 2:45
Transits with visas, § 2:46
Withdrawal of application for admission and cancellation of visa, § 2:27
Voluntary Self-Reported Exit Pilot program, § 2:63.50
Waiver of documentary requirements. Requirements for admission, above
Waivers of inadmissibility, secondary referrals, § 2:30
Warrantless interrogation. Detention and Warrantless Interrogation, Arrest, Search and Custody of Arriving Aliens, this index

INDEX

INSPECTION AND ADMISSION OF ARRIVING ALIENS—Cont'd

- When admission of noncitizens occurs,
§ **2:28**
- Withdrawal of application for admission
and cancellation of visa, § **2:27**
- “Zero-tolerance policy,” southwest bor-
der, undocumented noncitizens,
§ **2:158**

INSPECTION FEES

- Inspection and Admission of Arriving
Aliens, this index

INSPECTIONS

- Employer Sanctions and Unfair
Immigration Related Employment
Practices, this index
- Exit inspection control and biometrics
collection, § **2:61**
- Inspection and Admission of Arriving
Aliens, this index
- Permanent residents, this index

INSPECTOR'S FIELD MANUAL

- Source of law, § **1:177**

IN-STATE TUITION

- International organization representa-
tives, G nonimmigrants, § **6:64**
- TN nonimmigrants, temporary resi-
dence, § **4:713**

INSTRUCTIONS

- Permanent Residents, this index

INSURANCE

- Property rights of aliens, § **16:141**
- TN nonimmigrants, disaster relief insur-
ance claims adjusters, § **4:721**

INTELSTAT

- G-4 visas for employee of successor or
separated entity of INTELSTAT,
§ **6:50**

INTENT OR INTENTION

- Crimes and Related Conduct, this index
- Employment-Based Immigration, this
index
- H Nonimmigrants, this index
- Intracompany Transferees, this index
- Naturalization, this index
- Permanent Residents, this index

INTENT OR INTENTION—Cont'd

- Persecutor's. Refugees and Asylum, this
index
- Refugees and Asylum, this index
- Religious workers, intent to depart upon
termination of status, § **4:694**
- Renunciation of citizenship. Expatria-
tion, this index
- Temporary visitors for business, resi-
dence in foreign county that alien
has no intention of abandoning,
§ **4:109-4:161**
- TN Nonimmigrants, this index
- Treaty traders and investors, intent to
depart upon termination of status,
§ **4:164, 4:166, 4:193**

INTERAGENCY BORDER INSPECTION SYSTEM (IBIS)

- Inadmissibility, denial of admission or
visa, § **3:1**

INTERCOUNTRY ADOPTION UNIVERSAL ACCREDITATION ACT

- 2012, § **1:126**

INTERDICTION OF ALIENS AT SEA

- Inspection and admission of arriving
noncitizens, § **2:11**

INTERESTS

- Treaty investors, investment require-
ment, § **4:190**

INTERMITTENT NEED

- H-2B nonimmigrants, § **4:474**

INTERNAL REVENUE SERVICE

- Department of State records, § **1:301**

INTERNATIONAL ADOPTION SIMPLIFICATION ACT

- Adopted children, § **1:119**

INTERNATIONAL AND GOVERNMENT VISITORS

- Student and Exchange Visitors, this
index

INTERNATIONAL AND WATER COMMISSION TREATY

- Border crossing documents, nonim-
migrant aliens entering pursuant to
Treaty as exempt form passport and

**INTERNATIONAL AND WATER
COMMISSION TREATY—Cont'd**
visa requirements by law or treaty,
§ 2:131

**INTERNATIONAL COVENANT ON
CIVIL AND POLITICAL RIGHTS
(CCPR)**
Aliens' rights, § 16:3

**INTERNATIONAL CULTURAL
EXCHANGE PROGRAMS AND
PARTICIPANTS**
Student and Exchange Visitors, this
index

INTERNATIONAL INSTRUMENTS
Sources of Law, this index

INTERNATIONAL LAW
Aliens' rights, generally, § 16:3, 16:4
Confiscation of enemy alien's property,
§ 16:146
Safe haven claims, § 10:13

INTERNATIONAL MATTERS
H-2B nonimmigrants, fairs or exposi-
tions, § 4:471
Nonimmigrant visas, restrictions on
issuance to nonimmigrants from
state sponsors of international ter-
rorism, § 4:31
Permanent Residents, this index
P nonimmigrants, members of
internationally recognized
entertainment groups, § 4:643 et
seq.
Temporary Visitors for Business, this
index
TN nonimmigrants, electronic data
system, § 4:729, 4:731

**INTERNATIONAL MONETARY
FUND (IMF)**
G-2 visas for IMF course participants,
§ 6:44

**INTERNATIONAL ORGANIZATION
REPRESENTATIVES**
B-1 visas, § 6:91
C-2 nonimmigrants
Generally, § 6:83-6:90
Description of category, § 6:83
Extension of stay, § 6:85
Fees, visas, § 6:88

**INTERNATIONAL ORGANIZATION
REPRESENTATIVES—Cont'd**
C-2 nonimmigrants—Cont'd
Personal appearance, waiver, § 6:87
Refusal of issuance of C-2 visa,
§ 6:89
Travel limitations, § 6:84
Visas
Generally, § 6:86
Fees, § 6:88
Personal appearance, waiver,
§ 6:87
Refusal of issuance of C-2 visa,
§ 6:89
Revocation of visa, § 6:90
Change of status. Nonimmigrant visas,
below
Deportation, G nonimmigrants, § 6:69
Derivative classification of immediate
family members, G nonimmigrants,
§ 6:39
Domicile, G nonimmigrants, § 6:64
Employment. G nonimmigrants, below
Employment-based immigration, fourth
preference eligibility, § 8:72
Extension of stay
C-2 nonimmigrants, § 6:85
G nonimmigrants, below
Failure to maintain status, G nonim-
migrants, § 6:69
Fees, G nonimmigrant visas, § 6:59
Fingerprinting requirements for G
nonimmigrants, waiver of, § 6:56
G nonimmigrants
Generally, § 6:38-6:82
Admission to and stay in U.S.
Generally, § 6:56, 6:63
Deportation, § 6:69
Domicile, § 6:64
Extension of stay, below this group
Failure to maintain status, § 6:69
In-state tuition, § 6:64
Length of initial period of admis-
sion, § 6:65
Deportation, § 6:69
Derivative classification of immediate
family members, § 6:39
Domicile, § 6:64
Employment
A-1 and A-2 dependents,
diplomatic visas, § 6:11

**INTERNATIONAL ORGANIZATION
REPRESENTATIVES—Cont'd**

- G nonimmigrants—Cont'd
 - Employment—Cont'd
 - Generally, § **6:70-6:82**
 - Application procedures
 - Generally, § **6:75**
 - Application for employment authorization, § **6:77**
 - Approval of application, § **6:79**
 - Denial of application, § **6:80**
 - USCIS adjudication, § **6:79**
 - Diplomatic visas, A-1 and A-2 dependents, § **6:11**
 - G-1 dependents
 - Eligibility, § **6:71**
 - Prerequisite of foreign-state employment reciprocity, § **6:73**
 - G-3 dependents
 - Eligibility, § **6:71**
 - Prerequisite of foreign-state employment reciprocity, § **6:73**
 - G-4 dependents, eligibility, § **6:72**
 - Unauthorized employment
 - Generally, § **6:81**
 - Procedure upon discovery of unauthorized employment, § **6:82**
 - Extension of stay
 - G-5 visas, § **6:67, 6:68**
 - Principal alien, § **6:66**
 - Failure to maintain status, § **6:69**
 - Fees, visas, § **6:59**
 - Fingerprinting requirements, waiver of, § **6:56**
 - G-1 visas, eligibility, § **6:42**
 - G-2 visas, eligibility, § **6:43**
 - G-3 visas, eligibility, § **6:45**
 - G-4 visas. Eligibility, above this group
 - G-5 visas. Visas, below
 - In-state tuition, § **6:64**
 - INTELSTAT, G-4 visas for employee of successor or separated entity of, § **6:50**
 - International Monetary Fund (IMF) courses, G-2 visas for participants, § **6:44**

**INTERNATIONAL ORGANIZATION
REPRESENTATIVES—Cont'd**

- G nonimmigrants—Cont'd
 - International Telecommunications Satellite Organization (ITSO) personnel, G-4 visas, § **6:51**
 - Length of initial period of admission, § **6:65**
 - Organization of American States (OAS) employees, § **6:55**
 - Passport validity requirement, waiver of, § **6:58**
 - Personal appearance, waiver of, § **6:57**
 - Photograph requirement, waiver of, § **6:56**
 - Police certificate requirement, waiver of, § **6:56**
 - Privileges, exemptions, immunities, and restrictions, § **6:34**
 - Refusal of issuance of G visa, § **6:60**
 - Registration requirements, waiver of, § **6:56**
 - Renewal of G visa, § **6:62**
 - Revocation of G visa, § **6:61**
 - Spouse of principal alien, § **6:41**
 - Transit purposes, G-4 visas, § **6:47**
 - U.N. Laissez-Passer (UNLP), G-4 visas and placement in, § **6:49**
 - United Nations International School, G-4 visas for director and teachers, § **6:48**
- Visas
 - Eligibility
 - Generally, § **6:40**
 - G-1 visas, § **6:42**
 - G-2 visas, § **6:43**
 - G-3 visas, § **6:45**
 - G-4 visas
 - Generally, § **6:46**
 - INTELSTAT, employee of successor or separated entity of, § **6:50**
 - International Telecommunications Satellite Organization (ITSO) personnel, § **6:51**
 - Transit purposes, § **6:47**
 - U.N. Laissez-Passer (UNLP), placement in, § **6:49**
 - United Nations International School, director and

**INTERNATIONAL ORGANIZATION
REPRESENTATIVES—Cont'd**

G nonimmigrants—Cont'd

Visas—Cont'd

Eligibility—Cont'd

G-4 visas—Cont'd

teachers, § 6:48

G-5 visas, § 6:52, 6:53

INTELSTAT, G-4 visas for
employee of successor or
separated entity of, § 6:50International Monetary Fund
(IMF) courses, G-2 visas
for participants, § 6:44International Telecommunica-
tions Satellite Organization
(ITSO) personnel, G-4
visas, § 6:51

Spouse of principal alien, § 6:41

Transit purposes, G-4 visas,
§ 6:47U.N. Laissez-Passer (UNLP),
G-4 visas and placement in,
§ 6:49United Nations International
School, G-4 visas for direc-
tor and teachers, § 6:48

Fees, § 6:59

Fingerprinting requirements,
waiver of, § 6:56

G-1 visas, eligibility, § 6:42

G-2 visas, eligibility, § 6:43

G-3 visas, eligibility, § 6:45

G-4 visas. Eligibility, above this
group

G-5 visas

Eligibility

Generally, § 6:52

Extensions of status for
victims of trafficking,
exploitation, or alleged
employer mistreatment,
§ 6:53

Extension of stay, § 6:67, 6:68

In-state tuition, § 6:64

INTELSTAT, G-4 visas for
employee of successor or
separated entity of, § 6:50International Monetary Fund (IMF)
courses, G-2 visas for
participants, § 6:44**INTERNATIONAL ORGANIZATION
REPRESENTATIVES—Cont'd**

G nonimmigrants—Cont'd

Visas—Cont'd

International Telecommunications
Satellite Organization (ITSO)
personnel, G-4 visas, § 6:51Length of initial period of admis-
sion, § 6:65Organization of American States
(OAS) employees, § 6:55Passport validity requirement,
waiver of, § 6:58Personal appearance, waiver of,
§ 6:57Photograph requirement, waiver of,
§ 6:56Police certificate requirement,
waiver of, § 6:56

Procedural matters

Generally, § 6:54

Fees, § 6:59

Fingerprinting requirements,
waiver of, § 6:56Organization of American States
(OAS) employees, § 6:55Passport validity requirement,
waiver of, § 6:58Personal appearance, waiver of,
§ 6:57Photograph requirement, waiver
of, § 6:56Police certificate requirement,
waiver of, § 6:56Refusal of issuance of G visa,
§ 6:60Registration requirements,
waiver of, § 6:56

Renewal of G visa, § 6:62

Revocation of G visa, § 6:61

Waivers

Fingerprinting requirements,
§ 6:56Passport validity requirement,
§ 6:58

Personal appearance, § 6:57

Photograph requirement,
§ 6:56Police certificate requirement,
§ 6:56Registration requirements,
§ 6:56

**INTERNATIONAL ORGANIZATION
REPRESENTATIVES—Cont'd**

- G nonimmigrants—Cont'd
 - Visas—Cont'd
 - Refusal of issuance of G visa, § **6:60**
 - Registration requirements, waiver of, § **6:56**
 - Renewal of G visa, § **6:62**
 - Revocation of G visa, § **6:61**
 - Spouse of principal alien, § **6:41**
 - Transit purposes, G-4 visas, § **6:47**
 - U.N. Laissez-Passer (UNLP), G-4 visas and placement in, § **6:49**
 - United Nations International School, G-4 visas for director and teachers, § **6:48**
 - Waivers. Procedural matters, above this group
 - G nonimmigrants employment
 - Application procedures
 - U.S. Citizenship and Immigration Services (USCIS)
 - Adjudication by USCIS, § **6:78**
 - Applying to USCIS, § **6:76**
 - Inspection and admission of arriving aliens, § **2:42**
 - In-state tuition, G nonimmigrants, § **6:64**
 - INTELSTAT, G-4 visas for employee of successor or separated entity of, § **6:50**
 - International Monetary Fund (IMF) courses, G-2 visas for participants, § **6:44**
 - International Telecommunications Satellite Organization (ITSO) personnel, G-4 visas, § **6:51**
 - I visas, § **6:91**
 - Length of initial period of admission, G nonimmigrants, § **6:65**
 - N-8 visas, § **6:92**
 - N-9 visas, § **6:92**
 - Nonimmigrant visas
 - Generally, § **6:33-6:96**
 - B-1 visa, § **6:91**
 - C-2 nonimmigrants, above
 - Change of status
 - From G nonimmigrant to another nonimmigrant classification, § **6:94**

**INTERNATIONAL ORGANIZATION
REPRESENTATIVES—Cont'd**

- Nonimmigrant visas—Cont'd
 - Change of status—Cont'd
 - From other nonimmigrant classification to N status, § **6:95**
 - From other nonimmigrant status to G status, § **6:96**
 - Exemptions. Privileges, exemptions, immunities, and restrictions, below this group
 - G nonimmigrants, above
 - Immunities. Privileges, exemptions, immunities, and restrictions, below this group
 - “International organization,” definition, § **6:32**
 - I visa, § **6:91**
 - N-8 visas, § **6:92**
 - N-9 visas, § **6:92**
 - Official visas, § **6:93**
 - Personal appearance, below
 - Privileges, exemptions, immunities, and restrictions
 - Generally, § **6:33**
 - E-1 classification. Taipei Economic and Cultural Representative Office (TECRO), below this group
 - Employment authorization. Taipei Economic and Cultural Representative Office (TECRO), below this group
 - G nonimmigrants, § **6:34**
 - Taipei Economic and Cultural Representative Office (TECRO)
 - Generally, § **6:37**
 - Dependents over 21, E-1 classification, § **6:24**
 - Duration of status, E-1 classification, § **6:24**
 - E-1 classification
 - Dependents over 21, § **6:24**
 - Duration of status, § **6:24**
 - Reinstatement, application for E reinstatement, § **6:26**
 - Employment authorization
 - Dependent students of TECRO employees, § **6:37**
 - TECRO dependents, § **6:37**

**INTERNATIONAL ORGANIZATION
REPRESENTATIVES—Cont'd**

- Nonimmigrant visas—Cont'd
 - Privileges, exemptions, immunities, and restrictions—Cont'd
 - Taipei Economic and Cultural Representative Office (TECRO)—Cont'd
 - Reinstatement, application for E reinstatement, § 6:26
 - United Nations representatives, § 6:35
 - World Trade Organization, § 6:36
 - Restrictions, Privileges, exemptions, immunities, and restrictions, below this group
 - Revocation of designation, § 6:32
 - Revocation of visa, below
 - Official visas, § 6:93
 - Organization of American States (OAS) employees, G nonimmigrants, § 6:55
 - Passport validity requirement, waiver for G nonimmigrants, § 6:58
 - Personal appearance
 - C-2 nonimmigrants, waiver for, § 6:87
 - G nonimmigrants, waiver for, § 6:57
 - Photograph requirement, waiver for G nonimmigrants, § 6:56
 - Police certificate requirement, waiver for G nonimmigrants, § 6:56
 - Refusal of issuance of visa
 - C-2 visa, § 6:89
 - G visa, § 6:60
 - Registration requirements, waiver for G nonimmigrants, § 6:56
 - Renewal of G visa, § 6:61
 - Revocation of visa
 - C-2 nonimmigrant visa, § 6:90
 - G visas, § 6:61
 - Spouse of principal alien, G nonimmigrants, § 6:41
 - Transit purposes, G-4 visas, § 6:47
 - U.N. Laissez-Passer (UNLP), G-4 visas and placement in, § 6:49
 - United Nations International School, G-4 visas for director and teachers, § 6:48
 - U.S. Citizenship and Immigration Services (USCIS). G nonimmigrants, above

**INTERNATIONAL ORGANIZATION
REPRESENTATIVES—Cont'd**

- Visas
 - C-2 nonimmigrants, above
 - G nonimmigrants, above
 - Nonimmigrants visas, above

INTERNATIONAL ORGANIZATIONS

- International Organization Representatives, this index
- Permanent Residents, this index

**INTERNATIONAL PATIENT ACT OF
2000**

- Generally, § 1:51

**INTERNATIONAL RELIGIOUS
FREEDOM ACT OF 1998
(ACWIA)**

- Generally, § 1:40

**INTERNATIONAL
TELECOMMUNICATIONS
SATELLITE ORGANIZATION
(ITSO)**

- G-4 visas for ITSO personnel, § 6:51

INTERNET

- Social media identifiers and “public” setting requirements, § 4:18

INTERNSHIPS

- Student and Exchange Visitors, this index
- United Nations Institute for Training and Research (UNITAR), § 4:124

INTERPRETATIONS

- Construction and Interpretation, this index

INTERPRETERS

- Translation and Translators, this index

INTERROGATION

- Detention and Warrantless Interrogation, Arrest, Search and Custody of Arriving Aliens, this index

INTERROGATORIES

- Employer sanctions and unfair immigration related employment practices, administrative hearings, § 12:135

INTERVENTION

- Denaturalization, § 14:413

INDEX

INTERVIEWS

- Amnesty, this index
- Employment-Based Immigration, this index
- Permanent Residents, this index
- Refugees and Asylum, this index

INTESTATE SUCCESSION

- Property Rights of Aliens, this index

INTIMIDATION

- Employer sanctions and unfair immigration related employment practices, § 12:84
- H nonimmigrants, enforcement of contract obligations for H-2A nonimmigrants, § 4:427

INTRACOMPANY TRANSFEREES

- Generally, § 4:509-4:599
- Abroad, employment, § 4:509-4:599
- Adjudication, petitions for visas, § 4:565, 4:569, 4:571, 4:575
- Adjustment of status, effect on adjudication of petitions for visas, § 4:571
- Admission, § 4:509 et seq.
- Affiliates of primary employer, § 4:509-4:599
- Amendment. Change, below
- Appeal and review
 - Extension of stay, § 4:593
 - Petitions for visas, § 4:572
- Applicable rules where transferee is owner or major stockholder, eligibility, § 4:535
- Applications
 - Change of nonimmigrant classification, § 4:88
 - Extension of stay, § 4:68, 4:592-4:595
 - Filing visa applications, § 4:5
 - Labor certification application, effect on adjudication of petitions for visas, § 4:571
 - Petitions for visas, generally, § 4:559-4:561
 - Preapplication documentation, issuance of visas, § 4:579
 - Reissuance of visas, § 4:30, 4:583
 - Suspension of action on application, issuance of visas, § 4:583

INTRACOMPANY TRANSFEREES

—Cont'd

- Approval or denial
 - Blanket petitions for visas, § 4:553 et seq.
 - Effect of approval of immigrant preference petition on adjudication of petitions for visas, § 4:571
 - Extension of stay, § 4:593
 - Petitions for visas, § 4:567 et seq.
 - Post-denial remedy of beneficiary of blanket petition for visa, § 4:576
 - Validity of approved petitions for visas, § 4:573, 4:574
 - Visas, § 4:584
- Attorney General, petitions for visas, § 4:553, 4:567
- Authorization for employment for L-2 spouses, eligibility, § 4:515
- Beneficiaries, § 4:509-4:599
- Blanket petitions for visas, § 4:511, 4:553 et seq.
- Branch of primary employer, § 4:509-4:599
- Branch or parent of primary employer, § 4:545
- Bundled individual petitions for aliens to be employed on same project, § 4:562
- Canada citizens
 - Admission under North American Free Trade Agreement (NAFTA), § 4:587, 4:588
 - Labor disputes, eligibility, § 4:512
 - North American Free Trade Agreement (NAFTA), § 4:563, 4:587, 4:588
 - Spouses and children, § 4:514, 4:588
- Capacity, managers, executives and specialized knowledge, § 4:509-4:599
- Certification
 - Effect of labor certification application on adjudication of petitions for visas, § 4:571
 - Individual petitions apart from approved blanket petitions, § 4:557
 - Labor disputes, eligibility, § 4:512
- Change
 - Adjustment of status, effect on adjudication of petitions for visas, § 4:571

INTRACOMPANY TRANSFEREES**—Cont'd**

- Change—Cont'd
 - Nonimmigrant classification, § **4:87, 4:88**
 - Status, § **4:596-4:599**
- Charitable organizations, proposed employment in U.S. eligibility, § **4:544**
- Children. Spouses and children, below
- Citizens
 - Canada citizens, above
 - Mexico citizens, labor disputes, § **4:512**
- Classification, § **4:509-4:599**
- Consular officers, § **4:555**
- Contents, petitions for visas, § **4:558**
- Continuous employment, § **4:509-4:599**
- Control, eligibility, § **4:531, 4:543**
- Corporations, § **4:509-4:599**
- Decisions. Determinations and decisions, below
- Definitions
 - Affiliate, § **4:547**
 - Executive capacity, § **4:527**
 - Managerial capacity, § **4:522**
 - Subsidiary, § **4:548**
- Denial. Approval or denial, above
- Departure, revocation of petition for visa, § **4:577**
- Derivative status, § **4:514, 4:515, 4:581, 4:598**
- Determinations and decisions
 - Executive capacity, proposed employment in U.S. eligibility, § **4:528**
 - Managerial capacity, proposed employment in U.S. eligibility, § **4:522**
 - Petitions for visas, § **4:567-4:576**
 - Temporary stay or immigrant intent not determinative of eligibility for visa, § **4:580**
- Documents and documentation
 - Application procedures for petitions for visas, § **4:558**
 - One year continuous employment requirement, eligibility, § **4:516**
 - Petitions for visas, generally, § **4:565**
 - Preapplication documentation, issuance of visas, § **4:579**
- Doing business in U.S., § **4:509-4:599**

INTRACOMPANY TRANSFEREES**—Cont'd**

- Domestic employees of visa holders, eligibility, § **4:514**
- Duration
 - Petitions for visas, § **4:567-4:576**
 - Stay, § **4:589-4:591**
 - Work status, proposed employment in U.S. eligibility, § **4:534, 4:535**
- Duties of consular officers, blanket petitions for visas, § **4:555, 4:582**
- Eligibility
 - Generally, § **4:510-4:551**
 - Readjudication of eligibility, petitions for visas, § **4:575**
 - Temporary stay or immigrant intent not determinative of eligibility for visa, § **4:580**
- Entities, legal, § **4:509-4:599**
- Entry, § **4:509 et seq.**
- Essential function, management of, § **4:525**
- Evaluation, petitions for visas, § **4:568**
- Evidence
 - Application procedures for petitions for visas, § **4:558**
 - Presumption of nonimmigrant status, § **4:3**
 - Revocation of petition for visa, § **4:577**
- Executives, § **4:509-4:599**
- Exemptions
 - Limitations on duration of stay, § **4:591**
 - Visa-exempt nonimmigrants, § **4:561, 4:597**
- Existing office in U.S. not required, eligibility, § **4:549**
- Extensions
 - Stay, § **4:68, 4:592-4:595**
 - Validity of approved petitions for visas, § **4:574**
- Fiance(e)s, eligibility, § **4:514**
- Filing, applications or petitions for visas, § **4:5, 4:552-4:566**
- Form, application procedures for petitions for visas, § **4:558**
- Full-time employment, eligibility, § **4:519, 4:537**
- Husband and wife. Spouses and children, below

INTRACOMPANY TRANSFEREES**—Cont'd**

Immigration officers, visa-exempt aliens seeking classification under blanket petitions for visas, § **4:561**

Individual petitions for visas, § **4:552 et seq.**

Initial entry as B-1 or trainee nonimmigrant, change of status, § **4:599**

Intent

- Issuance of visas, § **4:580**
- Notice of intent, revocation of petition for visa, § **4:578**
- Proposed employment in U.S. eligibility, § **4:534, 4:535**

Irrelevance. Relevance or irrelevance, below

Issuance of visas, § **4:579-4:585**

Knowledge, specialized, § **4:509-4:599**

Labor certification application, effect on adjudication of petitions for visas, § **4:571**

Labor disputes, eligibility, § **4:512**

Legal entities, § **4:509-4:599**

Limitations on duration of stay, § **4:589, 4:591**

Major stockholders, § **4:558**

Managers, § **4:509-4:599**

Mexico citizens, labor disputes, § **4:512**

Modification. Change, above

NAFTA. North American Free Trade Agreement (NAFTA), below

Necessity of petitions for visas, § **4:552**

New office, petitions for visas, § **4:564**

Nonprofit organizations, § **4:544, 4:553**

North American Free Trade Agreement (NAFTA)

- Admission under, § **4:587, 4:588**
- Petitions for visas, § **4:563**

Notice

- Decision on petition for visa, § **4:572**
- Revocation of petition for visa, § **4:577, 4:578**

Officers

- Consular officers, § **4:555**
- Immigration officers, visa-exempt aliens seeking classification under blanket petitions for visas, § **4:561**

INTRACOMPANY TRANSFEREES**—Cont'd**

Offices

- Beneficiary is opening or employed in new office, petitions for visas, § **4:564**
- Existing office in U.S. not required, proposed employment in U.S. eligibility, § **4:549**

One year continuous employment requirement, prior employment eligibility, § **4:516**

Opening new office, petitions for visas, § **4:564**

Organizations, § **4:509-4:599**

Original documents, petitions for visas, § **4:565**

Origin of salary, proposed employment in U.S. eligibility, § **4:539**

Owners and ownership

- Applicable rules where transferee is owner, proposed employment in U.S. eligibility, § **4:535**
- Establishing ownership, qualifying organization, § **4:543**
- Irrelevancy of ownership, eligibility, § **4:524, 4:529**
- Petitions for visas, § **4:558**

Parent of primary employer, § **4:509-4:599**

Period of validity of visa, § **4:577**

Personal employees of visa holders, eligibility, § **4:514**

Petitions

- Blanket petitions for visas, § **4:511, 4:553 et seq.**
- Effect of approval of immigrant preference petition on adjudication of petitions for visas, § **4:571**
- Extension of stay, § **4:593**
- Visa petitions, § **4:552-4:566**

Photocopies of documents, petitions for visas, § **4:565**

Place of filing petitions for visas, § **4:565**

Post-denial remedy of beneficiary of blanket petition for visa, § **4:576**

Preapplication documentation, issuance of visas, § **4:579**

Presumption of nonimmigrant status, § **4:3**

INTRACOMPANY TRANSFEREES**—Cont'd**

- Prior employment abroad, eligibility, § **4:516-4:520**
- Procedure in case of doubt, proposed employment in U.S. eligibility, § **4:533**
- Processing, petitions for visas, § **4:565**
- Professionals, specialized knowledge, § **4:509-4:599**
- Projects, bundled individual petitions for aliens to be employed on same project, § **4:562**
- Proof. Evidence, above
- Proposed employment in U.S., eligibility, § **4:521-4:551**
- Proxy marriages, eligibility, § **4:514**
- Purpose
 - Blanket petitions for visas, § **4:554**
 - Classification, § **4:509**
 - Petitions for visas, § **4:552**
- Qualified organizations, § **4:509-4:599**
- Readjudication of eligibility, petitions for visas, § **4:575**
- Reassignment during stay, extension of stay, § **4:595**
- Reentry, § **4:586-4:588**
- Regulations, § **4:509-4:599**
- Reissuance of visas, § **4:30, 4:583**
- Related entity, proposed employment in U.S. eligibility, § **4:536-4:538**
- Relevance or irrelevance
 - Control, staff and transfer in same capacity, eligibility, § **4:531**
 - Title, ownership and particular capacity, eligibility, § **4:524, 4:529**
- Religious organizations, proposed employment in U.S. eligibility, § **4:544**
- Review. Appeal and review, above
- Revocation of petition for visa, § **4:577, 4:578**
- Rules, transferee is owner or major stockholder, § **4:535**
- Salary, proposed employment in U.S. eligibility, § **4:539**
- Same capacity transfer relevance, proposed employment in U.S. eligibility, § **4:532**
- Same entity, proposed employment in U.S. eligibility, § **4:536-4:538**

INTRACOMPANY TRANSFEREES**—Cont'd**

- Same project, bundled individual petitions for aliens to be employed on, § **4:562**
- Secretary of Labor, labor disputes, § **4:512**
- Self-employed persons, § **4:509**
- Services, § **4:509-4:599**
- Size of company, proposed employment in U.S. eligibility, § **4:541**
- Specialized knowledge, § **4:509-4:599**
- Spouses and children
 - Admission under North American Free Trade Agreement (NAFTA), § **4:588**
 - Canada citizens, § **4:514, 4:588**
 - Derivative status, § **4:514, 4:515, 4:581, 4:598**
 - Duration of stay, § **4:591**
 - Eligibility, § **4:510-4:515**
- Staffing levels to determine capacity, eligibility, § **4:523, 4:528**
- State Department
 - Petitions for visas, § **4:567**
 - Reissuance of visas, § **4:583**
- Status
 - Change of status, § **4:596-4:599**
 - Duration of work status, proposed employment in U.S. eligibility, § **4:534, 4:535**
 - Presumption of nonimmigrant status, § **4:3**
- Stay
 - Duration of stay, § **4:589-4:591**
 - Extension of stay, § **4:68, 4:592-4:595**
 - Temporary stay, issuance of visas, § **4:580**
- Strikes, eligibility, § **4:512**
- Subsidiaries of primary employer, § **4:509-4:599**
- Supporting documents, application procedures for petitions for visas, § **4:558**
- Suspension of action on application, issuance of visas, § **4:583**
- Temporary matters
 - Initial entry as temporary visitor for business, change of status, § **4:599**

INDEX

INTRACOMPANY TRANSFEREES

—Cont'd

- Temporary matters—Cont'd
 - Intent, proposed employment in U.S. eligibility, § **4:534, 4:535**
 - Stay, issuance of visas, § **4:580**
 - Transfer, § **4:509-4:599**
- Third-party placement of workers in unaffiliated entities, § **4:538**
- Time
 - Adjudication processing time, petitions for visas, § **4:565**
 - Duration, above
 - Temporary matters, above
- Title irrelevant, eligibility, § **4:524, 4:529**
- Trainee nonimmigrant, change of status after initial entry as, § **4:599**
- Treaty traders and investors, alternative business related visas for aliens not eligible for E nonimmigrant visas, § **4:166**
- Unattached to foreign entity employees, eligibility, § **4:551**
- United States Citizenship and Immigration Services (USCIS), § **4:510 et seq.**
- United States-Mexico-Canada Agreement (USMCA)
 - Admission under, § **4:587, 4:588**
- Use of staffing levels to determine capacity, eligibility, § **4:523, 4:528**
- Validity
 - Approved petitions for visas, § **4:573, 4:574**
 - Visas, § **4:577**
- Visas
 - Generally, § **4:509-4:599**
 - Exempt nonimmigrants, § **4:561, 4:597**
 - Filing visa applications, § **4:5**
 - Issuance of visas, § **4:579-4:585**
 - Petitions for visas, § **4:552-4:566**
 - Reissuance of visas, § **4:30, 4:583**
 - Treaty traders and investors, alternative business related visas for aliens not eligible for E nonimmigrant visas, § **4:166**
 - Validity of visas, § **4:577**
 - Wife and husband. Spouses and children, above

INTRACOMPANY TRANSFEREES, WORK AUTHORIZATION FOR NONIMMIGRANT SPOUSES

Generally, § **1:63**

IN-TRANSIT

En route or In Transit, this index

INVALIDATION

Employment-Based Immigration, this index

H Nonimmigrants, this index

INVESTIGATION

Denaturalization, § **14:401, 14:402**

Employer Sanctions and Unfair Immigration Related Employment Practices, this index

H Nonimmigrants, this index

Illegal entry crimes, § **17:3**

Naturalization, this index

Nonimmigrant visas, applications, § **4:10**

Permanent Residents, this index

Refugees and Asylum, this index

INVESTIGATIONS FIELD MANUAL

Source of law, § **1:177**

INVESTMENT

E-1 immigrant investors, § **4:118**

E-2 immigrant investors, § **4:118**

Employment-based immigration, employment creation immigrants, § **8:87-8:97**

Fifth preference immigrant investors, § **4:118**

Treaty Traders and Investors, this index

INVESTOR AND REGIONAL CENTER UNIT (IRCUC)

Employment-based immigration, employment creation immigrants, § **8:87**

INVOLUNTARY MANSLAUGHTER

Inadmissibility, denial of admission or visa, § **3:20**

IRAN

Refugees and asylum, religious persecution claims, § **10:134**

Temporary visitors for business, ineligibility for B-1 classification, § **4:146**

IRCA

Immigration Reform and Control Act of 1986 (IRCA), this index

IRISH PEACE PROCESS CULTURAL AND TRAINING PROGRAM ACT OF 1998

Generally, § 1:40, 1:69
Q-2 visas, student and exchange visitors, § 5:215

ISRAEL

Nonimmigrant traders and investors, § 1:23

ISSUANCE

A visas, § 4:28
Bond, issuance of visa conditioned on posting of, § 9:127
Certificate of citizenship posthumously through death while on active duty during military hostilities, § 14:68
Double entry visas, § 4:35
Employment-based immigration, order of issuance of visas based on priority date, § 8:193
Exchange visitors. Student and exchange visitors, this index
Fees for issuance of nonimmigrant visas, § 4:37, 4:57
H Nonimmigrants, this index
International organization representatives
C-2 visa, refusal of issuance of, § 6:89
G visa, refusal of issuance of, § 6:60
Intracompany transferees, visas, § 4:579-4:585
K visas, § 6:285
K-2/K-4 child accompanying or following-to-join, § 6:286
Naturalization, certificate of, § 14:361
Nonimmigrant visas
Restriction placed on passport by issuing authority, visa applications, § 4:22
Visas, § 4:27-4:38, 4:57
O visas, § 4:30, 4:637
Permanent Residents, this index
P visas, § 4:684-4:689
Reentry permits, § 2:73
Reissuance, this index

ISSUANCE—Cont'd

Secretary of Homeland Security, this index
Secretary of State' powers and duties regarding visa issuance, § 1:249
Temporary visitors for business, visas for, § 4:115
Treaty traders and investors, visas for, § 4:203
Vietnamese child fathered by United States citizen, issuance and validity of visas, § 7:361
Visa bond pilot program, § 4:38.50

ITINERANT ANIMAL SHEARING

H-2A nonimmigrants, requests for, § 4:436

I VISAS

International organization representatives, § 6:91

J-2 VISAS

J nonimmigrants, this index

JAPAN

Nonimmigrant visas, extension of status for aliens unable to return as result of natural disasters, § 4:78
World War II internees, redress for, § 16:58

JEHOVAH'S WITNESSES

Religious persecution claims, § 10:136

JEWS

Refugees and Asylum, this index

J NONIMMIGRANTS

Application for visa, § 4:5
"Conrad 30" J visa waiver program extension for foreign born physicians, § 1:84, 1:117
H nonimmigrants
Exchange visitors, change of status to H-1B nonimmigrants, § 4:232
Foreign medical graduates, H-1B nonimmigrants, § 4:326, 4:327
J-1 visas, same sex partners of Department of State employees, § 6:295
J-1 visas. Student and Exchange Visitors, this index
J-1 waivers. Waivers of Inadmissibility, this index

INDEX

J NONIMMIGRANTS—Cont'd

J-2 visas. Student and Exchange Visitors, this index

JOSEPH HEARINGS

Removal, § 13:138

JOY RIDING

Inadmissibility, denial of admission or visa, § 3:17

JUDGES

Administrative law judges (ALJ)
Employer Sanctions and Unfair Immigration Related Employment Practices, this index
Immigration Judges, this index
Office of the Chief Immigration Judge
Generally, § 1:222

JUDGMENTS

Amnesty, class action judgment, § 9:307
Declaratory judgment
Nationality, this index
Default judgment
Denaturalization, § 14:421
Employer sanctions and unfair immigration related employment practices, § 12:118
Denaturalization, this index
Summary judgment, denaturalization, § 14:422

JUDICIAL REMOVAL

Removal, this index

JUDICIAL REVIEW

Generally, § 15:1-15:40
Actions under Administrative Procedures Act
Generally, § 15:28-15:32
Actions subject to review, § 15:32
Exhaustion of administrative remedies, § 15:31
Finality, § 15:31
General considerations, § 15:29
Scope of review, § 15:30
Agencies. Actions under Administrative Procedures Act, above
Amnesty, this index
Attorneys' Fees, this index
Board of Immigration Appeals (BIA), federal court review of BIA decisions, § 13:221

JUDICIAL REVIEW—Cont'd

Constitutional considerations, § 15:2, 15:9
Consular nonreviewability doctrine, § 15:5
Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), review of claim denials under, § 15:11
Court of Appeals, scope and standard of review in, § 15:14
Criminal cases, § 15:10
Damages sought against government, § 15:35
Detention, this index
Employer Sanctions and Unfair Immigration Related Employment Practices, this index
Employment-Based Immigration, this index
Equal protection, standard of review applicable to classifications based on alienage, § 16:44
Exclusive jurisdiction. Jurisdiction, below
Exhaustion of administrative remedies
Generally, § 15:3
Administrative Procedures Act actions, § 15:31
Habeas corpus, § 15:26
Expedited removal, § 2:247
Final order of removal. Removal, this index
Fugitive disentitlement doctrine
Generally, § 15:6
Application in asylum matters, § 10:253
Habeas corpus, this index
H Nonimmigrants, this index
INA § 242, review under, § 15:7-15:15
Jurisdiction, § 15:27, 15:28
Mandamus, § 15:33
Naturalization denials and adjudication delays, § 15:34
Nonremoval context, review in
Generally, § 15:27-15:35
Actions under Administrative Procedures Act, above
Damages sought against government, § 15:35

JUDICIAL REVIEW—Cont'd

- Nonremoval context, review in—Cont'd
 - Mandamus, § 15:33
 - Naturalization denials and adjudication delays, § 15:34
- Petition for review
 - Generally, § 15:16-15:22
 - Attorney's admission and entry of appearance, § 15:16
 - Briefing and oral argument, § 15:20
 - Contents, § 15:18
 - Deadlines for filing, § 15:17
 - Fees, § 15:17
 - Litigating petition, § 15:20
 - Rules of procedure, § 15:16
 - Scheduling order, § 15:20
- Stay
 - Of removal, § 15:21
 - Of voluntary departure, § 15:22
- Venue, § 15:17
- Who to sue and serve, § 15:19
- Rules of procedure, § 15:16, 15:29
- Nonimmigrant visas, refusal disfavored, § 6:312
- Terrorists, mandatory detention of, § 13:442

JURISDICTION

- Amnesty, this index
- Board of Immigration Appeals (BIA), § 1:228
- Denaturalization, § 14:405
- Employment-Based Immigration, this index
- Immigration courts, § 1:228
- Interrogation and searches, jurisdiction of DHS to interrogate and search, § 2:167
- Judicial review, § 15:27, 15:28
- Permanent Residents, this index

JURY TRIAL

- Declaratory judgment of U.S. nationality, action for, § 14:78
- Illegal entry crimes, § 17:35

JUS SANGUINIS DOCTRINE

- Citizenship, § 14:26

JUS SOLI DOCTRINE

- Birth in U.S., citizenship by, § 14:13-14:15

JUSTICE DEPARTMENT

- Department of Justice, this index

JUVENILE DELINQUENCY

- Contributing to delinquency of minor, denial of admission or visa, § 3:20
- Inadmissibility, denial of admission or visa, § 3:17
- Waivers of inadmissibility, juvenile offenses by "otherwise eligible aliens," § 3:135

JUVENILES

- Children, this index
- Delinquency. Juvenile Delinquency, this index

KENDALL FREDERICK CITIZENSHIP ACT OF 2008

- Generally, § 1:104

KENTUCKY CONSULAR CENTER

- Permanent residents, diversity immigrants, § 9:16, 9:17

KIDNAPPING

- Inadmissibility, denial of admission or visa, § 3:20

KNOWLEDGE

- Amnesty, temporary resident status eligibility, § 9:309-9:311
- Intracompany transferees, specialized knowledge, § 4:509-4:599

KNOWLEDGEABLE INNOVATORS AND WORTHY INVESTORS ACT

- 2018, § 1:140

KOSOVO

- Funding of resettlement and services to refugees after admission, § 10:36
- Temporary protected status (TPS), § 10:401

KUWAIT

- Reasonable fear of persecution, § 10:66
- Temporary protected status (TPS), § 10:401

K VISA NONIMMIGRANTS

- Generally, § 6:263-6:294
- Admission. Arrival and admission, below

INDEX

K VISA NONIMMIGRANTS—Cont'd

- Arrival and admission
 - Change of status, nonimmigrants ineligible for change to or from K status, § **6:292**
 - Employment authorization, § **6:291**
 - Extension of stay, § **6:290**
 - K-2 child following-to-join, admission procedures, § **6:289**
 - Procedures, admission
 - Generally, § **6:288**
 - K-2 child following-to-join, § **6:289**
 - Reapplication after deportation, § **6:293**
 - Termination of authorized stay, § **6:294**
- Change of status, nonimmigrants ineligible for change to or from K status, § **6:292**
- Children, waiver of criminal bar due to crimes against minors, § **6:268**
- Decision on visa application, revalidation of visa
 - Denial of visa for ineligibility, § **6:284**
 - Issuance of visa, § **6:285, 6:287**
 - Reissuance of K-1 visa, § **6:287**
- Eligibility
 - Generally, § **6:263**
 - Classification as K visa nonimmigrant, § **6:263**
 - K-3/K-4 visa applicants, § **6:275**
 - Visa petition, below
- Employment authorization, § **6:291**
- Extension of stay, § **6:290**
- Interview of applicant prior to issuance of visa, § **6:281**
- K-1 visas
 - Arrival and admission, above
 - Decision on visa application, revalidation of visa, above
 - Divorce, continuing eligibility for K-1 nonimmigrant after, § **6:273**
 - Fianc0233es and fianc0233s, eligibility and visa petition, § **6:264**
 - Reissuance of K-1 visa, § **6:287**
 - Requirements imposed on K visa applicant, below
- K-2 visas
 - Arrival and admission, above

K VISA NONIMMIGRANTS—Cont'd

- K-2 visas—Cont'd
 - Decision on visa application, revalidation of visa, above
 - Requirements imposed on K visa applicant, below
 - Unmarried children of fianc0233es and fianc0233s, eligibility and visa petition
 - Generally, § **6:264**
- K-3 visas
 - Arrival and admission, above
 - Decision on visa application, revalidation of visa, above
 - Requirements imposed on K visa applicant, below
 - Spouse of K-1 alien, eligibility and visa petition, § **6:275, 6:276**
- K-4 visas
 - Arrival and admission, above
 - Child of K-1 alien, eligibility and visa petition, § **6:275, 6:276**
 - Decision on visa application, revalidation of visa, above
 - Requirements imposed on K visa applicant, below
- Medical examination, § **6:279**
- Place of application, § **6:277**
- Proxy marriage, effect of, § **6:282**
- Requirements imposed on K visa applicant
 - Documents applicant must submit, § **6:278**
 - Interview of applicant prior to issuance of visa, § **6:281**
 - Medical examination, § **6:279**
 - Place of application, § **6:277**
 - Proxy marriage, effect of, § **6:282**
 - Two-year residence requirement applicable to former exchange visitors, § **6:280**
- Revalidation of visa. Decision on visa application, revalidation of visa, above
- Termination of authorized stay, § **6:294**
- Two-year residence requirement applicable to former exchange visitors, § **6:280**
- Visa petition
 - K-1 visas, fianc0233es and fianc0233s, § **6:264**

K VISA NONIMMIGRANTS—Cont'd

- Visa petition—Cont'd
 - K-1/K-2 visa application
 - Generally, § **6:264**
 - Decision, § **6:267, 6:269**
 - Divorce, continuing eligibility for K-1 nonimmigrant after, § **6:273**
 - Duration of approved petition, § **6:270**
 - Fee, § **6:266**
 - Filing, § **6:265**
 - Pregnancy or birth, procedures applicable when beneficiary fianc0233e is pregnant or has already given birth, § **6:274**
 - Revalidation of approved petition, § **6:270**
 - Supporting documents, § **6:266**
 - Suspension of consular action when petition information differs from beneficiary's family history
 - Generally, § **6:271**
 - Divorce, continuing eligibility for K-1 nonimmigrant, § **6:273**
 - Resulting actions by District Director and petitioner, § **6:272**
 - K-2 visas, unmarried children of fianc0233es and fianc0233s, § **6:264**
 - K-3, spouse of K-1 alien, § **6:275, 6:276**
 - K-3/K-4 visa applicants, eligibility application for procedure for K-3/K-4 visas, § **6:276**
 - K-4, child of K-1 alien, § **6:275, 6:276**
 - Waiver of criminal bar due to crimes against minors, § **6:268**
 - Waiver of inadmissibility, grounds, § **6:283**

LABOR

- Attestations, H-1B1 nonimmigrants, § **4:335, 4:339-4:347**
- Employment Related Rights of Aliens, this index

LABOR CERTIFICATION

- Foreign Labor Application Gateway (FLAG)
 - new system for submitting PERM

LABOR CERTIFICATION—Cont'd

- Foreign Labor Application Gateway (FLAG)—Cont'd
 - applications, § **8:100.50**

LABOR CERTIFICATIONS AND QUALIFICATIONS

- Employment-Based Immigration, this index
- Inadmissibility, this index
- Waivers of Inadmissibility, this index

LABOR CONDITION APPLICATION (LCA)

- H-1B nonimmigrants, § **4:237, 4:239, 4:246-4:318**

LABOR DEPARTMENT

- Department of Labor (DOL), this index

LABOR DISPUTES

- H Nonimmigrants, this index
- Intracompany transferees, eligibility, § **4:512**
- O nonimmigrants, § **4:604**
- P nonimmigrants, effect, § **4:648**
- Strikes, this index

LABOR UNIONS

- Negative consultations from, § **4:677**

LAISSEZ - PASSER

- Border crossing documents in lieu of passport for certain European Union representatives, § **2:132**

LAND BORDER INSPECTION FEE

- Generally, § **2:37**

LANDED IMMIGRANTS

- Temporary visitors for business, exceptions for Canadian landed immigrant with border crossing card, § **4:158**

LANDING

- Crew Members, this index

LANGUAGE

- Employment-based immigration, qualifications for employment, § **8:202**

LAOS

- Hmong Veterans and Spouses, this index
- POW/MIA location assistance and grants of refugee status, § **10:11**

INDEX

LAOS—Cont'd

Refugees and Asylum, this index

LARCENY

Inadmissibility, denial of admission or visa, § **3:16**

Removal, § **13:32, 13:33**

LATE FILING

Amnesty, administrative review of late filing of adjustment application, § **9:339**

Longshore work, limitation on D nonimmigrants' performance of, § **6:185**

Orphan petitions and advanced processing applications, § **7:273**

Refugees and asylum, § **10:177**

LATVIA

Adjustment to permanent residence status, § **10:321**

Refugees and Asylum, this index

LAUTENBERG AMENDMENT AND EXTENSION

Generally, § **1:21**

LAW ENFORCEMENT AGENCY

Nonimmigrant visas, change of nonimmigrant classification to S classification at request of agency, § **4:83**

LAWFUL PERMANENT RESIDENTS (LPRS)

Permanent Residents, this index

LAWS

Executive Agencies, this index

Governing Law, this index

Legislation to Control Immigration, this index

Sources of Law, this index

LAW STUDENTS AND LAW GRADUATES

Board of Immigration Appeals (BIA), representation before, § **1:233**

LAWYERS

Attorneys, this index

LAYOFFS

Labor certification, pre-recruitment consideration, § **8:120**

LCA (LABOR CONDITION APPLICATION)

H-1B nonimmigrants, § **4:237, 4:239, 4:246-4:318**

LEASES

Property rights of aliens, § **16:124, 16:125, 16:136**

LEBANON

Permanent residents, American University of Beirut employees, § **9:28**

Temporary protected status (TPS), § **10:401**

LEGACY PROGRAM ELECTRONIC REVIEW MANAGEMENT (PERM)

Employment-based immigration, labor certification, § **8:100**

LEGAL IMMIGRATION FAMILY EQUITY (LIFE) ACT

Generally, § **1:58**

Amnesty, § **9:306, 9:349-9:380**

Permanent residents, eligibility for adjustment of status under INA § 245, § **9:157**

Removal, this index

Spouses and children of permanent residents awaiting immigrant visa. V Nonimmigrant Visas, this index

V Nonimmigrant Visas, this index

LEGALIZATION

Amnesty, this index

LEGAL SERVICES

Attorneys, this index

H-2A nonimmigrants, § **4:411**

LEGISLATION TO CONTROL IMMIGRATION

Generally, § **App 1-1**

Absence from United States, § **1:125**

Accuracy for Adoptees Act, § **1:130**

Act of

February 20, 1907, § **1:3**

May 24, 1934, § **14:56**

May 26, 1924, § **1:4**

September 11, 1957, § **1:6, 14:43**

September 11, 1957, § **14:43**

April 7, 1970, § **1:6**

**LEGISLATION TO CONTROL
IMMIGRATION—Cont'd**

Act of—Cont'd
 October 27, 1972, § **14:44**
 May 23, 1975, § **1:6**
 October 12, 1976, § **1:6**
 October 20, 1976, § **1:6**
 Adam Walsh Child Protection and
 Safety Act, § **1:92**
 Adopted child, 1999 amendment to defi-
 nition, § **1:43**
 Adoptive Family Relief Act, § **1:133**
 Afghan Special Immigrant Program,
 extension, § **1:131**
 Alien Act of 1798, § **1:2**
 Alien Registration Act, § **1:4**
 American Competitiveness in the 21st
 Century Act, § **1:46**
 Anarchist Act of 1918, § **1:3**
 Anti-Drug Abuse Act of 1986 (ADAA
 1986), § **1:8**
 Anti-Drug Abuse Act of 1988 (ADAA
 1988), § **1:15**
 Antiterrorism and Effective Death
 Penalty Act of 1996 (AEDPA),
 § **1:26**
 Armed forces Immigration Adjustment
 Act of 1991, § **1:19**
 Asia-Pacific Economic Cooperation
 Business Travel Cards Act, § **1:121**
 Basic Pilot Extension Act of 2001,
 § **1:64**
 Basic Pilot Program Extension and
 Expansion Act of 2003, § **1:77**
 Biometric passports, extension of
 deadline for, § **1:81**
 Border Commuter Student Act, § **1:71**
 Bring Them Home Alive Act, § **1:56**
 Broadcasting employees, special
 immigrant status for international,
 § **1:57**
 Business persons, temporary entry of,
 § **1:74**
 Child Citizenship Act of 2000, § **1:49**
 Child Soldiers Accountability Act of
 2008, § **1:111**
 Child Status Protection Act, § **1:67**
 Chinese Exclusion Acts, § **1:2**
 Chinese Student Protection Act of 1992,
 § **1:20**

**LEGISLATION TO CONTROL
IMMIGRATION—Cont'd**

Citizenship for Children of Military
 Members and Civil Servants Act,
 § **1:147**
 Consolidated Appropriations Act,
 § **1:136, 1:154**
 Consolidated Appropriations Act for FY
 2005, § **1:85**
 Consolidated Appropriations Act of
 2008, § **1:101**
 Consolidated Appropriations Act of
 2021, § **1:150**
 Creating Opportunities for Minor
 League Professionals, Entertainers,
 and Teams through Legal Entry Act
 of 2006, § **1:96**
 Criminal alien identification, 1997
 legislation, § **1:38**
 Cuban Liberty and Democratic Solidar-
 ity (Libertad) of 1996, § **1:25**
 Department of Homeland Security
 Appropriations Act of 2010,
 § **1:118**
 Diplomatic Relations Act of 1978, § **1:6**
 Director of Shared Services, Homeland
 Security Act of 2002, § **1:73**
 Early 20th century legislation, § **1:3**
 EB-5 program extension, 2008 legisla-
 tion, § **1:110**
 EB-5 program extension, 2009 legisla-
 tion, § **1:116**
 Employment verification system,
 improvements to, § **1:82**
 Energy Security and Lightering Inde-
 pendence Act, § **1:156**
 Enhanced Border Security and Visa
 Entry Reform Act, § **1:66**
 E-Verify program extension
 2008 legislation, § **1:110**
 2009 legislation, § **1:116**
 Extension of Stay in the United States
 for Nurses Act, § **1:35**
 Family Sponsor Immigration Act of
 2002, § **1:65**
 Foreign Investors Disclosure Act, § **1:6**
 Foreign medical graduates, 1997 legisla-
 tion, § **1:38**
 Foreign Relations Authorization Act,
 § **1:68**
 Haitian nations, 1997 legislation, § **1:38**
 Help Haiti Act of 2010, § **1:120**

INDEX

LEGISLATION TO CONTROL

IMMIGRATION—Cont'd

- Hmong Veterans' Naturalization Act, amendments to, § **1:53**
- Homeland Security Act of 2002, § **1:73**
- Identity Theft Penalty Enhancement Act, § **1:80**
- Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA)
 - Generally, § **1:28**
 - Title I: enforcement issues, § **1:29**
 - Title II: additional enforcement issues, § **1:30**
 - Title III: inspection, apprehension, detention and removal of aliens, § **1:31**
 - Title IV: enforcement of restrictions against employment, § **1:32**
 - Title V: restrictions on benefits for aliens, § **1:33**
 - Title VI: refugees, parole and asylum, visa processing, and consular efficiency, § **1:34**
- Immigration Act of 1891, § **1:2**
- Immigration Act of 1990 (IMMACT), § **1:18**
- Immigration and Nationality Act Amendments of 1986, § **1:11**
- Immigration and Nationality Act of 1952
 - Generally, § **1:5**
 - Act of April 7, 1970, § **1:6**
 - Act of May 23, 1975, § **1:6**
 - Act of October 12, 1976, § **1:6**
 - Act of October 20, 1976, § **1:6**
 - Act of September 11, 1957, § **1:6**
 - Amendments, 1953 until 1980, § **1:6**
- Diplomatic Relations Act of 1978, § **1:6**
- Foreign Investors Disclosure Act, § **1:6**
- Refugee Relief Act of 1953, § **1:6**
- Immigration and Nationality Technical Corrections Act of 1994, § **1:24**
- Immigration and Naturalization Service Data Management Improvement Act of 2000, § **1:45**
- Immigration Marriage Fraud Amendments of 1986 (IMFA), § **1:10**
- Immigration Reform and Control Act of 1986 (IRCA), § **1:9**

LEGISLATION TO CONTROL

IMMIGRATION—Cont'd

- Immigration Technical Corrections Act of 1988, § **1:16**
- Immunizations of immigrants, 1997 legislation, § **1:38**
- Implementing Recommendations of the 9/11 Commission Act of 2007, § **1:100**
- Intelligence Reform and Terrorism Prevention Act of 2004, § **1:87**
- Intercountry Adoption Information Act of 2019, § **1:149**
- Intercountry Adoption Universal Accreditation Act, § **1:126**
- International Adoption Simplification Act, § **1:119**
- International Patient Act of 2000, § **1:51**
- International Religious Freedom Act of 1998 (ACWIA), § **1:40**
- Intracompany transferees, work authorization for nonimmigrant spouses, § **1:63**
- Irish peace process cultural and training program, § **1:86**
- Irish Peace Process Cultural and Training Program Act of 1998, § **1:40, 1:69**
- Kendall Frederick Citizenship Act of 2008, § **1:104**
- Knowledgeable Innovators and Worthy Investors Act, § **1:140**
- Laken Riley Act, § **1:159**
- Lautenberg Amendment and extension, § **1:21**
- Laws from 1798 until end of 19th century, § **1:2**
- Laws prior to enactment of Immigration and Nationality Act of 1952
 - Act of February 20, 1907, § **1:3**
 - Act of May 26, 1924, § **1:4**
 - Alien Act of 1798, § **1:2**
 - Alien Registration Act, § **1:4**
 - Anarchist Act of 1918, § **1:3**
 - Chinese Exclusion Acts, § **1:2**
 - Early 20th century legislation, § **1:3**
 - Immigration Act of 1891, § **1:2**
 - Laws from 1798 until end of 19th century, § **1:2**
 - Laws from 1924 to 1952, § **1:4**
 - Quota Law of 1921, § **1:4**

LEGISLATION TO CONTROL**IMMIGRATION—Cont'd**

Laws prior to enactment of Immigration and Nationality Act of 1952

—Cont'd

Smith Act, § **1:4**

Legal Immigration Family Equity (LIFE) Act, § **1:58**

Medical graduates, modification of visa requirements with respect to, § **1:84**

Military Personnel Citizenship Processing Act of 2008, § **1:112**

Miscellaneous and Technical Immigration and Naturalization Amendments of 1991, § **1:19**

National Defense Authorization Act, § **1:157**

National Defense Authorization Act for Fiscal Year 2004, § **1:76**

National Defense Authorization Act for Fiscal Year 2006, § **1:90**

National Defense Authorization Act for Fiscal Year 2008, § **1:102**

National Defense Authorization Act for Fiscal Year 2014, § **1:129**

National Defense Authorization Act for Fiscal Year 2015, § **1:132**

National Defense Authorization Act for Fiscal Year 2016, § **1:134**

National Defense Authorization Act for Fiscal Year 2017, § **1:135**

National Defense Authorization Act for Fiscal Year 2021, § **1:151**

Naturalization oath, waiver of, § **1:54**

Naturalization of children born abroad, 1997 legislation, § **1:38**

New Americans Act, § **1:153**

Nicaraguan Adjustment and Central American Relief Act (NACARA), § **1:37**

1924 to 1952, § **1:4**

1986 to 1994

Anti-Drug Abuse Act of 1986 (ADAA 1986), § **1:8**

Anti-Drug Abuse Act of 1988 (ADAA 1988), § **1:15**

Armed Forces Immigration Adjustment Act of 1991, § **1:19**

Chinese Student Protection Act of 1992, § **1:20**

LEGISLATION TO CONTROL**IMMIGRATION—Cont'd**

1986 to 1994—Cont'd

Immigration Act of 1990 (IMMACT), § **1:18**

Immigration and Nationality Act Amendments of 1986, § **1:11**

Immigration and Nationality Technical Corrections Act of 1994, § **1:24**

Immigration Marriage Fraud Amendments of 1986 (IMFA), § **1:10**

Immigration Technical Corrections Act of 1988, § **1:16**

Lautenberg Amendment and extension, § **1:21**

Miscellaneous and Technical Immigration and Naturalization Amendments of 1991, § **1:19**

1987 legislation, § **1:12**

1988 legislation

Generally, § **1:13**

Anti-Drug Abuse Act of 1988 (ADAA 1988), § **1:15**

Immigration Technical Corrections Act of 1988, § **1:16**

United States-Canada Free-Trade Agreement, § **1:14**

1989 to early 1990 legislation, § **1:17**

North American Free Trade Agreement (NAFTA), § **1:22**

Soviet Scientists Immigration Act of 1992, § **1:21**

United States-Canada Free-Trade Agreement, § **1:14**

Violent Crime Control and Law

Enforcement Act of 1994, § **1:23**

1989 to early 1990 legislation, § **1:17**

1996

Antiterrorism and Effective Death Penalty Act of 1996 (AEDPA), § **1:26**

Cuban Liberty and Democratic Solidarity (Libertad) of 1996, § **1:25**

Extension of Stay in the United States for Nurses Act, § **1:35**

Illegal Immigration Reform and Immigrant Responsibility Act of 1996, above

Personal Responsibility and Work Opportunity Reconciliation Act of 1996, § **1:27**

INDEX

**LEGISLATION TO CONTROL
IMMIGRATION—Cont'd**

- 1997
- Criminal alien identification, § **1:38**
 - Foreign medical graduates, § **1:38**
 - Haitian nations, § **1:38**
 - Immunizations of immigrants, § **1:38**
 - Naturalization of children born abroad, § **1:38**
 - Nicaraguan Adjustment and Central American Relief Act (NACARA), § **1:37**
 - Refugee assistance, § **1:38**
 - Religious Workers Act of 1997, § **1:36**
 - Relocation assistance for immigrants, § **1:38**
- 1998
- International Religious Freedom Act of 1998 (ACWIA), § **1:40**
 - Irish Peace Process Cultural and Training Program Act of 1998, § **1:40, 1:69**
 - Noncitizen Benefit Clarification and Other Technical Amendments Act of 1998, § **1:40**
 - Omnibus Consolidated and Emergency Supplemental Appropriations Act of 1998, § **1:39**
 - Torture Victims Relief Act of 1998, § **1:40**
- 1999
- Adopted child, amendment to definition, § **1:43**
 - Nursing Relief for Disadvantaged Areas Act of 1999, § **1:42**
 - S visa, extension, § **1:44**
 - Torture Victims Relief Reauthorization Act of 1999, § **1:41**
 - Noncitizen Benefit Clarification and Other Technical Amendments Act of 1998, § **1:40**
 - Northern Mariana Islands Long-Term Legal Residents Relief Act, § **1:143**
 - North Korean Human Rights Act of 2004, § **1:83**
 - Nursing Relief for Disadvantaged Areas Act of 1999, § **1:42**
 - Nursing Relief for Disadvantaged Areas Reauthorization Act of 2005, § **1:95**

**LEGISLATION TO CONTROL
IMMIGRATION—Cont'd**

- Omnibus Consolidated and Emergency Supplemental Appropriations Act of 1998, § **1:39**
- One Big Beautiful Bill Act, § **1:160**
- Persian Gulf evacuees, adjustment of status, § **1:55**
- Personal Responsibility and Work Opportunity Reconciliation Act of 1996, § **1:27**
- Physicians for Underserved Areas Act, § **1:241**
- Quota Law of 1921, § **1:4**
- REAL ID Act of 2005, § **1:88**
- Refugee Act of 1980 and miscellaneous legislation, § **1:7**
- Refugee assistance, 1997 legislation, § **1:38**
- Refugee Relief Act of 1953, § **1:6**
- Religious Workers Act of 1997, § **1:36**
- Religious Workers Act of 2000, § **1:50**
- Relocation assistance for immigrants, 1997 legislation, § **1:38**
- Shadow Wolves Enhancement Act, § **1:152**
- Smith Act, § **1:4**
- “S” nonimmigrant visa permanent extension, § **1:60**
- Special Immigrant Nonminister Religious Worker Program Act of 2008, § **1:114**
- Extension of, 2009, § **1:117**
- Special immigrant program, extension, § **1:128**
- Special immigrant religious worker program extension, 2003 legislation, § **1:75**
- Special immigrant religious worker program extension, 2009 legislation, § **1:117**
- Sudan Peace Act, § **1:70**
- S visa, 1999 extension, § **1:44**
- Syrian nationals, adjustment of status, § **1:52**
- Torture Victims Relief Act of 1998, § **1:40**
- Torture Victims Relief Reauthorization Act of 1999, § **1:41**
- Torture Victims Relief Reauthorization Act of 2003, § **1:78**

**LEGISLATION TO CONTROL
IMMIGRATION—Cont'd**

- Trafficking Victims Prevention and Protection Reauthorization Act, § **1:155**
- Trafficking Victims Protection Reauthorization Act of 2003, § **1:79**
- Trafficking Victims Protection Reauthorization Act of 2005, § **1:91**
- Treaty traders and treaty investors, work authorization for nonimmigrant spouses, § **1:62**
- 21st Century Department of Justice Appropriations Authorization Act, § **1:72**
- 2000
 - American Competitiveness in the 21st Century Act, § **1:46**
 - Bring Them Home Alive Act, § **1:56**
 - Broadcasting employees, special immigrant status for international, § **1:57**
 - Child Citizenship Act of 2000, § **1:49**
 - Hmong Veterans' Naturalization Act, amendments to, § **1:53**
 - Immigration and Naturalization Service Data Management Improvement Act of 2000, § **1:45**
 - International Patient Act of 2000, § **1:51**
 - Legal Immigration Family Equity Act (LIFE), § **1:58**
 - Naturalization oath, waiver of, § **1:54**
 - Persian Gulf evacuees, adjustment of status, § **1:55**
 - Religious Workers Act of 2000, § **1:50**
 - Syrian nationals, adjustment of status, § **1:52**
 - Victims of Trafficking and Violence Prevention Act of 2000, § **1:47**
 - Violence Against Women Act (VAWA), § **1:47**
 - Visa Waiver Permanent Program Act, § **1:48**
- 2001
 - "S" nonimmigrant visa permanent extension, § **1:60**
 - United States-Jordan Free Trade Area Implementation Act, § **1:59**

**LEGISLATION TO CONTROL
IMMIGRATION—Cont'd**

- 2001—Cont'd
 - USA Patriot Act, § **1:61**
- 2002
 - Basic Pilot Extension Act of 2001, § **1:64**
 - Border Commuter Student Act, § **1:71**
 - Child Status Protection Act, § **1:67**
 - Director of Shared Services, Homeland Security Act of 2002, § **1:73**
 - Enhanced Border Security and Visa Entry Reform Act, § **1:66**
 - Family Sponsor Immigration Act of 2002, § **1:65**
 - Foreign Relations Authorization Act, § **1:68**
 - Homeland Security Act of 2002, § **1:73**
 - Intracompany transferees, work authorization for nonimmigrant spouses, § **1:63**
 - Sudan Peace Act, § **1:70**
 - Treaty traders and treaty investors, work authorization for nonimmigrant spouses, § **1:62**
 - 21st Century Department of Justice Appropriations Authorization Act, § **1:72**
 - USCIS (United States Citizenship and Immigration Services), Homeland Security Act of 2002, § **1:73**
- 2003
 - Basic Pilot Program Extension and Expansion Act of 2003, § **1:77**
 - Business persons, temporary entry of, § **1:74**
 - National Defense Authorization Act for Fiscal Year 2004, § **1:76**
 - Special immigrant religious worker program, extension of, § **1:75**
 - Torture Victims Relief Reauthorization Act of 2003, § **1:77**
 - Trafficking Victims Protection Reauthorization Act of 2003, § **1:79**
- 2005
 - Nursing Relief for Disadvantaged Areas Reauthorization Act, § **1:95**

INDEX

**LEGISLATION TO CONTROL
IMMIGRATION—Cont'd**

- 2005—Cont'd
Trafficking Victims Protection
Reauthorization Act of 2005,
§ **1:91**
- 2006
Adam Walsh Child Protection and
Safety Act, § **1:92**
Creating Opportunities for Minor
League Professionals, Entertain-
ers, and Teams through Legal
Entry Act, § **1:96**
National Defense Authorization Act,
§ **1:90**
National Defense Authorization Act
for Fiscal Year 2006, § **1:90**
Violence Against Women
Reauthorization Act, § **1:89**
- 2007
Implementing Recommendations of
the 9/11 Commission Act,
§ **1:100**
Physicians for Underserved Areas
Act, § **1:97**
- 2008
Child Soldiers Accountability Act of
2008, § **1:111**
EB-5 program extension, § **1:110**
E-Verify program extension, § **1:110**
Kendall Frederick Citizenship Act of
2008, § **1:104**
Military Personnel Citizenship
Processing Act of 2008, § **1:112**
National Defense Authorization Act
for Fiscal Year 2008, § **1:102**
Special Immigrant Nonminister
Religious Worker Program Act
of 2008, § **1:114**
- 2009
Department of Homeland Security
Appropriations Act of 2010,
§ **1:118**
EB-5 program extension of funding,
§ **1:116**
E-Verify program extension of fund-
ing, § **1:116**
- 2010
Help Haiti Act, § **1:120**
International Adoption Simplification
Act, § **1:119**

**LEGISLATION TO CONTROL
IMMIGRATION—Cont'd**

- 2011
Asia-Pacific Economic Cooperation
Business Travel Cards Act of
2011, § **1:121**
Tolling of time period for removal of
conditions for active-duty service
personnel abroad, § **1:122**
- 2012
clarification with respect to absence
from the U.S., § **1:125**
Nonimmigrant traders and investors
from Israel, § **1:123**
reauthorization of EB-5 regional
center program, § **1:124**
- 2013
Intercountry Adoption Universal
Accreditation Act of 2012,
§ **1:126**
National Defense Authorization Act
for Fiscal Year 2014, § **1:129**
special immigrant program, exten-
sion, § **1:128**
Violence Against Women
Reauthorization Act of 2013,
§ **1:127**
- 2014
Accuracy for Adoptees Act, § **1:130**
Afghan Special Immigrant Program,
extension, § **1:131**
National Defense Authorization Act
for Fiscal Year 2015, § **1:132**
- 2015
Adoptive Family Relief Act, § **1:133**
National Defense Authorization Act
for Fiscal Year 2016, § **1:134**
- 2016
National Defense Authorization Act
for Fiscal Year 2017, § **1:135**
- 2017
Asia-Pacific Economic Cooperation
Business Travel Cards Act,
§ **1:137**
Consolidated Appropriations Act,
§ **1:136**
National Defense Authorization Act,
§ **1:137**
- 2018
Consolidated Appropriations Act,
§ **1:139**

**LEGISLATION TO CONTROL
IMMIGRATION—Cont'd**

- 2018—Cont'd
 Knowledgeable Innovators and
 Worthy Investors Act, § **1:140**
 National Defense Authorization Act
 for Fiscal Year 2019, § **1:141**
- 2019
 Consolidated Appropriations Act,
 § **1:142, 1:144**
 National Defense Authorization Act
 for Fiscal Year 2020, § **1:145**
 Northern Mariana Islands Long-Term
 Legal Residents Relief Act,
 § **1:143**
- 2020
 Citizenship for Children of Military
 Members and Civil Servants Act,
 § **1:147**
 Consolidated Appropriations Act of
 2021, § **1:150**
 Continuing Appropriations Act,
 § **1:148**
 Intercountry Adoption Information
 Act of 2019, § **1:149**
 National Defense Authorization Act
 for Fiscal Year 2021, § **1:151**
 United States-Mexico-Canada Agree-
 ment Implementation Act,
 § **1:146**
- 2022
 Consolidated Appropriations Act,
 § **1:154**
 Energy Security and Lightering Inde-
 pendence Act, § **1:156**
 New Americans Act, § **1:153**
 Shadow Wolves Enhancement Act,
 § **1:152**
 Trafficking Victims Prevention and
 Protection Reauthorization Act,
 § **1:155**
- 2023
 National Defense Authorization Act,
 § **1:157**
- 2024
 Further Consolidated Appropriations
 Act, § **1:158**
- 2025
 Laken Riley Act, § **1:159**
 One Big Beautiful Bill Act, § **1:160**
 United States-Jordan Free Trade Area
 Implementation Act, § **1:59**

**LEGISLATION TO CONTROL
IMMIGRATION—Cont'd**

- United States-Mexico-Canada Agree-
 ment Implementation Act, § **1:146**
 USA Patriot Act, § **1:61**
 USCIS (United States Citizenship and
 Immigration Services), Homeland
 Security Act of 2002, § **1:73**
 Victims of Trafficking and Violence
 Prevention Act of 2000, § **1:47**
 Violence Against Women Act (VAWA),
 § **1:47**
 Violence Against Women Reauthoriza-
 tion Act for FY 2006, § **1:89**
 Violence Against Women Reauthoriza-
 tion Act for FY 2013, § **1:127**
 Visa Waiver Permanent Program Act,
 § **1:48**

LEGITIMATE ACTIVITIES

- Temporary visitors for business, require-
 ments for B-1 classification,
 § **4:111**

LEGITIMATION

- Citizenship of children born out-of-
 wedlock, § **14:52-14:57**
 Naturalization, certificate of citizenship
 on application of citizen parent,
 § **14:219**
 Relatives of Citizens or Permanent
 Residents, this index

LEPROSY

- Inadmissibility, denial of admission or
 visa, § **3:3**

LESBIAN COUPLES

- Same Sex Partners, this index

**LESS THAN SUBSTANTIAL
VIOLATIONS**

- H nonimmigrants, labor certification for
 H-2A nonimmigrants, § **4:464**

LETTERS

- Employment-based immigration, evi-
 dence of qualifications for prefer-
 ence petitions, § **8:171**

LEWDNESS

- Inadmissibility, denial of admission or
 visa, § **3:20**
 Removal, this index

INDEX

LIBEL

Inadmissibility, denial of admission or visa, § 3:21

LIBERIA

Refugees and Asylum, this index

LICENSES

Driver's licenses

English-only driver's license examinations, § 16:56

Immigrant access to, § 16:81

REAL ID Act of 2005, § 1:88

Employment-Based Immigration, this index

Employment in particular occupations, alien's equal protection rights as to, § 16:111

Firearms and ammunition, aliens' right to possess, § 16:21, 16:22

H Nonimmigrants, this index

TN Nonimmigrants, this index

Trade, business, occupation, or profession, federal restrictions, § 16:52

LIENS

Property rights of aliens, § 16:126

LIFE ACT

Legal Immigration Family Equity (LIFE) Act, this index

LIMITATION OF ACTIONS

Administrative Procedures Act, actions under, § 15:29

Fraud or false statements in naturalization, citizenship or alien registry proceedings, § 17:160

Fraudulent procurement or misuse of documents relating to naturalization, citizenship or registry of aliens, § 17:178

Illegal entry crimes, § 17:29

Passports, crimes related to, § 17:124

Permanent residents, rescission of status, § 9:284

LIMITATIONS OR RESTRICTIONS

Crew Members, this index

Employment-Based Immigration, this index

H Nonimmigrants, this index

International organization representatives, travel limitations, § 6:84

LIMITATIONS OR RESTRICTIONS

—Cont'd

Intracompany transferees, duration of stay, § 4:589, 4:591

Judicial review, § 15:4

Noncitizens' rights, § 16:2

Nonimmigrant Visas, this index

Numbers and Numerical Limitations, this index

O nonimmigrants, validity of visas, § 4:638

Permanent Residents, this index

Religious workers, readmission, § 4:709

TN nonimmigrants, numerical limit on visas, § 4:710

LIQUOR VIOLATIONS

Inadmissibility, denial of admission or visa, § 3:19

LISTS

Crew Members, this index

H Nonimmigrants, this index

Refugees and asylum, this index

Skills list, exchange visitors, foreign residence requirements, § 5:128

TN nonimmigrants, professions or occupations in which business activity must be demonstrated, § 4:718

Victims of trafficking, waiting list, § 6:320

LITERACY REQUIREMENTS

Naturalization, this index

LITHUANIA

Refugees and Asylum, this index

LIVE-IN EMPLOYEES

Employment-based immigration, labor certification, § 8:134

LIVESTOCK, OPEN RANGE PRODUCTION

H-2A nonimmigrants, requests for, § 4:436

L NONIMMIGRANTS

Employment authorization for spouses, § 11:13

Intracompany Transferees, this index

Permanent residents, eligibility for adjustment of status under INA § 245, § 9:207

LOAN SHARKING

Inadmissibility, denial of admission or visa, § 3:19

LOCAL EMPLOYMENT SERVICE OFFICE

H nonimmigrants, positive recruitment efforts for H-2A nonimmigrants, § 4:441

LOCAL SPECIALIST REFERRAL

Permanent residents, medical examination of applicants for immigrant visas, § 9:104

LOCATION OR PLACE

Amnesty, this index
 Declaratory judgment of U.S. nationality, place to file action for, § 14:75
 Employment-Based Immigration, this index
 H Nonimmigrants, this index
 Intracompany transferees, filing petitions for visas, § 4:565
 K visa nonimmigrant application, § 6:277
 Naturalization application, place of filing, § 14:315
 Nonimmigrant Visas, this index
 O nonimmigrants, services in more than one location, § 4:610
 Permanent Residents, this index
 P nonimmigrants, services in more than one location, § 4:653
 Temporary visitors for business, performing work of continuing nature at fixed and permanent place of employment, § 4:144

LOCKOUTS

H nonimmigrants, labor condition application for H-1B nonimmigrants, § 4:283, 4:284

LONGSHORE WORK

Limitation on D nonimmigrants' performance of longshore works. Crew Members, this index

“LOOKOUT BOOKS”

Inadmissibility, denial of admission or visa, § 3:1

LOOKOUT INTERCEPTS

Secondary referrals, § 2:30

LOSS

Permanent resident status, § 9:278
 Treaty traders and investors, status loss, principal E nonimmigrant and derivative family members, § 4:201
 Visas, replacement of nonimmigrant, § 4:30

LOSS OF CITIZENSHIP

Denaturalization, this index
 Expatriation, this index
 Overview, § 14:384

LOTTERY

Permanent residents, diversity lottery visa program, § 9:11-9:19

LOWER WAGES PROHIBITED

H nonimmigrants, labor condition application for H-1B nonimmigrants, § 4:270

LYMPHOGRANULOMA VENEREUM

Inadmissibility, denial of admission or visa, § 3:3

MACHINE READABLE VISA (MRV)

Issuance of visas, § 4:28
 Surcharge, § 4:38

MACHINERY

Temporary visitors for business, installing, servicing or repairing heavy machinery purchased abroad, § 4:126

MAIL OR MAILING

H nonimmigrants, labor condition application for H-1B nonimmigrants, § 4:249
 Inadmissibility, denial of admission or visa
 Fraud, § 3:18
 Obscene letter, § 3:21
 Permanent residents, diversity immigrant registrations, § 9:16
 Removal, postal law violations
 Aggravated felonies, § 13:70
 Moral turpitude crimes, § 13:32

MAINTENANCE OR MAINTAINING

H Nonimmigrants, this index
 Nonimmigrant Visas, this index
 Treaty traders and investors, status, § 4:196-4:201

INDEX

MAJOR STOCKHOLDERS

Intracompany transferees, § 4:535, 4:558

MALARIA

Global leadership legislation against, § 1:108

MALICIOUS DESTRUCTION OF PROPERTY

Inadmissibility, denial of admission or visa, § 3:16

MANAGEMENT CONSULTANTS

TN nonimmigrants, qualifications for particular professions or occupations, § 4:723

MANAGERS

Employment-Based Immigration, this index
Intracompany transferees, § 4:509-4:599
Temporary visitors for business, eligibility for B-1 classification, § 4:117
Treaty investors, availability of status to employees of investor, § 4:192

MANDAMUS

Judicial review in nonremoval context, § 15:33
Noncitizen's burden of proof, § 15:33
Permanent Residents, this index

MANDATORY CONSULTATION

O nonimmigrants, petition for determination of eligibility for classification, § 4:620-4:624
P nonimmigrants, petition, § 4:669-4:677

MANN ACT VIOLATIONS

Inadmissibility, denial of admission or visa, § 3:21

MANSLAUGHTER

Removal, § 13:61, 13:62

MARGINAL CAPACITY OF ENTERPRISE

Treaty investors, investment requirement, § 4:189

MARIEL CUBANS

Parole of Aliens Into United States, § 2:192-2:195
Refugees and Asylum, this index

MARRIAGE

Abduction for purposes of, § 13:33
Bigamy, this index
Crimes and related conduct, § 17:137, 17:204
Due process, right to marry, § 16:38
Immigration Marriage Fraud Amendments of 1986 (IMFA)
Generally, § 1:10
Relatives of Citizens or Permanent Residents, this index
Naturalization, this index
Proxy Marriages, this index
Relatives of Citizens or Permanent Residents, this index
Repatriation, this index
Temporary visitors for business, thirty/sixty day rule, § 4:111
Unmarried Status, this index

MARSHALL ISLANDS CITIZENS

Border crossing documents, nonimmigrant citizens of Republic of the Marshall Islands, § 2:124
Inspection and admission of arriving aliens, Marshall Islands citizens, § 2:41
Passport and visa requirements, waiver of, § 3:207

MATERIAL CHANGES

H nonimmigrants, amended or new petition, § 4:219, 4:433

MATERIAL WITNESSES

Humanitarian/Material Witnesses, this index

MAURITANIA

Female genital mutilation, § 10:154
Refugees and asylum, persecution of ethnic minorities, § 10:157

MAYHEM

Inadmissibility, denial of admission or visa, § 3:20
Removal, § 13:32, 13:67

MCNAMARA-O'HARA SERVICE CONTRACT ACT

H nonimmigrants, labor condition application for H-1B nonimmigrants, § 4:267

MEDIA

- Employees, special immigrant status for international broadcasting employees, 2000 legislation, § **1:57**
- Foreign Information Media Representatives, this index
- Fourth preference employment-based immigration for international broadcasting employees, § **8:82, 8:83**
- Television production extraordinary achievement, O nonimmigrants, § **4:600-4:642**

MEDICAID

- Eligibility of aliens for, § **16:66, 16:72**

MEDICAL EXAMINATIONS

- Crew Members, this index
- K visa nonimmigrants, § **6:279**
- Nonimmigrant visas, applications, § **4:15**
- Permanent resident status, applicants for, § **9:95**
- Refugees and Asylum, this index

MEDICAL MATTERS

- Examinations. Medical Examinations, this index
- Nurses, this index
- Physicians, this index
- Secondary referrals, § **2:30**
- Students. Medical Students, this index

MEDICAL RECORDS

- Orphan petitions and advanced processing applications, regulatory requirements for adoptions from non-Hague Convention countries, § **7:338**

MEDICAL STUDENTS

- H-3 nonimmigrants, § **4:503**
- Temporary visitors for business, H-1 classifiable aliens eligible for B-1 classification, § **4:122**

MENTAL DISORDER

- Definition of “mental disorder,” inadmissibility, § **3:6**

MENTALLY INCOMPETENT PERSONS

- Permanent residents, rescission of status, § **9:290**

MERIT

- Hearings on merits, § **13:397-13:401**
- H Nonimmigrants, this index

MEXICO

- Border Crossing Documents, this index
- Intracompany transferees, labor disputes and citizens of Mexico, § **4:512**
- Permanent residents, commuters, § **9:27**
- Temporary visitors for business, Mexico residents eligible for B-1 classification, § **4:139, 4:140**
- United States-Mexico-Canada Agreement Implementation Act, § **1:146**
- Waivers of Inadmissibility, this index

MICRONESIA CITIZENS

- Border crossing documents, nonimmigrants, § **2:124**
- Inspection and admission of arriving aliens, § **2:41**
- Passport and visa requirements, waiver of, § **3:207**

MIGRATION AND IMPORTATION CLAUSE

- Sources of Congressional power over immigration, § **16:1**

MIGRATION AND REFUGEE ASSISTANCE ACT (MRAA)

- Generally, § **10:36**

MILITARY BASES

- Detention of aliens, pilot program on use of closed military bases
 - detention of inadmissible or deportable noncitizens, establishment, § **13:518**
 - Report, § **13:519**

MILITARY PERSONNEL CITIZENSHIP PROCESSING ACT OF 2008

- Generally, § **1:112**

MILITARY SERVICE

- Armed Forces, this index

MINERAL LEASES

- Property rights of aliens, § **16:125**

MINISTERS AND OTHER RELIGIOUS PERSONS

- Definition, § **4:696, 4:697**

INDEX

MINISTERS AND OTHER

RELIGIOUS PERSONS—Cont'd

- Evidence, § **4:696, 4:697**
- Fourth preference eligibility, § **8:61-8:63**
- Naturalization, eligibility for, § **14:285-14:290**
- Permanent resident under INA § 245, eligibility for adjustment of status to, § **9:173**
- R nonimmigrants, generally, § **4:694, 4:696, 4:697**
- Temporary visitors for business, eligibility for B-1 classification, § **4:136**
- Vocation of minister, § **4:694**

MIRANDA WARNINGS

- Generally, § **13:122**
- Border interrogations, § **2:26**
- Crimes and Related Conduct, this index

MISCELLANEOUS AND TECHNICAL IMMIGRATION AND NATURALIZATION AMENDMENTS OF 1991

- Generally, § **1:19**

MISCONDUCT OF GOVERNMENT

- Permanent residents, applications for adjustment of status under INA § 245, § **9:225-9:227**

MISREPRESENTATION

- Denaturalization, this index
- Employment-Based Immigration, this index
- Governmental Misinformation, this index
- H Nonimmigrants, this index
- Inadmissibility, this index
- Permanent residents, interviews of applicants for adjustment of status under INA § 245, § **9:232**

MISSING ITEMS

- Permanent resident adjustment of status under INA § 245, certification of health care workers, § **9:201**

MISSIONARIES

- Permanent residents returning from temporary stay abroad, § **9:22**
- Temporary visitors for business, eligibility for B-1 classification, § **4:136**

M NONIMMIGRANTS

- M-1 students. Student and Exchange Visitors, this index
- Visa application, § **4:5**

MODELS (FASHION MODELS)

- H Nonimmigrants, this index

MODIFICATION

- Amendment, Modification or Change, this index

MONEY LAUNDERING

- Inadmissibility, denial of admission or visa, § **3:40**

MONITORING

- Nonimmigrant visas, § **4:94-4:101**

MONTSERRAT

- Temporary protected status (TPS), § **10:401**

MORAL TURPITUDE

- Illegal Entry Crimes, this index
- Inadmissibility, this index
- Removal, this index

MORTGAGES

- Property rights of aliens, § **16:126, 16:136**

MOTION PICTURES OR FILMS

- Foreign Information Media Representatives, this index
- O Nonimmigrants, this index

MOTIONS

- Amnesty, Legal Immigration Family Equity (LIFE) Act, § **9:377**
- Employer Sanctions and Unfair Immigration Related Employment Practices, this index
- Permanent residents, reopening or reconsideration, § **9:181, 9:182, 9:252, 9:253, 9:302**
- Removal, this index
- Treaty traders and investors, denial of change of status or extension of stay, § **4:202**

MOTIVE

- Intent or Intention, this index

MRV (MACHINE READABLE VISA)

- Issuance of visas, § **4:28**

**MRV (MACHINE READABLE VISA)
—Cont'd**

Surcharge, § 4:38

**MULTINATIONAL EXECUTIVES
AND MANAGERS**

Employment-Based Immigration, this index

MULTIPLE MATTERS

Criminal convictions, denial of admission or visa, § 3:28

Entries, inspection and admission of arriving noncitizens, § 2:32

H Nonimmigrants, this index

Nonimmigrant Visas, this index

O Nonimmigrants, this index

P Nonimmigrants, this index

Removal, this index

**MULTISTATE CUSTOM COMBINE
OWNER/OPERATORS**

H-2A nonimmigrants, § 4:453

MURDER

Inadmissibility, denial of admission or visa, § 3:20

Noncitizens, extraordinary contribution to U.S. security or intelligence children, § 14:303

spouses, § 14:303

Removal, this index

MUSICIANS

Entertainers, this index

MUTILATED VISAS

Nonimmigrant visas, replacement, § 4:30

**MYANMAR, REPUBLIC OF THE
UNION OF**

Importation ban on gemstones, § 1:107

NACARA

Nicaraguan Adjustment and Central American Relief Act (NACARA), this index

NAFTA

North American Free Trade Agreement (NAFTA), this index

NAME

Change of name. Name Change, this index

NAME—Cont'd

Checks. Name Checks, this index

Employment-based immigration, consular proceedings for obtaining permanent resident status, § 8:207

H nonimmigrants, named beneficiaries, petitions, § 4:217, 4:430, 4:495

Permanent residents, applications for immigrant visas, § 9:94

Signatures, this index

NAME CHANGE

Employment-based immigration, consular proceedings for obtaining permanent resident status, § 8:207

Naturalization certificate, § 14:363, 14:364

Petition for son or child or daughter

Relatives of citizens or permanent residents, § 7:163

Student and exchange visitors, § 5:111

NAME CHECKS

Refugee applicants, § 10:21

Response from National Crime Information Center (NCIC), applications for immigrant visas, § 9:94

NAMED BENEFICIARIES

H nonimmigrants, petitions, § 4:217, 4:430, 4:495

**NATIONAL AUTOMATED
IMMIGRATION LOOKOUT
SYSTEM (NAILS)**

Inadmissibility, denial of admission or visa, § 3:1

**NATIONAL CRIME INFORMATION
CENTER (NCIC)**

Nonimmigrant visas, supporting documentation for applications, § 4:17

Permanent residents, applications for immigrant visas, § 9:64, 9:94

NATIONAL DEFENSE

National Security and Defense, this index

NATIONAL INTEREST WAIVERS

Employment-Based Immigration, this index

INDEX

NATIONALITY

- Alien and national status distinguished, § 13:5
- Allegiance owed, § 14:58
- American Indians, § 13:4
- Application for certificate to Secretary of State, § 14:61
- Birth, persons to whom status granted at, § 14:59, 14:60
- Burden of proof in action for declaratory judgment of U.S. nationality, § 14:79
- Children born out of wedlock, § 14:60
- Citizenship, this index
- Declaratory judgment of U.S. nationality, action for
 - Generally, § 14:69-14:83
 - Actual controversy requirement, § 14:74
 - Availability of declaratory relief, § 14:69
 - Blood tests
 - Applicant's parents cannot be compelled to submit to, § 14:82
 - Results as evidence, § 14:81
 - Burden of proof, § 14:79
 - Complaint, allegations required in, § 14:76
 - Defendant, who should be, § 14:77
 - Denial of claim
 - Relationship to right or privilege as U.S. national, § 14:71
 - Within U.S., requirement that claim be by person, § 14:72
 - Evidence, generally, § 14:80, 14:81
 - Exclusion proceeding, nationality issue must not have arisen in, § 14:70
 - Exhaustion of administrative remedies, § 14:73
 - Filing of action, time and place for, § 14:75
 - Jury trial rights absent, § 14:78
 - Prior adjudications, effect of, § 14:83
 - Service of process, § 14:77
- Definition of "national," § 14:58
- Determination of U.S. nationality of person abroad
 - Generally, § 14:94-14:100
 - Application for registration, § 14:95
 - Identity card, § 14:100

NATIONALITY—Cont'd

- Determination of U.S. nationality of person abroad—Cont'd
 - Passport, claims in connection with application for, § 14:96
 - Registration of birth abroad
 - Cancellation of certification or report of birth, § 14:99
 - Certification and report of birth, § 14:97
 - War or national emergency, application for registration during, § 14:98
 - State Department, claims determined by, § 14:94
 - Travel to U.S., registration for, § 14:100
- Evidence, action for declaratory judgment of U.S. nationality, § 14:80, 14:81
- Loss of national status, § 13:5
- Naturalization, eligibility of U.S. nationals for, § 14:300
- Treaty traders and investors, § 4:164, 4:165, 4:172-4:174, 4:182-4:184

NATIONAL LABOR RELATIONS ACT

- Employment Related Rights of Aliens, this index

NATIONAL LIST OF LABOR CONDITION APPLICATIONS

- H-1B nonimmigrants, § 4:237

NATIONALLY RECOGNIZED ENTERTAINMENT GROUPS

- P nonimmigrants, § 4:643 et seq.

NATIONAL ORIGIN

- Civil Rights, this index
- Equal protection and classifications based on national origin, § 16:43

NATIONAL SECURITY AND DEFENSE

- Arrest, detention, custody and release on bond
 - National security risks, § 13:121
- Department of Homeland Security, this index
- Detention on national security grounds, § 13:379
- Inadmissibility, this index

**NATIONAL SECURITY AND
DEFENSE—Cont'd**

- National Defense Authorization Act for Fiscal Year 2004, § **1:76**
- National Defense Authorization Act for Fiscal Year 2006, § **1:90**
- National Defense Authorization Act for Fiscal Year 2008, § **1:102**
- National Defense Authorization Act for Fiscal Year 2014, § **1:129**
- National Defense Authorization Act for Fiscal Year 2015, § **1:132**
- National Defense Authorization Act for Fiscal Year 2016, § **1:134**
- National Defense Authorization Act for Fiscal Year 2017, § **1:135**
- National Defense Authorization Act for Fiscal Year 2018, § **1:138**
- National Defense Authorization Act for Fiscal Year 2019, § **1:141**
- National Defense Authorization Act for Fiscal Year 2020, § **1:145**
- National Defense Authorization Act for Fiscal Year 2021, § **1:151**
- National Security Entry-Exit Registration System (NSEERS), § **4:94**
- Nonimmigrant Visas, this index
- Refugees and Asylum, this index
- Removal, this index
- Secretary of Homeland Security, this index

**NATIONAL SECURITY ENTRY-EXIT
REGISTRATION SYSTEM
(NSEERS)**

- Nonimmigrant visas, § **4:94**

NATIONAL VISA CENTER

- Employment-based immigration, consular proceedings for obtaining permanent resident status, § **8:195**
- Permanent Residents, this index

NATION OF IMMIGRANTS

- America as, § **1:1**

NATIVE AMERICANS

- American Indians Born in Canada, this index
- Border crossing documents, tribal card for Canadian and U.S. citizens, § **2:154**

NATO

- Border Crossing Documents, this index
- Employment authorization application by dependents of NATO noncitizens, § **11:19, 11:22**
- Foreign enlistees with honorable active duty records, fourth preference employment-based immigration, § **8:81**
- Inspection and Admission of Arriving Aliens, this index
- Nonimmigrant visas
 - Generally, § **6:30**
 - Attendants, § **6:31**
 - Criteria, basic, § **6:30**
 - Eligibility of NATO-7 aliens for extension of stay, § **4:67**
 - Servants, § **6:31**
- Visas. Nonimmigrant visas, above

NATURALIZATION

- Generally, § **14:101-14:383**
- Absences
 - Generally, § **14:113-14:143**
 - Abandonment of residence status, § **14:123**
 - Commission basis remuneration, effect of, § **14:133**
 - Effect of absence, generally, § **14:120-14:127**
 - Employments qualifying for extended absence benefits, generally, § **14:128-14:143**
- Extended absence benefits
 - Generally, § **14:128-14:143**
 - Children, eligibility of, § **14:138**
 - Commission basis remuneration, effect of, § **14:133**
 - Continuous one-year physical presence requirement, § **14:137**
 - Decision, § **14:143**
 - Effect on physical presence requirement, § **14:140**
 - Eligibility, § **14:128**
 - Going or staying abroad, effect of motive for, § **14:136**
 - How to obtain benefits, generally, § **14:141-14:143**
 - Notice, § **14:143**
 - Part-time employment, § **14:135**
 - Proof needed to obtain benefits, § **14:142**

INDEX

NATURALIZATION—Cont'd

- Absences—Cont'd
 - Extended absence benefits—Cont'd
 - Qualifying employments, generally, § 14:129-14:136
 - Self-employment, § 14:132
 - Sole proprietorship, § 14:132
 - Spouse, eligibility of, § 14:138
 - State residence during absence, § 14:139
 - Subsidiary of U.S. firm or corporation, employment by, § 14:134
 - U.S. firm or corporation, employment by, § 14:131-14:133
 - U.S. government, employment by, § 14:130
 - Extended absence during continuous residence period, effect of, § 14:120
 - Going or staying abroad, effect of motive for, § 14:136
 - Involuntary absence, effect of, § 14:127
 - Less than one year, absence of, § 14:121-14:123
 - One year or more, absence of, § 14:124-14:127
 - Part-time employment, extended absence benefits, § 14:135
 - Readmission after deferred inspection or exclusion proceeding, § 14:126
 - Removal and return, § 14:125
 - Self-employment, extended absence benefits, § 14:132
 - Sole proprietorship, extended absence benefits, § 14:132
 - State residence during absence of less than one year, § 14:122
 - Subsidiary of U.S. firm or corporation, employment by, § 14:134
 - U.S. government, employment by, § 14:130
- Adopted children
 - Certificate of citizenship on application of citizen parent, § 14:222-14:224
 - Derivative citizenship, § 14:211
 - Derivative citizenship, necessity that one parent be citizen at child's birth, § 14:211

NATURALIZATION—Cont'd

- Adultery, impact on good moral character requirement of, § 14:158
- Age requirements
 - Generally, § 14:104
 - English language, understanding of, § 14:173
- Alien enemies, eligibility of, § 14:295-14:299
- Alien entrepreneurs conditional residents regarded as permanent residents, § 14:115
- Allegiance. Oath of renunciation and allegiance, below
- Amendment of application, § 14:319
- Amnesty of deserters and draft evaders as affecting eligibility, § 14:226
- Appeal. Reopening proceeding, below
- Applications
 - Generally, § 14:313-14:327
 - Age requirement, § 14:313
 - Amendment, § 14:319
 - Certificate of citizenship for child on application of citizen parent
 - Generally, § 14:222-14:224
 - Certificate of citizenship on application of citizen parent
 - Orphan and adopted children, § 14:222-14:224
 - Certificate of naturalization, corrected, § 14:365
 - Child, application on behalf of, § 14:321
 - Defense Department personnel's dependents, § 14:324
 - Denial, § 14:343
 - Derivative citizenship for child, § 14:211, 14:212, 14:214
 - Derogatory information received after grant, § 14:320
 - Determination on application, generally, § 14:342-14:345
 - Documentation, § 14:317, 14:318
 - Examination, failure to appear for, § 14:326
 - Fingerprints, § 14:318
 - Illegitimate children, information concerning, § 14:322
 - One year's service in armed forces
 - Application filed more than six months after termination of

NATURALIZATION—Cont'd

Applications—Cont'd

One year's service in armed forces
—Cont'd
service, § **14:247, 14:249,**
14:250

Application filed within six months
after termination of service,
§ **14:240-14:248**

Opponents of government or law,
§ **14:279**

Place of filing, § **14:315**

Prosecution of application, § **14:327**

Reopening proceeding, below

Signature, § **14:310**

Supplementary information, § **14:323**

Three years' service in armed forces
Application filed within six months
after termination of service,
§ **14:240-14:248**

Three years' service in armed Forces
Application filed more than six
months after termination of
service, § **14:249**

Transfer of application, § **14:316**

When to apply, § **14:314**

Where to apply, § **14:315**

Withdrawal, § **14:325**

Armed forces

Aliens relieved from military duty
Generally, § **14:227-14:235**

English not understood at time of
waiver, effect of, § **14:230**

Exception for aliens who served in
armed forces of foreign
countries, § **14:228**

General rule of ineligibility,
§ **14:227**

Proof of relief or discharge from
service, § **14:235**

Relief or discharge from service,
§ **14:232-14:234**

Waiver knowingly and intelligently
made, § **14:229-14:231**

W.W.II aliens from countries
initially natural, § **14:234**

Alternative oaths of renunciation and
allegiance

Bearing arms, sincerity of belief
regarding, § **14:185**

NATURALIZATION—Cont'd

Armed forces—Cont'd

Alternative oaths of renunciation and
allegiance—Cont'd

Ineligibility or unlikelihood of
being called into military ser-
vice, effect of, § **14:186**

“Religious training and belief,”
relevance of Selective Service
definition of, § **14:184**

Selective opposition to military
service, effect of, § **14:187**

Amnesty for deserters and draft evad-
ers, § **14:226**

Applications

Expedited processing of, § **1:112**

Applications. See also Three years'
service in armed forces, below

Attachment to Constitution and favor-
able disposition to U.S.

Military hostilities, service during,
§ **14:264**

One year's service, § **14:248**

Surviving spouse, § **14:206**

Three years' service, § **14:246-**
4:246

Death in combat, § **1:76**

Deserters and draft evaders, eligibility
of, § **14:225, 14:226**

Eligibility based on military service
or affected by lack thereof

Generally, § **14:225-14:268**

Aliens relieved from military duty,
above this group

Deserters and draft evaders,
§ **14:225, 14:226**

Military hostilities, service during,
below

One year's service, below this
group

Residence and physical presence
requirements, § **14:266-**
14:268

Three years' service, below this
group

Eligibility of spouse or children of
member of armed forces,
§ **14:205**

Eligibility of surviving spouse of
member of armed forces,
§ **14:206**

Fees, § **14:312**

INDEX

NATURALIZATION—Cont'd

- Armed forces—Cont'd
 - Former citizens who served in foreign forces
 - Generally, § 14:236-14:239
 - Proof, matters of, § 14:238
 - Residence, physical presence, and other requirements, § 14:237
 - Status of person so naturalized, § 14:239
 - Who is eligible, § 14:236
 - Good moral character
 - Military hostilities, service during, § 14:264
 - One year's service, § 14:247
 - Selective Service, § 14:161
 - Surviving spouse, § 14:206
 - Three years' service, § 14:246-4:246
 - Military hostilities, service during
 - Generally, § 14:251-14:265
 - Benefits under INA § 329, § 14:263
 - Earlier statutory provisions and their aftermath, § 14:254
 - Honorable service, necessity of, § 14:262
 - IA90 provisions governing Filipinos serving in W.W.II, § 14:256
 - Leave for naturalization purposes, § 14:253
 - Pangilinan and subsequent Ninth Circuit cases, § 14:255
 - Permanent residence status, when not required, § 14:258-14:260
 - Permanent residence status, when required, § 14:261
 - Proof of good moral character, attachment, and favorable disposition, § 14:264
 - Proof of service, § 14:265
 - Temporary active duty, § 14:259
 - Terrorism, expedited naturalization of individuals during war on, § 14:257
 - What constitutes periods of military hostilities, § 14:252
- One year's service
- Generally, § 14:240-14:244
 - Application filed more than six months after termination of

NATURALIZATION—Cont'd

- Armed forces—Cont'd
 - One year's service—Cont'd service, § 14:249
 - Application filed within six months after termination of service, § 14:240-14:248
 - Benefits and advantages of filing under INA § 328, § 14:240
 - Eligibility, generally, § 14:242
 - Noncontinuous service, § 14:247
 - Proof of good moral character, attachment, and favorable disposition, § 14:247, 14:248
 - Proof of service, § 14:244
 - Residence and physical presence requirements, § 14:243
 - Secondary evidence as proof of service, § 14:245
 - What constitutes service in "armed forces," § 14:242
- Overseas proceedings, spouses or children, § 14:205
- Pardon of deserters and draft evaders, § 14:226
- Permanent residence status, requirement of
 - Advance agreement to extend temporary active duty, § 14:260
 - Military hostilities, service during, § 14:258-14:260
- Proof
 - Former citizens who served in foreign forces, § 14:238
 - Military hostilities, service during, § 14:265
 - One year's service, § 14:244
 - Relief or discharge from service of alien from military service, § 14:235
 - Three years' service, § 14:244-4:246
- Residence and physical presence requirements as to military personnel
 - Generally, § 14:118
 - Former citizens who served in foreign forces, § 14:237
 - Military service or lack thereof as affecting eligibility, § 14:266-14:268

NATURALIZATION—Cont'd

- Armed forces—Cont'd
 - Residence and physical presence requirements as to military personnel—Cont'd
 - One year's service, § 14:243
 - State, residence in, § 14:267
 - Three years' service, § 14:243
 - United States, residence in, § 14:266
 - Waiver, § 1:76
- Temporary active duty during military hostilities, § 14:259
- Terrorism, expedited naturalization of individuals in active-duty status during war on, § 14:257
- Three years' service
 - Generally, § 14:240-14:248
 - Application filed more than six months after termination of service, § 14:249, 14:250
 - Application filed within six months after termination of service, § 14:240-14:248
 - Benefits and advantages of filing under INA § 328, § 14:240
 - Discharge and filing, period between, § 14:248
 - Eligibility, generally, § 14:241, 14:250
 - Noncontinuous service, § 14:247
 - Proof of good moral character, attachment, and favorable disposition, § 14:246-4:246
 - Proof of service, § 14:244
 - Residence and physical presence requirements, § 14:243
 - Secondary evidence as proof of service, § 14:245
 - What constitutes service in "armed forces," § 14:242
- Veterans
 - Eligibility based on military service or affected by lack thereof, above this group
 - Former citizens who served in foreign forces, above this group
 - Military hostilities, service during, above this group
- Attachment to Constitution and favorable disposition to U.S.
 - Generally, § 14:163-14:169

NATURALIZATION—Cont'd

- Attachment to Constitution and favorable disposition to U.S.—Cont'd
 - Applicable period, § 14:169
- Armed forces, above
- Communist or subversive organization, involvement in or support of, § 14:165
- Nature of requirement, § 14:164
- Nazi, activities as former, § 14:166
- Parking fines, failure to pay, § 14:168
- Religious training and belief, acts based on, § 14:167
- Seamen, § 14:294
- Spouses of citizens employed abroad, § 14:204
- Attorneys
 - Personnel investigation and examination, representation at, § 14:329
 - Reopening proceedings, right to attorney during, § 14:375
- Benefits for extended absence.
 - Absences, above
- Birth in U.S. to foreign diplomat, § 14:110
- Burden of proof
 - Establishing eligibility, § 14:107
 - Opponents of government or law, § 14:279
 - Reopening proceeding, § 14:376
- Certificate of naturalization
 - Generally, § 14:361-14:366
 - Cancellation upon denaturalization, § 14:427
 - Change of name, § 14:363, 14:364
 - Contents, § 14:362
 - Corrected certificate, application for, § 14:365
 - Issuance, § 14:361
 - Replacement or duplicate certificates, § 14:366
 - Signature, § 14:362
- Certificates
 - Certificate of citizenship on application of citizen parent. Children, below
 - Naturalization certificate. Certificate of naturalization, above
 - Nature of certificate of citizenship, § 14:215
 - Records, certification of, § 14:306

INDEX

NATURALIZATION—Cont'd

- Change of name, certificate of naturalization, § **14:363, 14:364**
- Character. Good moral character, below
- Children
 - Adopted children
 - Certificate of citizenship on application of citizen parent, § **14:222-14:224**
 - Derivative citizenship, § **14:211**
 - Application on behalf of child, § **14:321**
 - Born abroad, 1997 legislation, § **1:38**
 - Certificate of citizenship on application of citizen parent
 - Generally, § **14:215-14:224**
 - Adopted child, § **14:222-14:224**
 - Application procedures, § **14:222-14:224**
 - Decision on application, § **14:224**
 - Eligibility, § **14:215-14:219**
 - Illegitimate and legitimated children, § **14:219**
 - Interview, § **14:223**
 - Literacy and educational requirements, § **14:221**
 - Necessity of being “child,” § **14:218**
 - Oath requirement, § **14:221**
 - Residence and physical presence requirements, § **14:220**
 - Residence with applicant parent, necessity of, § **14:217**
- Derivative citizenship
 - Generally, § **14:207-14:214.50**
 - Adopted child, § **14:211**
 - Application procedures, § **14:212, 14:214**
 - Automatic acquisition of citizenship, § **14:207**
 - Decision on application, § **14:214**
 - Definition of “parent,” “father,” “mother,” and “child,” § **14:208**
 - Interview, § **14:213**
 - Legal custody requirement, § **14:209**
 - Nature of certificate of citizenship, § **14:215**
 - One parent be citizen at child’s birth, necessity that, § **14:210-14:214.50**

NATURALIZATION—Cont'd

- Children—Cont'd
 - Derivative citizenship—Cont'd
 - Permanent residence requirement, § **14:209**
 - Eligibility for extended absence benefits, § **14:138**
 - Good moral character requirement as affected by failure to support, § **14:157**
 - Illegitimate children, information on application concerning, § **14:322**
 - Murdered noncitizens, extraordinary contributions to security or intelligence of U.S., § **14:303**
 - Out-of-wedlock children
 - Certificate of citizenship on application of citizen parent, § **14:219**
 - Information on application concerning, § **14:322**
 - Overseas proceedings, children of member of armed forces, § **14:205**
 - Security or intelligence of U.S., noncitizens making extraordinary contributions to, § **14:303**
- Communist or subversive organization
 - Involvement in or support of, § **14:165**
 - Opponents of government or law, below
- Commuter citizens as residents, § **14:116**
- Congressional authority, § **14:101**
- Constitution. Attachment to Constitution and favorable disposition to U.S., above
- Continuance of examination, § **14:344**
- Continuance residence and physical presence requirements
 - Spouses or children of member of armed forces, § **14:205**
- Continuous residence or presence
 - Extended absence benefits, one-year physical presence requirement for, § **14:137**
 - Spouse of U.S. citizen, § **14:196**
- Conviction of aggravated felony, good moral character requirement as affected by, § **14:155**

NATURALIZATION—Cont'd

- Copies of records, admissibility of, § 14:306
- Corrected certificate of naturalization, § 14:365
- Counsel. Attorneys, above
- Courts. Oath of renunciation and allegiance, below
- Crimes and related conduct, this index
- Crimes and Related Conduct, this index
- Decision
 - Certificate of citizenship on application of citizen parent, § 14:224
 - Derivative citizenship, necessity that one parent be citizen at child's birth, § 14:214
 - Derivative citizenship of children, § 14:214
 - Extended absence benefits, § 14:143
 - Judicial review, § 15:34
 - Reopening proceeding, below
 - Declaration of intention, § 14:307
 - Deferred inspection or exclusion proceeding, readmission after, § 14:126
- Defined, § 14:101
- Denaturalization, this index
- Deportation
 - Effect of being deportable, § 14:111
 - Eligibility of deportable aliens, § 14:280-14:282
- Depositions, USCIS employee's authority to take oaths, § 14:305
- Derivative citizenship
 - Children, above
 - Denaturalization's effect on persons claiming, § 14:426
- Derogatory information received after grant, § 14:320
- Diplomat, birth in U.S. to foreign, § 14:110
- Disability. Physical or developmental disability, below
- Draft. Selective Service, below
- Duplicate certificate of naturalization, § 14:366
- Educational requirements. Literacy and educational requirements, below
- Effective date of naturalization, § 14:360

NATURALIZATION—Cont'd

- Eligibility
 - General requirements, § 14:103-14:191
 - Age requirements, § 14:104
- Alien enemies
 - Generally, § 14:296-14:299
 - Citizenship, eligibility for, § 14:296
 - Definitions, § 14:295
 - Procedures, § 14:297
 - Women who lost citizenship by marriage, § 14:298
 - Women whose marriage has terminated, § 14:299
- Armed forces, above
- Attachment to Constitution and favorable disposition to U.S., above
- Burden of establishing eligibility, § 14:107
- Deportable aliens, § 14:280-14:282
- Filipinos entering U.S. prior to May 1, 1934, § 14:301
- Gender, § 14:106
- Good moral character, below
- Intelligence or security of U.S., noncitizens making extraordinary contributions to, § 14:302, 14:303
- Literacy and educational requirements, below
- Marital status, § 14:106
- Mental competency, § 14:105
- Military service. Armed forces, above
- Ministers and other religious persons, § 14:285-14:287
- Nationals of U.S., § 14:300
- Nonprofit communications organization employees, § 14:283, 14:284
- Oath of renunciation and allegiance, below
- Opponents of government or law, below
- Overseas proceedings, spouse or children of member of armed forces, § 14:205
- Overview, § 14:103
- Particular types of aliens, § 14:192-14:303

INDEX

NATURALIZATION—Cont'd

- Eligibility—Cont'd
 - Possible risks in seeking naturalization, § **14:108**
 - Race, § **14:106**
 - Residence and physical presence requirements, below
 - Seamen, § **14:291-14:294**
 - Sex, § **14:106**
 - Status of alien, § **14:109-14:112**
- Employment
 - Absences, above
 - Eligibility of spouse of U.S. citizen employed abroad
 - Generally, § **14:197-14:204**
 - Attachment to Constitution and favorable disposition to U.S., § **14:204**
 - Authorized employments, § **14:198**
 - Good moral character requirement, § **14:204**
 - Intention to reside abroad with spouse, § **14:201, 14:202**
 - Marital status, § **14:197**
 - Military personnel, § **14:200**
 - Regular employment abroad, § **14:199, 14:200**
 - Residence and physical presence requirements, § **14:203**
 - Extended absence benefits, § **14:128-14:143**
 - Membership for employment purposes in organization opposing government or law, § **14:278**
 - Nonprofit communications organization employees, eligibility of, § **14:283, 14:284**
- English language
 - Interpreter, use at examination of, § **14:337**
 - Literacy and educational requirements, below
- Entry, proof of lawful, § **14:112**
- Evidence. Proof, below
- Examination
 - Failure to appear for, § **14:326**
 - Literacy and educational requirements, tests for, § **14:177-14:179**
 - Personnel investigation and examination, below

NATURALIZATION—Cont'd

- Exclusion proceeding, readmission after, § **14:126**
- Expatriation
 - Naturalization in foreign state as expatriative act, § **14:436**
 - Nullity of expatriation based on residency abroad following naturalization, § **14:449**
- Expedited action
 - Oath of renunciation and allegiance, administration of, § **14:358**
 - Terrorism, expedited naturalization of individuals during war on, § **14:257**
- Extended absence benefits. Absences, above
- False testimony to obtain benefit under INA, good moral character requirement as affected by, § **14:151-14:154**
- Father, who is, § **14:208**
- Favorable disposition. Attachment to Constitution and favorable disposition to U.S., above
- Fee waivers, § **14:311, 14:312**
- Fifth Amendment protection regarding examination, § **14:332**
- Fingerprints, applications, § **14:318**
- Fingerprints accompanying applications, § **14:318**
- Foreign diplomat, birth in U.S. to, § **14:110**
- Gender as not affecting eligibility, § **14:106**
- Good moral character
 - Generally, § **14:144-14:162**
 - Adultery, § **14:158**
 - Applicable period, § **14:145, 14:146**
 - Armed forces, above
 - Child, failure to support, § **14:157**
 - Conviction of aggravated felony, § **14:155**
 - Draft, § **14:161**
 - False testimony to obtain benefit under INA, § **14:151-14:154**
 - Felony, conviction of aggravated, § **14:155**
 - Homosexual acts, § **14:160**
 - Intent to deceive in giving false testimony to obtain benefit under INA, § **14:151-14:154**

NATURALIZATION—Cont'd

- Good moral character—Cont'd
 - Nonprofit communications organization employees, eligibility of, § **14:284**
 - Nonstatutory standards, § **14:156-14:162**
 - Pardon, effect of, § **14:148**
 - Probation or parole, effect of, § **14:149**
 - Public benefits, receipt of, § **14:162**
 - Record expungement, effect of, § **14:150**
 - Repeated immigration violations, § **14:162**
 - Seamen, § **14:294**
 - Selective Service, § **14:161**
 - Sexual matters, § **14:158-14:160**
 - Spouses, § **14:157, 14:196, 14:204, 14:206**
 - Statutory standards, § **14:147-14:155**
- Government employees or contractors, residence and physical presence requirements, § **14:119**
- History and government of U.S., knowledge of, § **14:174, 14:175**
- Hmong veterans and spouses, literacy and educational requirements, § **14:175**
- Homosexual acts, impact on good moral character requirement for, § **14:160**
- Intelligence or security of U.S., noncitizens making extraordinary contributions to, § **14:302, 14:303**
- Intention
 - Alien spouse's intention following naturalization, statement of, § **14:201, 14:202**
 - Declaration of intention, § **14:307**
 - False testimony to obtain benefit under INA, intent to deceive in giving, § **14:151-14:154**
 - Residing abroad with spouse employed abroad, § **14:201, 14:202**
- Interpreter, use at examination of, § **14:337**
- Interviews
 - Certificate of citizenship on application of citizen parent
 - Interview, § **14:223**

NATURALIZATION—Cont'd

- Interviews—Cont'd
 - Derivative citizenship, necessity that one parent be citizen at child's birth, § **14:210-14:214.50**
- Investigation. Personnel investigation and examination, below
- Involuntary absence, effect of, § **14:127**
- IRCA legalization aliens, literacy and educational requirements for, § **14:175**
- Judicial review
 - Denials and delays in adjudication, § **15:34**
 - Personnel investigation and examination, § **14:348**
 - Reopening proceeding, § **14:382**
- Lawful admission for permanent residence, presumption of, § **14:109**
- Lawful entry, proof of, § **14:112**
- Legitimated children, certificate of citizenship on application of citizen parent, § **14:219**
- Literacy and educational requirements
 - Generally, § **14:170-14:179**
 - Certificate of citizenship for child on application of citizen parent, § **14:221**
 - English language, understanding of
 - Generally, § **14:170-14:173**
 - Age and length of residence, exemption based on, § **14:173**
 - Physical or developmental disability, exemption based on, § **14:172**
 - Standards with regard to ability to read and write, § **14:171**
 - History and government of U.S., knowledge of, § **14:174, 14:175**
 - Hmong veterans and spouses, § **14:175**
 - IRCA legalization aliens, § **14:175**
 - Medical certification of physical or developmental disability or mental impairment, § **14:176**
 - Physical or developmental disability
 - English language, understanding of, § **14:172**
 - Medical certification of, § **14:176**
 - Second opportunity to pass tests, § **14:345**

INDEX

NATURALIZATION—Cont'd

- Literacy and educational requirements—Cont'd
 - Testing of requirements, § **14:177-14:179**
- Marital status
 - As not affecting eligibility, § **14:106**
 - Spouse of U.S. citizen, eligibility for naturalization of, § **14:197, 14:204, 14:206**
- Marriage
 - Alien enemies, § **14:298, 14:299**
 - Application, eligibility prior to filing of, § **14:194**
 - Between dates of application and naturalization, eligibility, § **14:195**
 - Eligibility of U.S. citizens' spouses, § **14:193-14:195**
 - Proof at examination, § **14:339**
- Materiality, false testimony need not be material, § **14:152**
- Medical certification of physical or developmental disability or mental impairment, § **14:176**
- Mental competency, § **14:105**
- Military service. Armed forces, above
- Ministers and other religious persons, eligibility of, § **14:285-14:290**
- Moral character. Good moral character, above
- Mother, who is, § **14:208**
- Murdered noncitizens, extraordinary contributions to intelligence or security of U.S., § **14:303**
- Nazi activities
 - Generally, § **14:166**
 - Denaturalization, this index
 - 1997 legislation, § **1:38**
- Nobility, renunciation of title or order of, § **14:191**
- Nonprofit communications organization employees, eligibility of, § **14:283, 14:284**
- Notice
 - Extended absence benefits, § **14:143**
 - Personnel investigation and examination, appearance for, § **14:333**
 - Reopen proceeding, intent to, § **14:371**
- Oath, waiver of, § **1:54**

NATURALIZATION—Cont'd

- Oath of renunciation and allegiance
 - Generally, § **14:180-14:191**
 - Alternative oaths
 - Generally, § **14:182-14:188**
 - Bearing arms, sincerity of belief regarding, § **14:185**
 - Eligibility to take, § **14:183-14:187**
 - Form of oath, § **14:182**
 - Ineligibility or unlikelihood of being called into military service, effect of, § **14:186**
 - Permissibility of further modifications, § **14:188**
 - “Religious training and belief,” relevance of Selective Service definition of, § **14:184**
 - Selective opposition to military service, effect of, § **14:187**
 - Authority to administer, § **14:349-14:353**
 - Courts
 - Administration of oath by court, § **14:357**
 - Eligible courts, § **14:352**
 - Option to exercise exclusive authority for 45 days, § **14:350**
 - Denaturalization for fraudulent oath, § **14:398**
 - Disabled, USCIS administration of oath to, § **14:356**
 - Exemption from requirement of oath, § **14:189**
 - Expedited administration of oath, § **14:358**
 - Form and content of oath, § **14:180, 14:182**
 - Mental reservation, taking of oath without, § **14:181**
 - Permissibility of further modifications, § **14:188**
 - Proof of ability to take oath, § **14:190**
 - Renunciation of title or order of nobility, § **14:191**
 - Sick, USCIS administration of oath to, § **14:356**
 - USCIS administration of oath, § **14:355, 14:356**
- Oaths
- Certificate of citizenship on application of citizen parent, § **14:221**

NATURALIZATION—Cont'd

- Oaths—Cont'd
 - Oath of renunciation and allegiance, above
 - USCIS employee's authority to administer oaths, § 14:305
- Opponents of government or law
 - Application procedure, § 14:279
 - Burden of proof, § 14:279
 - Exceptions to ineligibility, § 14:274-14:278
 - Organizations opposing government or law
 - Communist-front organization, membership in, § 14:272
 - Education, membership to obtain, § 14:277
 - Employment purposes, membership for, § 14:278
 - Essentials of living, membership to obtain, § 14:276, 14:277
 - Joining, manner of, § 14:275
 - Membership, what constitutes, § 14:271, 14:272
 - Proscribed organizations, § 14:270
 - Role in organization, § 14:275
 - Period of ineligibility, § 14:273
 - Persons ineligible for naturalization, § 14:269
- Pardon
 - Deserters and draft evaders, § 14:226
 - Effect on good moral character requirement, § 14:148
- Parents
 - Certificate of citizenship on application of citizen parent. Children, above
 - Derivative citizenship
 - Definition of "parent," "father," "mother," and "child," § 14:208
 - One parent be citizen at child's birth, necessity that, § 14:210-14:214.50
 - Who is parent, § 14:208
 - Parking fines, failure to pay, § 14:168
 - Permanent residents
 - Alien entrepreneurs conditional residents regarded as permanent residents, § 14:115

NATURALIZATION—Cont'd

- Permanent residents—Cont'd
 - Commuter citizens as residents, § 14:116
 - Lawful admission for permanent residence, presumption of, § 14:109
 - Nonprofit communications organization employees, eligibility of, § 14:283
 - Presumption of lawful admission for permanent residence, § 14:109
 - Revocation of naturalization as effect of rescission of status, § 9:283
 - Surrender of permanent resident card, § 14:359
- Permissibility of further modifications, alternative oaths, § 14:188
- Personnel investigation and examination
 - Generally, § 14:328-14:348
 - Appearance, § 14:333
 - Conduct of examination, generally, § 14:336-14:341
 - Continuance of examination, § 14:344, 14:345
 - Criminal background check, § 14:330
 - Denial, § 14:343
 - Determination on application, generally, § 14:342-14:345
 - Fifth Amendment protection regarding examination, § 14:332
 - Interpreter, use of, § 14:337
 - Judicial review, § 14:348
 - Material to be brought to examination, § 14:334
 - Nonprosecution, § 14:333
 - Notice to appear, § 14:333
 - Record of examination, § 14:340, 14:341
 - Representation, § 14:329
 - Review
 - Hearing before immigration officer, § 14:346
 - Improperly filed request for hearing, § 14:347
 - Judicial review, § 14:348
 - Scope of examination, § 14:331
 - Surrender of entry documents, § 14:335
 - Witnesses, § 14:338
- Philippines
 - Entry into U.S. prior to May 1, 1934, § 14:301

INDEX

NATURALIZATION—Cont'd

- Philippines—Cont'd
 - IA90 provisions governing Filipinos serving in W.W.II, § **14:256**
- Photographs
 - Documents for which required, § **14:308**
 - Quantity, size, and other specifications, § **14:309**
 - Signature, § **14:310**
- Physical or developmental disability
 - Literacy and educational requirements English language, understanding of, § **14:172**
 - Medical certification of disability, § **14:176**
- Physical presence. Residence and physical presence requirements, below
- Possible risks in seeking naturalization, § **14:108**
- Postnaturalization matters
 - Certificate of naturalization, above
 - Effective date of naturalization, § **14:360**
 - Reopening proceeding, above
 - Surrender of permanent resident card, § **14:359**
- Presence. Residence and physical presence requirements, below
- Presumption of lawful admission for permanent residence, § **14:109**
- Probation or parole, effect on good moral character requirement of, § **14:149**
- Procedures
 - Generally, § **14:304-14:383**
 - Applications, above
 - Copies of records, admissibility of, § **14:306**
 - Declaration of intention, § **14:307**
 - Photographs, § **14:308-14:310**
- USCIS
 - Authority of employees to administer oaths and take depositions, § **14:305**
 - Reopening proceeding, below
 - Role of USCIS, § **14:304**
 - Waiver, § **14:311, 14:312**
- Proof
 - Armed forces, above
 - Burden of proof, above

NATURALIZATION—Cont'd

- Proof—Cont'd
 - Extended absence benefits, § **14:142**
 - Lawful entry, § **14:112**
 - Oath of renunciation and allegiance, ability to take, § **14:190**
 - Personal investigation and examination, § **14:339**
 - Seamen, § **14:293, 14:294**
- Race as not affecting eligibility, § **14:106**
- Readmission after deferred inspection or exclusion proceeding, § **14:126**
- Records
 - Admissibility of copies of, § **14:306**
 - Certification of, § **14:306**
 - Examination of applicant, record of, § **14:341**
 - Expungement, effect on good moral character requirement of, § **14:150**
 - Reopened proceedings, § **14:377**
- Religious training and belief, acts based on, § **14:167**
- Removal and return, § **14:125**
- Renunciation
 - Oath of renunciation and allegiance, above
 - Title or order of nobility, § **14:191**
- Reopening proceeding
 - Generally, § **14:367-14:383**
- Appeal
 - Generally, § **14:380**
 - Judicial review, § **14:382**
 - Reconsideration by USCIS, § **14:381**
- Burden of proof, § **14:376**
- Counsel, right to, § **14:375**
- Decision
 - Generally, § **14:378**
 - Effect of final decision, § **14:383**
 - Referral for revocation action, § **14:379**
- Denaturalization proceeding vs. reopening, § **14:368**
- Failure to appear for examination, § **14:326**
- Failure to respond, § **14:374**
- Judicial review, § **14:382**
- Notice of intent to reopen, § **14:371**

NATURALIZATION—Cont'd

- Reopening proceeding—Cont'd
 - Record of reopened proceedings, § 14:377
 - Request for hearing, § 14:372
 - Request of applicant to reopen or modify application, § 14:369
 - Response, § 14:372
- USCIS (United States Citizenship and Immigration Services)
 - Derogatory information received after grant, § 14:320
 - Reconsideration by, § 14:381
 - When reopening of application permitted, § 14:370
 - Withdrawal of application, § 14:373
- Repatriated woman's regaining citizenship without naturalization, § 14:87
- Replacement certificate of naturalization, § 14:366
- Residence and physical presence requirements
 - Generally, § 14:113-14:143
 - Absences, above
 - Alien entrepreneurs conditional residents regarded as permanent residents, § 14:115
 - Armed forces, above
 - Certificate of citizenship for child on application of citizen parent, § 14:220
 - Commuter citizens as residents, § 14:116
 - Continuous residence or presence
 - Extended absence benefits, one-year physical presence requirement for, § 14:137
 - Spouse of U.S. citizen, § 14:196
 - Derivative citizenship of child, § 14:209
 - Eligibility of U.S. citizens' spouses, § 14:192, 14:203
 - Extended absence benefits, effect of, § 14:140
 - Government employees or contractors, § 14:119
 - Meaning of "residence," § 14:114
 - Military personnel, § 14:118
 - Ministers and other religious persons
 - Generally, § 14:285-14:290

NATURALIZATION—Cont'd

- Residence and physical presence requirements—Cont'd
 - Ministers and other religious persons—Cont'd
 - Preservation of residence, § 14:288-14:290
 - Nonprofit communications organization employees, § 14:283
 - Permanent residents, above
 - Seamen, § 14:292
 - Spouses of U.S. citizens, § 14:192, 14:196, 14:203
 - Spouses or children of member of armed forces, § 14:205
 - Students, § 14:117
- Revocation of naturalization.
 - Denaturalization, this index
- Saboteurs. Opponents of government or law, above
- Seamen, eligibility of, § 14:291-14:294
- Security or intelligence of U.S., noncitizens making extraordinary contributions to, § 14:302, 14:303
- Selective Service
 - Alternative oath and relevance of Selective Service definition of religious training and belief, § 14:184
 - Amnesty of deserters and draft evaders as affecting eligibility, § 14:226
 - Good moral character, § 14:161
 - Sex as not affecting eligibility, § 14:106
 - Sexual matters, impact on good moral character requirement of, § 14:158-14:160
- Signatures
 - Applications, § 14:310
 - Certificate of naturalization, § 14:362
 - Photographs, § 14:310
- Spouses
 - Eligibility for extended absence benefits, § 14:138
 - Eligibility of armed forces' spouses, continuance residence and physical presence requirements, § 14:205
 - Eligibility of U.S. citizens' spouses
 - Generally, § 14:192-14:206
 - Continuous residence in U.S., § 14:196

INDEX

NATURALIZATION—Cont'd

- Spouses—Cont'd
 - Eligibility of U.S. citizens' spouses—Cont'd
 - Employment abroad of citizen.
 - Employment above
 - Good moral character requirement, § 14:196
 - Intention to reside abroad with spouse, § 14:201, 14:202
 - Marital status, § 14:197, 14:204, 14:206
 - Other naturalization requirements, § 14:196
 - Permanent residence, lawful admission for, § 14:196
 - Residence and physical presence requirements, § 14:192, 14:196, 14:203
 - Surviving spouse of member of armed forces, § 14:206
 - Validity of marriage, § 14:193-14:195
 - Good moral character requirement, § 14:157, 14:196
 - Hmong veterans and spouses, literacy and educational requirements, § 14:175
 - murdered noncitizens, extraordinary contributions to security or intelligence of U.S., § 14:303
 - Overseas proceedings, spouses of member of armed forces, § 14:205
 - Security or intelligence of U.S., noncitizens making extraordinary contributions to, § 14:303
- Standardized citizenship test, how tested, § 14:179
- State residence during absence
 - Extended absence benefits, § 14:139
 - Less than one year, absence of, § 14:122
- Status of naturalized citizen, § 14:102
- Students, residence and physical presence requirements, § 14:117
- Surrender of permanent resident card, § 14:359
- Terrorism
 - Expedited naturalization of military personnel in active-duty status

NATURALIZATION—Cont'd

- Terrorism—Cont'd
 - during war on, § 14:257
 - Opponents of government or law, above
 - Tests for literacy and educational requirements, § 14:177-14:179
 - Title or order of nobility, renunciation of, § 14:191
 - Transfer of application, § 14:316
- USCIS (United States Citizenship and Immigration Services)
 - Authority of employees to administer oaths and take depositions, § 14:305
 - Reopening proceedings, above
 - Role of USCIS, § 14:304
- Veterans. Armed forces, above
- Waiver
 - Circumstances not constituting waiver, aliens relieved from military duty, § 14:231
 - Court's authority to administer oath of allegiance, § 14:351
 - Fees, § 14:311, 14:312
 - Military duty, aliens relieved from, § 14:229-14:231
- War
 - Service in armed forces during military hostilities, above
 - Terrorism, expedited naturalization of military personnel in active-duty status during war on, § 14:257
 - Withdrawal of application, § 14:325
- NATURALIZATION CLAUSE**
 - Sources of Congressional power over immigration, § 16:1
- NAZI ACTIVITIES**
 - Denaturalization, this index
 - Inadmissibility, denial of admission or visa, § 3:65, 3:66
 - Naturalization, § 14:166
 - Removal, this index
- NCIC (NATIONAL CRIME INFORMATION CENTER)**
 - Permanent residents, applications for immigrant visas, § 9:64, 9:94
- N-8 VISAS**
 - International organization representatives, § 6:92

NETHERLANDS NATIONALS

Passport and visa requirements, waiver of, § 3:205

NEW AMERICANS ACT

Legislation to control immigration, § 1:153

NEW COMMERCIAL ENTERPRISE

Employment-based immigration, employment creation immigrants, § 8:87-8:97

NEW OFFICE

Intracompany transferees, petitions for visas, § 4:564

NEW PETITIONS

H Nonimmigrants, this index

NEWS MEDIA

Media, this index

NEXUS

Alternative inspection program at northern border, § 2:59

NICARAGUA

Nicaraguan Adjustment and Central American Relief Act (NACARA), this index

Refugees and Asylum, this index

NICARAGUAN ADJUSTMENT AND CENTRAL AMERICAN RELIEF ACT (NACARA)

Generally, § 1:37

Parole of Aliens Into United States, this index

Removal, this index

9-11

September 11, 2001, this index

1951 UNITED NATIONS CONVENTION RELATING TO THE STATUS OF REFUGEES (REFUGEE CONVENTION)

Source of law, § 1:188

1967 UNITED NATIONS PROTOCOL RELATING TO THE STATUS OF REFUGEES (PROTOCOL)

Source of law, § 1:188

N-9 VISAS

International organization representatives, § 6:92

NOBILITY

Renunciation of title or order of, § 14:191

NON-AGRICULTURAL SERVICES OR LABOR

H Nonimmigrants, this index

NONCITIZEN BENEFIT CLARIFICATION AND OTHER TECHNICAL AMENDMENTS ACT OF 1998

Generally, § 1:40

NONCITIZENS

Limits, federal power noncitizens' rights, § 16:2

NONGOVERNMENT DOCUMENTATION

Permanent residents, evidence for eligibility for adjustment of status under INA § 245, § 9:191

NONIMMIGRANTS

Admission requirements, § 2:19, 2:21

A Nonimmigrants, this index

B Nonimmigrants, this index

Border Crossing Documents, this index

Definition of nonimmigrant, § 4:1

Employment-based immigration, third preference eligibility, § 8:46

Employment incident to status as, § 11:3, 11:4

E nonimmigrants. Treaty Traders and Investors, this index

F Nonimmigrants, this index

Foreign Information Media Representatives, this index

G Nonimmigrants, this index

H Nonimmigrants, this index

I nonimmigrants. Foreign Information Media Representatives, this index

Intracompany Transferees, this index

J Nonimmigrants, this index

L nonimmigrants. Intracompany Transferees, this index

O Nonimmigrants, this index

Permanent Residents, this index

P Nonimmigrants, this index

INDEX

NONIMMIGRANTS—Cont'd

- Religious Workers, this index
- R nonimmigrants. Religious Workers, this index
- TN Nonimmigrants, this index
- Visas. Nonimmigrant Visas, this index
- Waivers of Inadmissibility, this index

NONIMMIGRANT VISAS

- Generally, § 4:1-4:725
- Administrative review
 - Change of nonimmigrant classification, § 4:92
 - Refusal of visa, § 4:46
- Advisory opinions
 - Diplomatic visas, § 4:107
 - Refusal of visa, § 4:45, 4:46
- Age
 - Applications for visas, generally, § 4:5
 - Medical examination of applicants, § 4:15
- Agreements governing validity for return beyond expiration date of passport, applications, § 4:26
- Alien crew members. Crew members, this index
- Amount of bond, extension of stay, § 4:71
- A Nonimmigrants, this index
- Appeal and review
 - Administrative review, above
 - Extension of stay, § 4:73
 - Judicial review, below
 - Refusal of visa, § 4:45, 4:46
 - Revocation of visa, § 4:49
- Appearance
 - Personal appearance, applications, § 4:5
 - Temporary ineligibility for failure to appear in deportation proceedings, change of nonimmigrant classification, § 4:85
- Applicability of special registration, § 4:95, 4:100
- Applications
 - Change of nonimmigrant classification, § 4:80, 4:82, 4:88-4:92
 - Diplomatic visas, § 4:5, 4:24
 - Extension of stay, § 4:76, 4:77

NONIMMIGRANT VISAS—Cont'd

- Applications—Cont'd
 - Fees
 - Change of nonimmigrant classification, § 4:88
 - Extension of stay, § 4:68
 - Visas, § 4:37, 4:38
 - Filing
 - Change of nonimmigrant classification, § 4:88, 4:89, 4:90
 - Extension of stay, § 4:76, 4:77
 - Visas, § 4:5
 - Presumption of immigrant status, § 4:2-4:4
 - Reissuance of visas, § 4:30
 - Relief from registration requirements, § 4:98
 - Visas, generally, § 4:5-4:25
- Approval or denial
 - Change of nonimmigrant classification, § 4:80, 4:82, 4:91, 4:92
 - Extension of stay, § 4:65, 4:69, 4:73, 4:74
 - Refusal of visa, § 4:43-4:46
 - Visa applications, § 4:7, 4:9
- Arrest warrant, failure to depart after denial of extension of stay, § 4:74
- Attorney General
 - Change of nonimmigrant classification, § 4:80, 4:83
 - Issuance of visas, § 4:29, 4:31
 - Special registration, § 4:94, 4:100
 - Waiver of passport requirement for applications, § 4:25
- Authority
 - Restriction placed on passport by issuing authority, applications, § 4:22
 - Revocation of visa, § 4:48, 4:57
- Automatic extension
 - Stay for aliens disabled as result of 9/11/01 terrorist activity, § 4:75-4:77
 - Validity of visa at port of entry, § 4:42
- Board of Immigration Appeals, change of nonimmigrant classification, § 4:92
- Bonds
 - Extension of stay, § 4:71
 - Posting of bond, below

NONIMMIGRANT VISAS—Cont'd

- Bonds—Cont'd
 - Request for cancellation of visa in order to withdraw bond, revocation of visa, § 4:52
- Burden of proof
 - Change of nonimmigrant classification, § 4:88
 - Eligibility for visa, § 4:2, 4:19
- Business related nonimmigrant visas, § 4:109-4:161
- Cancellation of visa, revocation of visa, § 4:47-4:57
- Carrier, notice of revocation of visa, § 4:50, 4:60
- Categories of visas, § 4:105
- Certificates
 - Police certificate, supporting documentation for applications, § 4:16
 - Revocation of visa, § 4:56
- Change of status, § 4:80-4:92
- Checks or checking
 - Change of nonimmigrant classification, § 4:88
 - Consular Lookout and Support System (CLASS)
 - Issuance of visas, § 4:27
 - Processing of visa applications, § 4:6
 - National Crime Information Center (NCIC) name check response, supporting documentation for applications, § 4:17
- Chest x-rays, medical examination of applicants, § 4:15
- Children, derivative status, § 4:102-4:104
- CLASS. Consular Lookout and Support System (CLASS), below
- Class A or Class B medical condition, medical examination of applicants, § 4:15
- Classification
 - Change of nonimmigrant classification, § 4:80-4:92
 - Visas, § 4:105-4:108
- Compliance or noncompliance. Failure to comply, below
- Conditions and conditional matters
 - Approval of change of nonimmigrant classification, conditions of new

NONIMMIGRANT VISAS—Cont'd

- Conditions and conditional matters
 - Cont'd
 - classification, § 4:91
 - Issuance of visa conditioned on posting of bond, § 4:29
- Consular Lookout and Support System (CLASS)
 - Checks or checking, above
 - Entry into Consular Lookout and Support System (CLASS), below
 - Issuance of visas, § 4:27
 - Processing of visa applications, § 4:6
 - Refusal of visa, § 4:43
 - Revocation of visa, § 4:63
- Consular matters
 - Applications for visas, generally, § 4:5, 4:9, 4:12
 - CLASS. Consular Lookout and Support System (CLASS), above
 - District, applications for visas, § 4:11
 - Officers. Consular officers, below
 - Offices, applications for visas, § 4:5, 4:11, 4:12
 - Pilot H-1B visa revalidation, § 4:11.50
 - Posts. Consular posts, below
- Consular officers
 - Applications for visas, § 4:5-4:7, 4:11, 4:13-4:17, 4:21, 4:22, 4:25
 - Diplomatic visas, § 4:107
 - Issuance of visas, § 4:27-4:38
 - Limitations on validity of visa, § 4:41
 - Official visas, § 4:108
 - Presumption of immigrant status, § 4:2, 4:4
 - Refusal of visa, § 4:43-4:46
 - Revocation of visa, § 4:47 et seq.
- Consular posts
 - Applications for visas, § 4:6
 - Fees, issuance of visas, § 4:37
 - Issuance of visas, § 4:27, 4:37
- Country-specific USCIS benefit “holds” for “travel ban” countries, § 4:101.50
- Courts. Judicial review, below
- Crew members, this index
- Date. Time or date, below
- Decisions. Determinations and decisions, below
- Definition of nonimmigrant visa, § 4:1

INDEX

NONIMMIGRANT VISAS—Cont'd

- Delays in filing applications, automatic extension of stay for aliens disabled as result of 9/11/01 terrorist activity, § 4:77
- Denial. Approval or denial, above
- Department of Homeland Security
 - Secretary of Homeland Security, special registration, § 4:95-4:97
 - Special registration, § 4:97
 - United States Citizenship and Immigration Services (USCIS), § 4:5 et seq.
- Department of Justice, registration, § 4:94, 4:100
- Departure
 - Extension of status for aliens unable to return as result of natural disasters
 - Hurricane Isaac, § 4:79
 - Japan, § 4:78
 - Extension of stay, § 4:64, 4:74, 4:77
 - Special registration, § 4:98, 4:99
 - Termination of status, § 4:93
- Deportation
 - Revocation of visa, § 4:55
 - Temporary ineligibility for failure to appear in deportation proceedings, change of nonimmigrant classification, § 4:85
- Derivative status, § 4:102-4:104
- Determinations and decisions
 - Change of nonimmigrant classification, § 4:81, 4:91, 4:92
 - Extension of stay, § 4:73
 - Notice of decision
 - Change of nonimmigrant classification, § 4:91, 4:92
 - Extension of stay, § 4:73
 - Refusal of visa, § 4:44
 - Visa applications, § 4:7, 4:9
 - Refusal of visa, § 4:44, 4:45
 - Restrictions on issuance of visas to nonimmigrants from state sponsors of international terrorism, § 4:31
 - Transfer of visa to other travel document, § 4:33
 - Validity of visa, § 4:39
 - Visa applications, § 4:7, 4:9

NONIMMIGRANT VISAS—Cont'd

- Digital visa authorization pilot, § 4:32.50
- Diplomatic visas
 - Applications, § 4:5, 4:24, 4:107
 - Fees, § 4:37, 4:107
 - Issuance of visas, § 4:28, 4:30, 4:37
 - Types of visas, § 4:107
 - Waiver of registration, § 4:94
- Discretionary matters
 - Applications for visas, § 4:11, 4:14
 - Change of nonimmigrant classification, § 4:89, 4:90, 4:91
 - Extension of stay, § 4:69, 4:73
 - Issuance of visas, § 4:30
 - Limitations on validity of visa, § 4:41
 - Photographs, applications, § 4:14
 - Revocation of visa, § 4:47, 4:49
 - Waiver of registration, § 4:94
- District Director, investigation of applications, § 4:10
- Documents and documentation
 - Digital visa authorization pilot, § 4:32.50
 - Retention of documents, refusal of visa, § 4:44
 - Return of documents
 - Denial of visa application, § 4:7
 - Refusal of visa, § 4:44
 - Supporting documentation for visa applications, § 4:13-4:17
 - Transfer of visa to other travel document, § 4:33
- Double entry visas, issuance of visas, § 4:35
- Effect
 - Departure, automatic extension of stay for aliens disabled as result of 9/11/01 terrorist activity, § 4:77
 - Expiration of status, extension of stay, § 4:69
 - Expired passport, validity of visa, § 4:40
 - Failure to maintain status, extension of stay, § 4:69
 - Filing delays, automatic extension of stay for aliens disabled as result of 9/11/01 terrorist activity, § 4:77

NONIMMIGRANT VISAS—Cont'd

Effect—Cont'd

Hurricane Isaac, extension of status for aliens unable to return as result of natural disasters, § **4:79**

Japan, extension of status for aliens unable to return as result of natural disasters, § **4:78**

Original classification not obtained in good faith, change of nonimmigrant classification, § **4:81**

Restriction placed on passport by issuing authority, applications, § **4:22**

Eligibility or ineligibility

Burden of proof, § **4:2, 4:19**

Change of nonimmigrant classification, § **4:80, 4:84-4:86**

Diplomatic visas, § **4:107**

Extension of stay, § **4:75**

Official visas, § **4:108**

Refusal of visa, § **4:43-4:46**

Revocation of visa, § **4:48, 4:58**

Enhanced Border Security and Visa Entry Reform Act of 2002, retention of applications, § **4:8**

En route to U.S. aliens, revocation of visa, § **4:54**

Entry into Consular Lookout and Support System (CLASS)

Refusal of visa, § **4:43**

Revocation of visa, § **4:63**

Entry into U.S.

Double entry visas, issuance of visas, § **4:35**

Enhanced Border Security and Visa Entry Reform Act of 2002, retention of applications, § **4:8**

National Security Entry-Exit Registration System (NSEERS), § **4:94**

Port of entry, below

Evidence

Burden of proof, above

Change of nonimmigrant classification, § **4:81, 4:88**

Presumption of immigrant status, § **4:2-4:4**

Reconsideration of revocation of visa, § **4:56**

Supporting documentation for visa applications, § **4:13**

NONIMMIGRANT VISAS—Cont'd

Exemptions

Passport requirement for visa applications, § **4:25**

Special registration, § **4:96**

Expiration

Agreements governing validity for return beyond expiration date of passport, visa applications, § **4:26**

Passports, below

Status, extension of stay, § **4:69**

Extension

Automatic extension, above

Filing deadlines for applications, automatic extension of stay for aliens disabled as result of 9/11/01 terrorist activity, § **4:76**

Stay, § **4:64-4:76**

Travel abroad while extension pending, § **4:72**

Extension of status for aliens unable to return as result of natural disaster

Hurricane Isaac, § **4:79**

Japan, § **4:78**

Failure to appear in deportation proceedings, temporary ineligibility for change of nonimmigrant classification, § **4:85**

Failure to comply

Refusal of visa, § **4:43**

Special registration, § **4:100**

Failure to maintain status, extension of stay, § **4:69**

Family

Change of nonimmigrant classification, § **4:88**

Derivative status, § **4:102-4:104**

Extension of stay, § **4:66, 4:70, 4:75, 4:77**

Fees

Applications, above

Diplomatic visas, § **4:37, 4:107**

Issuance of visas, § **4:27-4:38**

Refund of fees, issuance of visas, § **4:37, 4:57**

Reinstatement of visa, revocation of visa, § **4:57**

Fianc0233es and fianc0233s. K Visa Nonimmigrants, this index

Filing. Applications, above

INDEX

NONIMMIGRANT VISAS—Cont'd

- Fingerprinting, supporting documentation for visa applications, § **4:17**
- Foreign Agents Registration Act, § **4:94**
- Foreign Information Media Representatives, this index
- Fraud
 - Change of nonimmigrant classification, § **4:81**
 - Medical examination of applicants, § **4:15**
- G Nonimmigrants, this index
- Good faith, change of nonimmigrant classification, § **4:81**
- Grounds
 - Refusal of visa, § **4:43**
 - Revocation of visa, § **4:48, 4:58**
- Guardians, applications, § **4:5**
- H nonimmigrants, § **4:209-4:506**
- Humanitarian/Material Witnesses, this index
- Hurricane Isaac, extension of status for aliens unable to return as result of natural disasters, § **4:79**
- Immigration officers
 - Presumption of immigrant status, § **4:2**
 - Revocation of visa, § **4:58-4:63**
 - Waiver of passport requirement for visa applications, § **4:25**
- Inclusion of family members in application, extension of stay, § **4:70**
- Ineligibility. Eligibility or ineligibility, above
- I nonimmigrants. Foreign Information Media Representatives, this index
- Inside U.S.
 - Issuance of visas, § **4:30**
 - Revocation of visa of alien inside U.S., § **4:55**
- International Organization Representatives, this index
- Intracompany Transferees, this index
- Investigation, applications, § **4:10**
- Issuance
 - Restriction placed on passport by issuing authority, visa applications, § **4:22**
 - Visas, § **4:27-4:38, 4:57**
- J-1 visa, same sex partners of Department of State employees, § **6:295**

NONIMMIGRANT VISAS—Cont'd

- Japan, extension of status for aliens unable to return as result of natural disasters, § **4:78**
- Judicial review
 - Refusal of visa, § **4:45**
 - Revocation of visa, § **4:49**
- K Visa Nonimmigrants, this index
- Law enforcement agency, change of nonimmigrant classification to S classification at request of, § **4:83**
- Lawfully admitted nonimmigrants, change of nonimmigrant classification, § **4:80, 4:82**
- Limitations or restrictions
 - Issuance of visas, § **4:31**
 - Issuing authority's placement of restriction on passport, applications, § **4:22**
 - Validity of visa, § **4:41**
- L nonimmigrants. Intracompany Transferees, this index
- Location or place
 - Applications for visas, § **4:11**
 - Inside U.S., above
 - Pilot H-1B visa revalidation, § **4:11.50**
 - Prior visa void, § **4:12**
- Lookout. Consular Lookout and Support System (CLASS), above
- Lost visas, replacement, § **4:30**
- Machine readable visa (MRV)
 - Issuance of visas, § **4:28**
 - Surcharge, § **4:38**
- Maintenance of status
 - Failure to maintain status, extension of stay, § **4:69**
 - Lawfully admitted nonimmigrant, change of nonimmigrant classification, § **4:82**
- Material witnesses. Humanitarian/material witnesses, this index
- Maximum period, validity of visa, § **4:39**
- Medical examinations, visa applications, § **4:15**
- Monitoring, § **4:94-4:101**
- MRV. Machine readable visa (MRV), above
- Multiple matters
 - Issuance of visas, multiple persons covered by visas, § **4:36**

NONIMMIGRANT VISAS—Cont'd

- Multiple matters—Cont'd
 - Passport covering multiple persons, visa applications, § 4:23
 - Possession of more than one visa, issuance of visas, § 4:34
- Mutilated visas, replacement, § 4:30
- National Crime Information Center (NCIC) name check response, supporting documentation for applications, § 4:17
- National security. Security, below
- National Security Entry-Exit Registration System (NSEERS), § 4:94
- NATO, this index
- Nature of visa, § 4:32
- NCIC (National Crime Information Center) name check response, supporting documentation for visa applications, § 4:17
- Noncompliance. Failure to comply, above
- Notice
 - Determinations and decisions, above
 - Investigation of application, § 4:10
 - Issuance of visas, § 4:29
 - Medical examination of applicants, § 4:15
 - Revocation of visa, § 4:52, 4:54-4:56, 4:60, 4:62
 - Special registration, § 4:97, 4:100
- NSEERS (National Security Entry-Exit Registration System), § 4:94
 - Removal proceedings, challenges, § 4:101
- Officers
 - Consular officers, above
 - Immigration officers, above
- Official visas
 - Applications, § 4:5
 - Issuance of visas, § 4:27
 - Types of visas, § 4:108
- O nonimmigrants, § 4:5, 4:30, 4:600-4:642
- Parents, visa applications, § 4:5
- Passports
 - Applications for visas, § 4:20-4:26
 - Diplomatic visas, § 4:107
 - Expired passports
 - Applications for visas, § 4:21
 - Validity of visa, § 4:40

NONIMMIGRANT VISAS—Cont'd

- Passports—Cont'd
 - Extension of stay, § 4:68
 - Issuance of visas, § 4:30
 - Validity of visa, expired passport, § 4:40
- Period of validity of visa, § 4:39, 4:41, 4:42
- Personal appearance, applications, § 4:5
- Petition returned to USCIS, revocation of visa, § 4:53
- Photographs, supporting documentation for visa applications, § 4:14
- Physical presence, visa applications, § 4:11
- Physicians, medical examination of applicants, § 4:15
- Pilot H-1B visa revalidation, § 4:11.50
- Pilot visas
 - H-1B visa revalidation, § 4:11.50
- Place. Location or place, above
- P nonimmigrants, § 4:5, 4:30
- Police certificate, supporting documentation for applications, § 4:16
- Port of entry
 - Automatic extension of validity of visa at port of entry, § 4:42
 - Diplomatic visas, § 4:107
- Possession of more than one visa, issuance of visas, § 4:34
- Possible claim to U.S. citizenship, presumption of immigrant status, § 4:4
- Posting of bond
 - Extension of stay, § 4:71
 - Issuance of visa conditioned on posting of bond, § 4:29
- Posts. Consular posts, above
- Presumption of immigrant status, § 4:2-4:4
- Prior visa void, location to apply, § 4:12
- Processing of applications, § 4:5, 4:6
- Processing of visa applications
 - Special visa reapplication procedures for “travel ban” class members, § 4:5.50
- Proof. Evidence, above
- Public Health Service, medical examination of applicants, § 4:15

INDEX

NONIMMIGRANT VISAS—Cont'd

- Reciprocity
 - Fees for issuance of visas, § **4:36, 4:37**
 - Period of validity of visa, § **4:39**
- Reconsideration, revocation of visa, § **4:56, 4:57**
- Refund of fees for issuance of visa, § **4:37, 4:57**
- Refusal of visa, § **4:43-4:46**
- Registration, § **4:94-4:101**
- Regular visas
 - Issuance of visas, § **4:27**
 - Types of visas, § **4:106**
- Regulations, § **4:1-4:713**
- Reinstatement of visa, revocation of visa, § **4:54, 4:56, 4:57**
- Reissuance of visas, § **4:30**
- Relief from registration requirements, § **4:98**
- Religious workers, R nonimmigrants, § **4:694-4:709**
- Replacement of mutilated or lost visas, § **4:30**
- Reports, revocation of visa, § **4:56**
- Requests
 - Change to S classification at request of law enforcement agency, § **4:83**
 - Revocation of visa, § **4:52, 4:54, 4:56**
- Restrictions. Limitations or restrictions, above
- Retention
 - Applications for visas, § **4:8**
 - Documents, refusal of visa, § **4:44**
- Return
 - Agreements governing validity for return beyond expiration date of passport, visa applications, § **4:26**
 - Documents and documentation, above
 - Petition returned to USCIS, revocation of visa, § **4:53**
- Review. Appeal and review, above
- Revocation of visa, § **4:47 et seq.**
- R nonimmigrants, religious workers, § **4:694-4:709**
- Same sex partners of Department of State employees, J-1 visa, § **6:295**
- Secretary of Homeland Security, special registration, § **4:95-4:97**

NONIMMIGRANT VISAS—Cont'd

- Secretary of State
 - Applications for visas, § **4:5, 4:11, 4:25**
 - Issuance of visas, § **4:27, 4:31, 4:36, 4:37**
 - Registration, § **4:94**
 - Revocation of visa, § **4:47 et seq.**
- Waiver
 - Passport requirement for applications, § **4:25**
 - Registration, § **4:94**
- Security
 - Department of Homeland Security, above
 - Enhanced Border Security and Visa Entry Reform Act of 2002, retention of applications, § **4:8**
 - National Security Entry-Exit Registration System (NSEERS), § **4:94**
- September 11, 2001, automatic extension of stay for aliens disabled as result of terrorist activity, § **4:75-4:77**
- Serologic tests, medical examination of applicants, § **4:15**
- Services
 - Public Health Service, medical examination of applicants, § **4:15**
 - United States Citizenship and Immigration Services (USCIS), § **4:5 et seq.**
- Signatures
 - Applications for visas, § **4:5**
 - Cancellation of visa, revocation of visa, § **4:59**
 - Photographs for applications, § **4:14**
- Social media identifiers and “public” setting requirements, § **4:18**
- Special registration, § **4:94-4:101**
- Sponsors of international terrorism, restrictions on issuance of visas, § **4:31**
- Spouses
 - Derivative status, § **4:102-4:104**
 - Same sex partners of Department of State employees, J-1 visa, § **6:295**
 - Spouses and children of permanent residents awaiting immigrant

NONIMMIGRANT VISAS—Cont'd

- Spouses—Cont'd
 - visa. V Nonimmigrant Visas, this index
- State Department
 - Applications for visas, § **4:8, 4:11, 4:12**
 - Change of nonimmigrant classification, § **4:80, 4:82, 4:84, 4:86**
 - Diplomatic visas, § **4:107**
 - Issuance of visas, § **4:30, 4:32, 4:35**
 - Official visas, § **4:108**
 - Pilot H-1B visa revalidation, § **4:11.50**
 - Refusal of visa, § **4:45, 4:46**
 - Same sex partner of employee, J-1 nonimmigrant visas, § **6:295**
 - Secretary of State, above
 - Statements, applications for extension of stay, § **4:66, 4:67**
 - State sponsors of international terrorism, restrictions on issuance of visas, § **4:31**
- Status
 - Change of status, § **4:80-4:92**
 - Derivative status, § **4:102-4:104**
 - Expiration of status, extension of stay, § **4:69**
 - Maintenance of status, above
 - Termination of status, § **4:55, 4:93**
 - Stay in U.S., extension of, § **4:64-4:76**
 - Supporting documentation, visa applications, § **4:13-4:17**
 - Surcharge, machine readable visa, § **4:38**
- Temporary matters
 - Ineligibility for failure to appear in deportation proceedings, change of nonimmigrant classification, § **4:85**
 - Visitors for business, § **4:65, 4:109-4:161**
- Termination or cancellation
 - Revocation of visa, § **4:47-4:57**
 - Status, § **4:55, 4:93**
- Terrorism
 - Port of entry, automatic extension of validity of visa, § **4:42**
 - State sponsors of international terrorism, restrictions on issuance of visas, § **4:31**

NONIMMIGRANT VISAS—Cont'd

- Terrorism—Cont'd
 - Stay for aliens disabled as result of 9/11/01 terrorist activity, automatic extension, § **4:75-4:77**
- Time or date
 - Applications for change of nonimmigrant classification, § **4:89**
 - Expiration, above
 - Extension, above
 - Period of validity of visa, § **4:39, 4:41, 4:42**
 - Valid passports for applications, § **4:20-4:26**
- TN nonimmigrants, § **4:710-4:730**
- Tourists, this index
- Trafficking victims. Victims of Trafficking, this index
- Transfer of visa to other travel document, issuance of visas, § **4:33**
- Transit. Aliens in Transit, this index
- Treaty traders and investors, § **4:30, 4:163-4:208**
- Types of visas, § **4:106-4:108**
- United States Citizenship and Immigration Services (USCIS), § **4:5 et seq.**
- U nonimmigrant visas. Humanitarian/Material Witnesses, this index
- Valid or validity
 - Passports, visa applications, § **4:20-4:26**
 - Visas, § **4:39-4:42**
- Verification, visa applications, § **4:5**
- Victims of Trafficking, this index
- V Nonimmigrant Visas, this index
- Void visas
 - Prior visa, location for applications, § **4:12**
 - Revocation of visa, § **4:61**
- Waiver
 - Applications for visas, § **4:5, 4:25**
 - Fees for issuance of visas, § **4:37**
 - Humanitarian/material witnesses, waiver of certain grounds of inadmissibility, § **6:367**
 - Passport requirement for applications, § **4:25**
 - Registration, § **4:94**
 - Secretary of State, above

INDEX

NONIMMIGRANT VISAS—Cont'd

- Warrant for arrest, failure to depart after denial of extension of stay, § **4:74**
- Withdraw bond, request for cancellation of visa in order to, § **4:52**
- Witnesses
 - Alien witnesses with information regarding crimes or terrorism. S Nonimmigrant Visas, this index
 - Humanitarian/material witnesses, this index
- World Service Authority passports, visa applications, § **4:20**

NONLABOR PEER GROUP

- O nonimmigrants, consultation requirements, § **4:622**

NONPROFIT ORGANIZATIONS

- Communications organization employees, eligibility for naturalization of, § **14:283, 14:284**
- Denial, revocation, and appeal of petition, § **4:707**
- Evidence, submission with petition, § **4:705**
- H-1B nonimmigrants, nonprofit research organization employees, § **4:268**
- Intracompany transferees, § **4:544, 4:553**
- Religious workers, § **4:694, 4:700**

NONPROSECUTION

- Naturalization, personnel investigation and examination, § **14:333**

NONQUOTA IMMIGRANTS

- Permanent residents, § **9:20-9:31, 9:152**

NONRESIDENT ALIENS

- Permanent residents, applications for immigrant visas, § **9:70**

NORTH AMERICAN FREE TRADE AGREEMENT (NAFTA)

- Intracompany Transferees, this index
- Legislation to control immigration, § **1:22**
- Temporary visitors for business, residents of Canada and Mexico eligible for B-1 classification, § **4:139, 4:140**
- TN Nonimmigrants, this index
- Treaty traders and investors, § **4:166, 4:196**

NORTH AMERICAN TREATY ORGANIZATION

- NATO, this index

NORTHERN MARIANA ISLANDS

- Applicable immigration laws, § **1:103**
- Class action settlement, resident statuses, § **9:388**
- Military realignment, workers supporting, special provisions for, § **4:486**
- Northern Mariana Islands Long-Term Legal Residents Relief Act, § **1:143**
- Russian nationals, advance parole, § **2:221**
- Treaty investor, E-2 investor classification, § **4:194**

NORTH KOREA

- POW/MIA location assistance and grants of refugee status, § **10:11**

NOTICE

- Amnesty, this index
- Appearance, this index
- Continued detention, notices of, § **13:393**
- Crimes and Related Conduct, this index
- Denaturalization, § **14:408**
- Employer Sanctions and Unfair Immigration Related Employment Practices, this index
- Employment-Based Immigration, this index
- H Nonimmigrants, this index
- Intracompany Transferees, this index
- Naturalization, this index
- Nonimmigrant Visas, this index
- O Nonimmigrants, this index
- Permanent Residents, this index
- P Nonimmigrants, this index
- Temporary Visitors for Business, this index

NOTICE TO NONCITIZEN

- Custody Review procedures of pending records review, § **13:338**

NSEERS (NATIONAL SECURITY ENTRY-EXIT REGISTRATION SYSTEM)

- Nonimmigrant visas, § **4:94**
- Removal proceedings, challenges, § **4:101**

NUISANCES

Inadmissibility, denial of admission or visa, § 3:21

NUMBERS AND NUMERICAL LIMITATIONS

Refugees and Asylum, this index

NUMERICAL QUOTAS

Exemption for immediate relative eligibility, § 7:64

NURSES

Employment-Based Immigration, this index

H Nonimmigrants, this index

Immigration Nursing Relief Act of 1989
Former H-1A nonimmigrant category,
§ 4:349, 4:350, 4:371-4:381

1989 to early 1990 legislation

Generally, § 1:17

O nonimmigrants, § 4:369

Registered nurses

H Nonimmigrants, this index

TN Nonimmigrants, this index

NURSING RELIEF FOR DISADVANTAGED AREAS ACT OF 1999

Generally, § 1:42

H-1C nonimmigrant category, § 4:349,
4:350, 4:382-4:409

NURSING RELIEF FOR DISADVANTAGED AREAS REAUTHORIZATION ACT OF 2005

Generally, § 1:95

NVC

National Visa Center, this index

OATHS

Expatriation, this index

Naturalization, this index

Perjury, inadmissibility, denial of admission or visa, § 3:18

Permanent Residents, this index

Repatriation, this index

OCCUPATION

Trade, Business, Occupation or Profession, this index

OCCUPATIONAL INFORMATION NETWORK

Employment-Based Immigration, this index

OCCUPATIONAL OUTLOOK HANDBOOK

Employment-Based Immigration, this index

OEWS (OCCUPATIONAL EMPLOYMENT AND WAGE STATISTICS)

H-1B nonimmigrants, labor condition application, § 4:266

OFFER OF JOB

Employment-Based Immigration, this index

H Nonimmigrants, this index

TN nonimmigrants, offer of employment, § 4:715

OFFERS OF PROOF

Employer sanctions and unfair immigration related employment practices, administrative hearings, § 12:161

OFFICE OF ALIEN PROPERTY

Property rights of aliens, § 16:140

OFFICE OF IMMIGRATION LITIGATION (OIL)

Generally, § 1:240

Petition for review, § 15:19

OFFICE OF INTERNATIONAL AFFAIRS

Department of Homeland Security, this index

OFFICE OF OVERSEAS CITIZENS SERVICES (OCS)

Department of State, this index

OFFICE OF POLICY REVIEW AND INTERAGENCY LIAISON (PRI)

Department of State, § 1:226

OFFICE OF THE CHIEF ADMINISTRATIVE HEARING OFFICER (OCAHO)

Decisions, source of law, § 1:169

Employer sanctions and unfair immigration related employment practices, § 1:221

INDEX

**OFFICE OF THE CHIEF
IMMIGRATION JUDGE**
Department of Justice, above

**OFFICE OF UNITED NATIONS HIGH
COMMISSIONER FOR
REFUGEES (UNHCR)**
Sources of Law, this index

OFFICERS
Employment-Based Immigration, this
index
H Nonimmigrants, this index
Intracompany Transferees, this index
Nonimmigrant Visas, this index
Permanent Residents, this index
Temporary Visitors for Business, this
index

OFFICERS IN CHARGE
Department of Homeland Security, this
index

OFFICES
Intracompany Transferees, this index

OIL LEASES
Property rights of aliens, § 16:125

OMBUDSMAN
USCIS (United States Citizenship and
Immigration Services), § 1:216

**OMNIBUS CONSOLIDATED AND
EMERGENCY SUPPLEMENTAL
APPROPRIATIONS ACT OF 1998**
Generally, § 1:39

ONE-STOP INSPECTION
Inspection and admission of arriving
noncitizens, § 2:29

**O*NET (OCCUPATIONAL
INFORMATION NETWORK)**
Employment-Based Immigration, this
index

**ONE YEAR OF CONTINUOUS
EMPLOYMENT**
Intracompany transferees, eligibility,
§ 4:516

ONE-YEAR RELATIONSHIP
P nonimmigrants, members of
internationally recognized
entertainment groups, § 4:643 *et*
seq.

ONLINE PROCESSING
H nonimmigrants, labor condition
application for H-1B nonim-
migrants, § 4:249

O NONIMMIGRANTS
Generally, § 4:600-4:642
Accompanying persons
Generally, § 4:600-4:642
Derivative status, § 4:600, 4:601
Achievement that is extraordinary in
motion picture or television
productions, generally, § 4:600-
4:642
Admission, § 4:600 *et seq.*
Advisory opinions, consultation require-
ments, § 4:620-4:624
Agents, filing petition for determination
of eligibility for classification,
§ 4:606, 4:607
Amendment or change
Beneficiary change, petition for deter-
mination of eligibility for clas-
sification, § 4:612
Employer change, petition for deter-
mination of eligibility for clas-
sification, § 4:610
Nonimmigrant classification change,
§ 4:88
Petition for determination of eligibil-
ity for classification, § 4:614
Status change, § 4:606
Appeal and review
Extension of stay, § 4:642
Petition for determination of eligibil-
ity for classification, § 4:636
Applications
Extension of stay, § 4:68
Filing visa application, § 4:5
Nonimmigrant classification change,
§ 4:88
Process, § 4:606-4:628
Reissuance of visas, § 4:30, 4:637
Status change, § 4:606
Approval or denial
Effect of approval of labor certifica-
tion, § 4:603-4:605
Petition for determination of eligibil-
ity for classification, § 4:629-
4:636
Stay extension, § 4:642

O NONIMMIGRANTS—Cont'd

Approval or denial—Cont'd

Visa petition validity extension,
§ 4:641Arts extraordinary ability, generally,
§ 4:600-4:642Athletics extraordinary ability, generally,
§ 4:600-4:642Authorized status or stay, period of,
§ 4:639, 4:640

Automatic denial of petition for determination of eligibility for classification, § 4:634

Automatic revocation of approval of petition for determination of eligibility for classification, § 4:636

Beneficiaries, § 4:600-4:642

Business extraordinary ability, generally,
§ 4:600-4:642

Certification

Effect of approval of labor certification, § 4:603-4:605

Labor disputes, Secretary of Labor,
§ 4:604

Change. Amendment or change, above

Children and spouse of O nonimmigrants, § 4:600, 4:601, 4:633

Classification, § 4:600-4:642

Consular officers, § 4:600, 4:630#,
4:638

Consultation requirements, petition for determination of eligibility for classification, § 4:620-4:624

Cost of return transportation, liability for, § 4:605

Definitions

Arts, § 4:602

Event, § 4:602

Extraordinary ability, § 4:602

Extraordinary achievement, § 4:602

Denial. Approval or denial, above

Denial of petition, § 4:634

Derivative status, § 4:600, 4:601

Determination of eligibility for classification, petition for, § 4:606-4:628

Documents, petition for determination of eligibility for classification,
§ 4:608, 4:609

Education extraordinary ability, generally, § 4:600-4:642

O NONIMMIGRANTS—Cont'dEffect of approval of labor certification or filing of preference petition,
§ 4:603-4:605

Eligibility for classification, petition for determination, § 4:606-4:628

Employment, § 4:600-4:642

Entry into U.S., § 4:600 et seq.

Evidence

Approved petition as prima facie evidence of entitlement to classification, § 4:630

Change of status, § 4:606

Consultation requirements, petition for determination of eligibility for classification, § 4:620

Eligibility, generally, § 4:600

Issuance of visas, § 4:637

Petition for determination of eligibility for classification, § 4:608, 4:609, 4:615-4:619, 4:627, 4:628

Spouse and children of O nonimmigrants, § 4:601

Expedited procedure, consultation requirements, § 4:624

Extension

Stay, § 4:68, 4:642

Visa petition validity, § 4:641

Extraordinary ability in sciences, arts, education, business or athletics, generally, § 4:600-4:642

Fees, change of status applications,
§ 4:606

Filing

Effect of filing of preference petition,
§ 4:603-4:605

Petition for determination of eligibility for classification, § 4:606, 4:607

Visa application, § 4:5

Issuance of visas, § 4:30, 4:637

Labor certification, effect of, § 4:603-4:605

Labor disputes, § 4:604

Liability for cost of return transportation, effect of approval of labor certification or filing of preference petition, § 4:605

Limitations on validity of visas, § 4:638

Mandatory consultation requirements, petition for determination of

INDEX

O NONIMMIGRANTS—Cont'd

- eligibility for classification, § **4:620-4:624**
- Modification. Amendment or change, above
- Motion picture production extraordinary achievement, generally, § **4:600-4:642**
- Multiple matters
 - Beneficiaries, petition for determination of eligibility for classification, § **4:613**
 - Services in more than one location or for more than one employer, petition for determination of eligibility for classification, § **4:610**
- Negative consultations from labor unions, § **4:623**
- Nonlabor peer group, consultation requirements, § **4:622**
- Notice
 - Denial of petition for determination of eligibility for classification, § **4:634**
 - Extension of visa petition validity, § **4:641**
 - Petition for determination of eligibility for classification, § **4:627, 4:628, 4:631**
 - Petition for determination of eligibility for classification, spouse and dependents, § **4:633**
- Nurses, § **4:369**
- Organizations agreeing to provide advisory opinions, consultation requirements, § **4:620-4:624**
- Peer groups, consultation requirements, § **4:620-4:624**
- Period
 - Authorized status, § **4:639**
 - Authorized stay, § **4:640**
 - Validity, petition for determination of eligibility for classification, § **4:632, 4:633**
- Petitions
 - Determination of eligibility for classification, § **4:606-4:628**
 - Effect of filing of preference petition, § **4:603-4:605**
 - Extension of visa petition validity, § **4:641**

O NONIMMIGRANTS—Cont'd

- Preference petition, effect of filing, § **4:603-4:605**
- Prima facie evidence of entitlement to classification, approved petition as, § **4:630**
- Proof. Evidence, above
- Regulations, § **4:600-4:642**
- Reissuance of visas, § **4:30, 4:637**
- Requests
 - Stay extension, § **4:642**
 - Visa petition validity extension, § **4:641**
- Return transportation, liability for cost of, § **4:605**
- Review. Appeal and review, above
- Revocation of petition or approval of petition, § **4:636**
- Sciences extraordinary ability, generally, § **4:600-4:642**
- Secretary of Homeland Security, § **4:605**
- Secretary of Labor, labor disputes, § **4:604**
- Services in more than one location, petition for determination of eligibility for classification, § **4:610**
- Solicitation of labor organization's opinion, consultation requirements, § **4:622**
- Spouse and children of O nonimmigrants, § **4:600, 4:601, 4:633**
- State Department, reissuance of visas, § **4:637**
- Status
 - Change of status, § **4:606**
 - Period of authorized status, § **4:639**
- Stay
 - Extension of stay, § **4:68, 4:642**
 - Period of authorized stay, § **4:640**
- Strikes, effect of, § **4:604**
- Substitution of beneficiary, petition for determination of eligibility for classification, § **4:612**
- Television production extraordinary achievement, generally, § **4:600-4:642**
- Time
 - Expedited procedure, consultation requirements, § **4:624**
 - Period, above

O NONIMMIGRANTS—Cont'd

Use of notice of approval, petition for determination of eligibility for classification, § **4:631**

Validity

Extension of visa petition validity, § **4:641**

Petition for determination of eligibility for classification, § **4:632, 4:633**

Visas, § **4:638**

Visas, § **4:5, 4:30, 4:600-4:642**

Waiver of consultation requirements, petition for determination of eligibility for classification, § **4:626**

OPENING NEW OFFICE

Intracompany transferees, petitions for visas, § **4:564**

OPERATIONS INSTRUCTIONS (OI)

Source of law, § **1:176**

OPPOSITION TO OR OVERTHROW OF U.S. GOVERNMENT

Inadmissibility, denial of admission or visa, § **3:45**

ORDER OR SEQUENCE

Sequence or Order, this index

ORDERS

Amnesty, this index

Employer Sanctions and Unfair Immigration Related Employment Practices, this index

Executive orders as source of law, § **1:186**

H Nonimmigrants, this index

Permanent Residents, this index

Petition for review, scheduling order regarding, § **15:20**

Protective orders

Employer sanctions and unfair immigration related employment practices, § **12:141, 12:162**

Removal, domestic violence protective order violations, § **13:94**

Removal, this index

ORGANIZATION OF AMERICAN STATES (OAS)

Employees, G nonimmigrants, § **6:55**

ORGANIZATIONS

H Nonimmigrants, this index

International Organization Representatives, this index

Intracompany transferees, § **4:509-4:599**

Nonprofit Organizations, this index

O nonimmigrants, organizations agreeing to provide advisory opinions, § **4:620-4:624**

Permanent Residents, this index

P nonimmigrants, § **4:643 et seq.**

Religious organizations, this index

ORIGINAL DOCUMENTS

Intracompany transferees, petitions for visas, § **4:565**

ORPHANS

B-2 visitors for pleasure status, § **6:250**

Border crossing documents, waiver of documentation required of immigrants for orphans adopted abroad, § **2:81**

Relatives of Citizens or Permanent Residents, this index

OUTER CONTINENTAL SHELF

H-2B nonimmigrants, § **4:471**

Temporary visitors for business, eligibility for B-1 classification, § **4:129, 4:130**

OUTLYING AREA REPORTING STATION (OARS)

Border crossing documents, OARS alternative to Canadian Border Boat Landing Program, § **2:153**

Inspection and admission of arriving aliens, § **2:62**

OUTSTANDING PROFESSORS OR RESEARCHERS

Employment-Based Immigration, this index

OVERQUALIFIED ALIENS

Employment-based immigration, consular proceedings for obtaining permanent resident status, § **8:205**

OVERSTAYS

Diplomatic visas, § **6:3**

Removal, § **13:14**

INDEX

OWNERS AND OWNERSHIP

- Employment-based immigration, consular proceedings for obtaining permanent resident status, § 8:207
- H-2A nonimmigrants, multistate custom combine owner/operators, § 4:453
- Intracompany Transferees, this index

PACKAGES

- Permanent Residents, this index

PAKISTAN

- Refugees and asylum, religious persecution claims, § 10:135

PALESTINE

- Interim Self-Governing Authority, denial of admission or visa, § 3:49
- Migration and Refugee Assistance Act (MRAA), § 10:36

PALESTINE LIBERATION ORGANIZATION (PLO)

- Inadmissibility, denial of admission or visa, § 3:49

PANAMA

- Canal Zone employees, fourth preference eligibility, § 8:70
- Citizenship of persons born in Canal Zone or Republic of Panama, § 14:19, 14:20

PANDERING

- Inadmissibility, denial of admission or visa, § 3:20

PANELS

- Board of Alien Labor Certification Appeals, § 8:140
- Board of Immigration Appeals (BIA), § 1:230
- Cuban Review Panel, § 2:192
- Physicians conducting medical examination of applicants for immigrant visas, § 9:95-9:109
- Review of request for S nonimmigrant classification, § 6:308

PARAPHILIAS

- Inadmissibility, denial of admission or visa, § 3:7

PARDON

- Naturalization, this index
- Removal, this index

PARENTAL EDUCATION

- Orphan petitions and advanced processing applications, regulatory requirements for adoptions from non-Hague Convention countries, § 7:338

PARENT OF PRIMARY EMPLOYER

- Intracompany transferees, § 4:509-4:599

PARENTS

- Citizenship, this index
- Definition, § 14:10, 14:208
- Naturalization, this index
- Nonimmigrant visas, applications, § 4:5
- Permanent Residents, this index
- Relatives of Citizens or Permanent Residents, this index

PARKING FINES

- Naturalization, failure to pay, § 14:168

PAROLE

- Advance Parole, this index
- Naturalization, effect on good moral character requirement for, § 14:149
- Permanent residents, adjustment of status under INA § 245, § 9:162-9:164, 9:205-9:207
- Refugees and Asylum, this index

PAROLE OF ALIENS INTO UNITED STATES

- Advance authorization for parole “Boarding letter,” § 2:212
- Central American Minors Program rescinded, § 2:220
- CNMI resident of immediate relatives of U.S. citizens and stateless individuals, § 2:218
- Cuban Refugee Immigrant Fairness Act of 1998 (HRIFA) applicant Advance parole programs for certain Haitian and Cuban family-based immigrants, pending rescission, § 2:214
- Denial of advance parole, § 2:208
- Eligibility, aliens eligible for advance parole Categories in 8 C.F.R., § 2:209
- Classes in operating instructions and other guidelines, § 2:210
- Ineligibility, aliens ineligible for advance parole, § 2:211

PAROLE OF ALIENS INTO UNITED STATES—Cont'd

- Advance authorization for parole
 - Cont'd
 - Entrepreneurs, § 2:219
 - Filipino World War II veterans, family member beneficiaries of, pending rescission, § 2:217
- Forms
 - Cuban family-based immigrants, pending rescission, § 2:214
 - Haitian family-based immigrants, pending rescission, § 2:214
 - I-131, Application for Travel Document, § 2:212, 2:215, 2:216
 - I-512, Authorization for Parole or Conditional Entry of an Alien into the United States, § 2:207, 2:212, 2:216
- Grant of advance parole, § 2:207
- Haitian Refugee Immigrant Fairness Act of 1998 (HRIFA) applicant
 - Advance parole programs for certain Haitian and Cuban family-based immigrants, pending rescission, § 2:214
- Form I-131, Application for Travel Document, § 2:215
- In United States, wishing to travel abroad, § 2:215
- To come to United States, § 2:215
- Ineligibility, aliens ineligible for advance parole, § 2:211
- Nicaraguan Adjustment and Central American Relief Act (NACARA) applicants
 - Central American Minors Program rescinded, § 2:220
- Forms
 - I-131, Application for Travel Document, § 2:213
 - I-512, Authorization for Parole or Conditional Entry of an Alien into the United States, § 2:212
 - In United States, wishing to travel abroad, § 2:213
 - To come to United States, § 2:213
- Procedures for application and issuance of document authorizing advance parole, § 2:212
- Scope of advance parole, § 2:206

PAROLE OF ALIENS INTO UNITED STATES—Cont'd

- Advance authorization for parole
 - Cont'd
 - Stateless individuals, § 2:218
 - Syrian asylees, Jewish nationals, § 2:216
 - “Transportation letter,” § 2:212
 - Use of advance parole, § 2:206
- Advance parole
 - Cuban sponsored, § 2:222
 - Haitian sponsored, § 2:222
 - Nicaraguan sponsored, § 2:222
 - uniting for Ukraine parole program, § 2:221.50
 - Venezuelan sponsored, § 2:222
- Advance parole under Keeping Families Together program
 - noncitizen spouses and stepchildren of U.S. citizens (stayed), § 2:224
- Armed forces, “parole-in-place” program for dependents of U.S. military personnel, § 2:176
- Authority to parole
 - Advance authorization for parole, above
 - Department of State, role in matters of parole, § 2:173
 - “Boarding letter,” advance authorization for parole, § 2:212
- Children. Juveniles, below
- Crew members
 - Generally, § 2:197-2:205, 6:128
 - Afflicted alien crew members, § 2:197
 - Castaway, parole for castaway crew member, § 2:199, 6:131
 - Contagious disease, parole for crew member suffering from dangerous, § 6:129
 - Disability, parole for crew member who becomes disabled, § 2:198, 6:130
 - Epilepsy, parole for crew member suffering from, § 6:129
 - Feeblemindedness, parole for crew member suffering from, § 6:129
- Forms
 - I-94, Arrival-Departure Record, § 2:203

INDEX

PAROLE OF ALIENS INTO UNITED STATES—Cont'd

- Crew members—Cont'd
 - Forms—Cont'd
 - I-259, Notice to Detain, Remove or Present Alien, § **2:197, 2:203-2:205**
 - I-510, § **2:203**
 - INA, parole pursuant to
 - Generally, § **6:128**
 - Castaway, parole for castaway crew member, § **6:131**
 - Contagious disease, parole for crew member suffering from dangerous, § **6:129**
 - Disability, parole for crew member who becomes disabled, § **6:130**
 - Epilepsy, parole for crew member suffering from, § **6:129**
 - Feeble-mindedness, parole for crew member suffering from, § **6:129**
 - Insanity, parole for crew member suffering from, § **6:129**
 - Persecution, parole for crew member alleging fear of persecution, § **6:133**
 - Shipwrecked, parole for shipwrecked crew member, § **6:131**
 - Situations not dealt with in regulations, § **6:134**
 - Insanity, parole for crew member suffering from, § **6:129**
 - Medical treatment or observation, § **2:200, 6:132**
 - Other crewmen, § **2:202**
 - Persecution, parole for crew member alleging fear of persecution, § **2:201, 6:133**
 - Procedure, § **2:203, 6:136**
 - Revocation of crewman parole, § **2:205, 6:135**
 - Shipwrecked, parole for shipwrecked crew member, § **2:199, 6:131**
 - Situations not dealt with in regulations, § **6:134**
 - Termination of crewman parole, § **2:204**
 - Torture, crew members, stowaways or others alleging, § **2:201**

PAROLE OF ALIENS INTO UNITED STATES—Cont'd

- Crew Members, this index
- Cubans. Detained arriving aliens, parole of, below
- Dependents of U.S. military personnel, “parole-in-place” program, § **2:176**
- Detained arriving aliens
 - Cubans, § **2:192-2:195**
 - Mariel Cubans, § **2:192-2:195**
- Eligibility
 - Armed forces, “parole-in-place” program for dependents of U.S. military personnel, § **2:176**
 - Dependents of U.S. military personnel, “parole-in-place” program, § **2:176**
 - Ineligibility, categories of noncitizens not eligible for parole, § **2:178**
 - Military personnel dependents, “parole-in-place” program, § **2:176**
 - Non-applicants, parole of noncitizens who are not applicants for admission, § **2:177**
 - Other arriving noncitizens not subject to detention under expedited removal or placed in removal proceedings, § **2:175**
 - “Parole-in-place” program for dependents of U.S. military personnel, § **2:176**
 - Witnesses in judicial, administrative or legislative bodies, parole of noncitizens subject to expedited removal and arriving aliens placed in removal proceedings, § **2:174**
- Expedited removal, parole during expedited removal, § **2:235**
- Family-based immigrants
 - Colombian sponsored, § **2:223**
 - Ecuador sponsored, § **2:223**
 - El Salvadorian sponsored, § **2:223**
 - Guatemalan sponsored, § **2:223**
 - Honduras, § **2:223**
- Forms
 - Cuban family-based immigrants, pending rescission, § **2:214**
 - Haitian family-based immigrants, pending rescission, § **2:214**

PAROLE OF ALIENS INTO UNITED STATES—Cont'd

Forms—Cont'd

I-131, Application for Travel Document, § **2:196, 2:212, 2:216**

I-512, Authorization for Parole or Conditional Entry of an Alien into the United States, § **2:207, 2:212, 2:216**

Haitian Refugee Immigrant Fairness Act of 1998 (HRIFA) applicant.

Advance authorization for parole, above

Humanitarian parole

Generally, § **2:225**

DHS facilities, procedures, § **2:225, 2:226**

State enforcement by lawsuit, § **2:227**

Ineligibility, categories of noncitizens not eligible for parole, § **2:178**

Judicial review. Federal court review, above

Juveniles

Noncitizens subject to expedited removal and arriving aliens placed in removal proceedings, § **2:174**

Mariel Cubans, § **2:192-2:195**

Military personnel dependents, “parole-in-place” program, § **2:176**

Nicaraguan Adjustment and Central American Relief Act (NACARA) applicants. Advance authorization for parole, above

Non-applicants, parole of noncitizens who are not applicants for admission, § **2:177**

Other arriving noncitizens not subject to detention under expedited removal or placed in removal proceedings, § **2:175**

“Parole-in-place” program for dependents of U.S. military personnel, § **2:176**

Pregnant women, parole of noncitizens subject to expedited removal and arriving aliens placed in removal proceedings, § **2:174**

Refugee travel documents, parole of persons with, § **2:196**

Russian nationals, visiting Guam and Northern Mariana Islands, § **2:221**

PAROLE OF ALIENS INTO UNITED STATES—Cont'd

Serious medical conditions, parole of noncitizens subject to expedited removal and arriving aliens placed in removal proceedings, § **2:174**

“Significant public benefit,” parole of noncitizens subject to expedited removal and arriving aliens placed in removal proceedings, § **2:174**

“Transportation letter,” § **2:212**

“Urgent humanitarian reasons,” parole of noncitizens subject to expedited removal and arriving aliens placed in removal proceedings, § **2:174**

Witnesses

Generally, § **2:228**

Authorization, § **2:230**

Departure, § **2:232**

Eligibility grounds, § **2:229**

Judicial, administrative or legislative bodies, parole of noncitizens subject to expedited removal and arriving aliens placed in removal proceedings, § **2:175**

Termination of parole, § **2:231**

PAROLE OF NONCITIZENS INTO UNITED STATES

Generally, § **2:171-2:226**

Arriving aliens seeking asylum, § **2:191**

Authority to parole

Generally, § **2:172**

Secretary of Homeland Security, § **2:172**

Conditions of parole, § **2:179**

Deferred inspection

Generally, § **2:186**

Procedure

At onward office, § **2:188**

At port of entry, § **2:187**

Medical deferrals, § **2:189**

Denial of parole, § **2:180**

Detained arriving aliens

Generally, § **2:190**

Eligibility

Juveniles, parole of noncitizens subject to expedited removal and arriving aliens placed in removal proceedings, § **2:174**

Pregnant women, parole of noncitizens subject to expedited

INDEX

PAROLE OF NONCITIZENS INTO UNITED STATES—Cont'd

Eligibility—Cont'd

removal and arriving aliens placed in removal proceedings, § 2:174

Serious medical conditions, parole of noncitizens subject to expedited removal and arriving aliens placed in removal proceedings, § 2:174

“Significant public benefit,” parole of noncitizens subject to expedited removal and arriving aliens placed in removal proceedings, § 2:174

“Urgent humanitarian reasons,” parole of noncitizens subject to expedited removal and arriving aliens placed in removal proceedings, § 2:174

Extension of parole, § 2:182

Federal court review

“Abuse of discretion” standard, § 2:180

“Facially legitimate and bona fide reason” standard, § 2:180

Jurisdiction, § 2:180

Standard of review, § 2:180

Forms

I-94, Arrival/Departure Record, § 2:171

Juveniles

Generally, § 2:181

One Big Beautiful Bill Act, new fees for parole, § 2:171.50

Reparole, § 2:182

Termination of parole

Generally, § 2:183

Automatic termination, § 2:184

Notice to alien, termination upon, § 2:185

PARTIES

Employment-Based Immigration, this index

PARTNERSHIPS

Employment-based immigration, filing preference petitions, § 8:150

PART-TIME EMPLOYMENT

H Nonimmigrants, this index

PASSENGERS

Crew member traveling to United States as passenger to join vessel or aircraft as C-1 nonimmigrant, § 6:237

PASSING BAD CHECKS

Inadmissibility, denial of admission or visa, § 3:17

PASSPORTS

Automated Passport Control (APC), pilot program, § 2:60

Backlog Reduction Act of 2007, § 1:99

Border Crossing Documents, this index

Crimes and related conduct, this index

Determination of U.S. nationality of person abroad, § 14:96

Falsifications. Removal, this index

H-1B nonimmigrants, § 4:222

Inspection and admission of arriving aliens, admission requirements, § 2:22

Nonimmigrant Visas, this index

Permanent Residents, this index

Relatives of Citizens or Permanent Residents, this index

Removal, this index

Waivers of Inadmissibility, this index

PATERNITY

Citizenship of children born out-of-wedlock, establishment of, § 14:52-14:57

PATRIOT ACT

USA Patriot Act, this index

PAYMENT

Employment-Based Immigration, this index

H Nonimmigrants, this index

Permanent Residents, this index

PEACE CORPS

Temporary visitors for business, H-1 or H-3 classifiable aliens eligible for B-1 classification, § 4:125

PEAK-LOAD NEED

H-2B nonimmigrants, § 4:474

PEDOPHILIA

Inadmissibility, denial of admission or visa, § 3:7

PEER GROUPS

O nonimmigrants, consultation requirements, § 4:620-4:624

PENALTIES OR SANCTIONS

Employer Sanctions and Unfair Immigration Related Employment Practices, this index

H-1B nonimmigrant violations, § 4:314

H Nonimmigrants, this index

Permanent residents, issuance of visas, § 9:129

PENDING MATTERS

Amnesty, pendency of application, § 9:355-9:360

Employment-based immigration, effect of application for adjustment of status to permanent resident on pending deportation proceeding, § 8:215

Permanent Residents, this index

PER COUNTRY QUOTA LEVELS

Permanent residents, numerical quotas, § 9:35-9:40

PERFORMERS

Entertainers, this index

PERIODIC REVIEW OF CONTINUED DETENTIONS

Generally, § 13:403

PERJURY

Before consular officer, § 17:113

Inadmissibility, denial of admission or visa, § 3:18

In immigration proceedings, § 17:111

PERMANENT MATTERS

Employment offer, third preference eligibility, § 8:45, 8:46

P nonimmigrants, effect of approval of permanent labor certification, § 4:647

Residents. Permanent Residents, this index

Temporary visitors for business, performing work of continuing nature at fixed and permanent place of employment, § 4:144

PERMANENT RESIDENTS

Abandonment

Application, eligibility for adjustment of status to permanent resident under INA § 245, § 9:205

Status as permanent resident, § 9:278

Ability to enter U.S. as result of specific terrorist activity, lack of, § 9:136

Abroad

Medical examination abroad for alien applying for immigrant visa while in U.S., § 9:100

Nonquota immigrants, permanent residents returning from temporary stay abroad, § 9:21-9:26

Visa processing abroad, adjudication of applications for permanent residency, § 9:1

Absence from U.S., abandonment of permanent resident status, § 9:278

Abuse of discretion, adjustment of status to permanent resident under INA § 245, § 9:208

Acceptance

Consular post in third country acceptance of applications for immigrant visas, § 9:71-9:73

Jurisdiction to accept applications, adjustment of status to permanent resident under INA § 245, § 9:217

Adjournment of hearing, rescission of permanent resident status, § 9:292

Adjudication

Applications for permanent residency, § 9:1

Withholding of adjudication of petition pending investigation, approved visa petition as prerequisite to application for immigrant visa, § 9:62

Adjustment of status

Attorney General

Aliens admitted as A or G nonimmigrants, adjustment of status to permanent resident of, § 9:257, 9:258

Nonimmigrant, adjustment of status from permanent resident to, § 9:272

Evidence, below

INDEX

PERMANENT RESIDENTS—Cont'd

Adjustment of status—Cont'd

From permanent resident to nonimmigrant, § 9:272-9:277

Nonimmigrants, below

To permanent resident. Adjustment of status to permanent resident, below

Treaty traders and investors, § 4:206-4:208, 9:197, 9:272-9:277

Adjustment of status to permanent resident

Admitted as A or G nonimmigrants, § 9:256-9:260

Amnesty, § 9:329-9:337

Applications, below

Approval or denial of applications, below

Determinations and decisions on applications, below

Eligibility or ineligibility, below

Employment-based immigration, below

Immediate relatives, below

INA § 245, § 9:1, 9:157-9:255

Nonquota immigrants, § 9:31

Rescission of adjustment, § 9:280-9:303, 9:380

Administrative review, refusal of visa, § 9:142

Admission or admissibility

A or G nonimmigrants, adjustment of status to permanent resident of aliens admitted as, § 9:256-9:260

Fraud, interviews of applicants for adjustment of status to permanent resident under INA § 245, § 9:232

Inadmissible or inadmissibility, below

Record of lawful admission for permanent residence, below

Admissions

Adjustment of status from permanent resident to nonimmigrant, § 9:274

Rescission of permanent resident status, § 9:289, 9:297

Adopted children, medical examination of applicants for immigrant visas, § 9:97, 9:98

PERMANENT RESIDENTS—Cont'd

Advance parole, eligibility for adjustment of status to permanent resident under INA § 245, § 9:205-9:207

Adverse factors, exercise of discretion for adjustment of status to permanent resident under INA § 245, § 9:208

Advisory opinions, decision on application for immigrant visa, § 9:120

Affidavits

Entry without inspection, eligibility for adjustment of status to permanent resident under INA § 245, § 9:192

Exemption from vaccination requirements for foreign child, medical examination of applicants for immigrant visas, § 9:97

Support, applications for immigrant visas, § 9:52, 9:83

Affirmative misconduct of government resulting in unavailability of visas, applications for adjustment of status to permanent resident under INA § 245, § 9:225-9:227

Age

Entry without inspection, eligibility for adjustment of status to permanent resident under INA § 245, § 9:176

Exemption from vaccination requirements for foreign child, medical examination of applicants for immigrant visas, § 9:96

Immediate relatives of U.S. citizens, nonquota immigrants, § 9:20

Investigation, applications for adjustment of status to permanent resident under INA § 245, § 9:240

Agency documentation as evidence of physical presence, eligibility for adjustment of status to permanent resident under INA § 245, § 9:189

Agents, applications for immigrant visas, § 9:51, 9:52

Allegations

Adjustment of status from permanent resident to nonimmigrant, § 9:274

Rescission of permanent resident status, § 9:289, 9:297

PERMANENT RESIDENTS—Cont'd

- Allocation or allocations
 - Per country quota levels exceeded, numerical quotas, § 9:39, 9:40
 - Preference allocations, quota immigrants, § 9:9-9:19
- Ambassadors, A nonimmigrant adjustment of status, § 9:175, 9:197, 9:256-9:260, 9:272-9:277
- Amendment or change. Adjustment of status, above
- American University of Beirut employees, nonquota immigrants, § 9:28
- Amnesty, adjustment of status to permanent resident, § 9:329-9:337
- Amount or number
 - Extent of USCIS discretion, adjustment of status to permanent resident under INA § 245, § 9:208
 - Photographs, applications for immigrant visas, § 9:92
 - Quotas, generally, § 9:9-9:19
 - Visa number limitation, S nonimmigrant applications for adjustment of status to permanent resident under INA § 245, § 9:248
- Annulment of marriage, rescission of permanent resident status, § 9:281
- A nonimmigrants, adjustment of status, § 9:175, 9:197, 9:256-9:260, 9:272-9:277, 9:279
- Answers
 - Adjustment of status from permanent resident to nonimmigrant, § 9:275
 - Rescission of permanent resident status, § 9:287
- Appeal and review
 - Adjustment of status from permanent resident to nonimmigrant, generally, § 9:275
 - Administrative review of refusal of visa, § 9:142
 - Certification, medical examination of applicants for adjustment of status to permanent resident under INA § 245, § 9:239
 - Denial of application, § 9:242, 9:270
 - Judicial review, diversity immigrants, § 9:19
 - Rescission of permanent resident status, § 9:287, 9:290, 9:303

PERMANENT RESIDENTS—Cont'd

- Appearance
 - Failure to appear at removal proceedings, eligibility for record of lawful admission, § 9:266
 - Interviews of applicants for adjustment of status to permanent resident under INA § 245, § 9:229
 - Notice to appear
 - Medical examination of applicants for adjustment of status to permanent resident under INA § 245, § 9:235
 - Record of lawful admission application, § 9:268
 - Personal appearance, applications for immigrant visas, § 9:110
- Application or applicability
 - Procedures, termination of registration, § 9:122
 - Statutory sanctions, issuance of visas, § 9:129
- Applications
 - Adjudication of applications for permanent residency, § 9:1
 - Adjustment of status to permanent resident
 - Aliens admitted as A or G nonimmigrants, § 9:256-9:260
 - Approval or denial of applications, below
 - Concurrent applications, adjustment of status to permanent resident under INA § 245, § 9:167
 - Determinations and decisions on applications, below
 - Entry without inspection, adjustment of status to permanent resident under INA § 245, § 9:176-9:192, 9:221
 - INA § 245, generally, § 9:158, 9:170, 9:217-9:253
 - Pending application for adjustment of status to permanent resident under INA § 245, § 9:180, 9:182, 9:205-9:207
 - Advance parole, eligibility for adjustment of status to permanent resident under INA § 245, § 9:205-9:207

PERMANENT RESIDENTS—Cont'd

- Applications—Cont'd
 - Approval or denial of applications, below
 - Determinations and decisions on applications, below
 - Documents and documentation, below
 - Evidence, below
 - Extension of period of validity of visas, § 9:136
 - Fees, below
 - Filing, below
 - Good moral character of applicant, below
 - Immigrant visas, § 9:50-9:120, 9:137-9:142
 - Information, below
 - Interviews of applicants, below
 - Labor certification, entry without inspection, eligibility for adjustment of status to permanent resident under INA § 245, § 9:183
 - Packet system no longer in use for immigrant visas, § 9:50
 - Processing, below
 - Reconsideration, § 9:181, 9:182
 - Record of lawful admission, § 9:261-9:271
 - Signatures, § 9:115, 9:228
- Appointments
 - Applications for immigrant visas, § 9:52
 - Diversity immigrants, quota immigrants, § 9:17
 - Immigration Visa Appointment Package, § 9:17, 9:111
- Approval or denial of applications
 - Adjustment of status to permanent resident
 - Aliens admitted as A or G nonimmigrants, § 9:259, 9:260
 - INA § 245, generally, § 9:241, 9:242
 - Appeal of denial of application, § 9:242, 9:270, 9:271
 - Labor certification, eligibility for adjustment of status to permanent resident under INA § 245, § 9:183
 - Post-approval procedures, applications for adjustment of status to permanent resident under INA

PERMANENT RESIDENTS—Cont'd

- Approval or denial of applications
 - Cont'd
 - § 245, § 9:254, 9:255
 - Record of lawful admission, § 9:269-9:271
 - Rescission of status, denial of allegations at hearing on, § 9:297
 - S nonimmigrants, adjustment of status to permanent resident under INA § 245, § 9:249, 9:250
 - Visas, § 9:118, 9:119, 9:137-9:142
- Approval or denial of petitions
 - Diversity immigrants, quota immigrants, § 9:15
 - Entry without inspection, eligibility for adjustment of status to permanent resident under INA § 245, § 9:183
 - Prerequisite to application for immigrant visa, § 9:56-9:63
 - Priority date, applications for immigrant visas, § 9:75
 - Revocation investigation of approved visa petition, § 9:126
- Armed forces
 - Foreign enlistees with honorable active duty records, fourth preference employment-based immigration, § 9:198
 - Selective Service classification, adjustment of status from permanent resident to nonimmigrant, § 9:280
 - Supporting documentation for applications for immigrant visas, military record, § 9:79
- Arrest warrant, application for record of lawful admission, § 9:267, 9:268
- Assertion of defenses, adjustment of status from permanent resident to nonimmigrant, § 9:275
- Asylees, categories of immigrants eligible for lawful permanent resident status, § 9:1, 10:288
- Attorneys, rescission of permanent resident status, § 9:290, 9:296, 9:302, 9:303
- Authority and authorization
 - Immigration Judge's powers, hearing on rescission of permanent resident status, § 9:293

PERMANENT RESIDENTS—Cont'd

Authority and authorization—Cont'd

Period of authorization, departure while adjustment application is pending, § 9:206

Suspension of availability of immigrant status to certain aliens, § 9:8

USCIS, adjustment of status to permanent resident, family members, under INA § 245, § 9:245

USCIS, adjustment of status to permanent resident, waivers of inadmissibility, under INA § 245, § 9:246

USCIS, eligibility for adjustment of status to permanent resident under INA § 245, § 9:174, 9:244

Waiver of vaccination requirements, medical examination of applicants for immigrant visas, § 9:98

Availability or unavailability

Government misconduct resulting in unavailability of visas, applications for adjustment of status to permanent resident under INA § 245, § 9:225-9:227

Immediate availability of immigrant visa to applicant, eligibility for adjustment of status to permanent resident under INA § 245, § 9:168-9:171

Processing of application for which visa not available, adjustment of status to permanent resident under INA § 245, § 9:227

Record of lawful admission not otherwise available, § 9:261

Suspension of availability of immigrant status to certain aliens, § 9:8

B-2 visitors for pleasure visas for emergency temporary visit to U.S., § 6:252

Bearer, notice of proposed revocation of visa, § 9:145

Birth

Certificate, supporting documentation for applications for immigrant visas, § 9:80

PERMANENT RESIDENTS—Cont'd

Birth—Cont'd

Determining state to which immigrant is chargeable, numerical quotas, § 9:41-9:48

Nonquota immigrants, § 9:29, 9:31

Board of Immigration Appeals, rescission of permanent resident status, § 9:282, 9:302

Bonds

Issuance of visa conditioned on posting of bond, § 9:127

Maintenance of departure bond, procedures after approval of application for adjustment of status to permanent resident under INA § 245, § 9:255

Burden of proof

Approved visa petition as prerequisite to application for immigrant visa, § 9:59

Discretionary nature of relief, adjustment of status to permanent resident under INA § 245, § 9:208

Eligibility for adjustment of status to permanent resident under INA § 245, § 9:157

Rescission of permanent resident status, § 9:291

Revocation of visa, § 9:144

Canada, commuters, § 9:27

Cancellation

Record of lawful admission for permanent residence, adjustment of status from permanent resident to nonimmigrant, § 9:276

Removal, below

Visa

Replacement visas, § 9:153

Revocation of visa, § 9:147, 9:148

Unused visa, § 9:155

Career diplomatic or consular officers, A nonimmigrant adjustment of status, § 9:175, 9:197, 9:256-9:260, 9:272-9:277

Carrier, notice of revocation of visa, § 9:146

Categories

Immigrants eligible for lawful permanent resident status, § 9:1

Preference categories, quota immigrants, § 9:9-9:19

PERMANENT RESIDENTS—Cont'd

- Certificates and certification
 - Birth certificate, supporting documentation for applications for immigrant visas, § **9:80**
 - Health care workers with missing or incomplete certification, eligibility for adjustment of status to permanent resident under INA § 245, § **9:201**
 - Labor certification, below
 - Medical examination of applicants for adjustment of status to permanent resident under INA § 245, § **9:239**
 - Police certificate, supporting documentation for applications for immigrant visas, § **9:77**
 - Replacement visas, § **9:153**
- Challenges or contests, rescission of permanent resident status, § **9:289, 9:302**
- Checks or checking
 - Fingerprint checks, § **9:64, 9:176**
 - Investigation, applications for adjustment of status to permanent resident under INA § 245, § **9:240**
 - National Crime Information Center (NCIC) name check response, applications for immigrant visas, § **9:94**
- Chest x-rays, medical examination of applicants for immigrant visas, § **9:95, 9:106, 9:107**
- Children
 - Birth, above
 - Determinations as to state to which immigrant is chargeable, § **9:42, 9:44-9:48**
 - Immediate relatives of U.S. citizens, nonquota immigrants, § **9:20**
 - Imputed abandonment of permanent resident status, § **9:278**
 - Period of validity of visas, § **9:134**
 - Special immigrant juveniles, § **9:85, 9:199**
 - Vaccination requirements, medical examination of applicants for immigrant visas, § **9:96-9:99**
 - Waiver of interviews, applicants for adjustment of status to permanent resident under INA § 245, § **9:201**

PERMANENT RESIDENTS—Cont'd

- Children—Cont'd
 - Permanent resident under INA § 245, § **9:229**
- Child Status Protection Act, adjustment of status under § 245, § **9:161**
- China. Hong Kong, below
- Circumvention of immigration visa process, interviews of applicants for adjustment of status to permanent resident under INA § 245, § **9:232**
- Citizens and citizenship
 - Applicant must not be ineligible for citizenship, eligibility for record of lawful admission, § **9:265**
 - Former U.S. citizens, nonquota immigrants, § **9:30**
 - Immediate relatives of U.S. citizens, nonquota immigrants, § **9:20**
- Class A or Class B medical condition, medical examination of applicants for immigrant visas, § **9:95, 9:103, 9:108**
- Classification
 - Immigrants, § **9:1-9:8**
 - Selective Service classification, adjustment of status from permanent resident to nonimmigrant, § **9:280**
- Collateral attack in deportation proceedings, rescission of permanent resident status, § **9:302**
- Colony as birthplace of alien, numerical quotas, § **9:48**
- Color photographs, applications for immigrant visas, § **9:92**
- Commuters, nonquota immigrants, § **9:27**
- Completed pending adjustment application, eligibility for adjustment of status to permanent resident under INA § 245, § **9:182**
- Concurrent applications, eligibility for adjustment of status to permanent resident under INA § 245, § **9:167**
- Conditions and conditional matters
 - Intent conditioned on future possibility, adjustment of status to permanent resident under INA § 245, § **9:210**
 - Issuance of visa conditioned on posting of bond, § **9:127**

PERMANENT RESIDENTS—Cont'd

- Conduct of interview of applicant for adjustment of status, § **9:230-9:232**
- Conduct of medical examination of applicants for adjustment of status to permanent resident under INA § 245, § **9:236**
- Congress
 - Private bills, § **9:1**
 - Report to Congress of approval of application, adjustment of status to permanent resident of aliens admitted as A or G nonimmigrants, § **9:260**
- Consent to reapply, adjustment of status to permanent resident under INA § 245, § **9:224**
- Consular matters
 - District, applications for immigrant visas, § **9:69, 9:70**
 - Kentucky Consular Center, diversity immigrants, § **9:16, 9:17**
 - Officers. Consular officers, below
 - Offices. Consular offices, below
 - Posts. Consular posts, below
 - Processing of aliens requiring waiver of vaccination requirements, medical examination of applicants for immigrant visas, § **9:98**
- Consular officers
 - Applications for visas, § **9:52 et seq.**
 - Approved visa petition as prerequisite to application for immigrant visa, § **9:56, 9:60, 9:63**
 - Career consular officers, A nonimmigrant adjustment of status, § **9:175, 9:197, 9:256-9:260, 9:272-9:277**
 - Decision on application for immigrant visa, § **9:118, 9:119**
 - Family-sponsored immigrants, quota immigrants, § **9:10**
 - Former U.S. citizens, nonquota immigrants, § **9:30**
 - Immediate relatives of U.S. citizens, nonquota immigrants, § **9:20**
 - Informal examination of family members, applications for immigrant visas, § **9:116**
 - Interviews of applicants for immigrant visas, § **9:114**

PERMANENT RESIDENTS—Cont'd

- Consular officers—Cont'd
 - Issuance of visas, § **9:128, 9:131, 9:132**
 - Medical examination of applicants for immigrant visas, § **9:95, 9:98, 9:99, 9:102, 9:108**
 - New visa issued to nonquota immigrant, § **9:152**
 - Personal appearance, applications for immigrant visas, § **9:110**
 - Record made when entitlement to immigrant classification established, § **9:7**
 - Refusal of visa, § **9:137-9:142**
 - Replacement visas, § **9:153**
 - Returning permanent residents from temporary stay abroad, nonquota immigrants, § **9:21-9:26**
 - Revocation of visa, § **9:143-9:151**
 - Supporting documentation for applications for immigrant visas, § **9:76-9:90**
 - Unused visa, § **9:155**
 - Where to apply for immigrant visas, § **9:68, 9:70**
- Consular offices
 - Applications for immigrant visas, generally, § **9:69**
 - Issuance of visas, § **9:128**
 - Medical examination of applicants for immigrant visas, § **9:95, 9:100**
- Consular posts
 - Applications for immigrant visas, generally, § **9:52**
 - Approved visa petition as prerequisite to application for immigrant visa, § **9:61**
 - Duplicate visas, § **9:154**
 - Follow-up package, applications for immigrant visas, § **9:112, 9:113**
 - Immigration Visa Appointment Package, applications for immigrant visas, § **9:111**
 - Medical examination of applicants for immigrant visas, § **9:101**
 - Processing of visa, adjudication of applications for permanent residency, § **9:1**
 - Replacement visas, § **9:153**
 - Where to apply for immigrant visas, § **9:68-9:73**

INDEX

PERMANENT RESIDENTS—Cont'd

Contents

Applications for immigrant visas,
§ 9:66, 9:67

Visas, § 9:132

Contests or challenges, rescission of
permanent resident status, § 9:289,
9:302

Continuous matters

Lawful immigration status since entry
into U.S., eligibility for adjust-
ment of status to permanent resi-
dent under INA § 245, § 9:159

Maintenance of continuous U.S. resi-
dence by applicant, eligibility for
record of lawful admission,
§ 9:263

Courts

Judicial review, diversity immigrants,
§ 9:19

Juvenile court, § 9:85

Retroactivity of priority date, applica-
tions for immigrant visas, § 9:74

Crew members, eligibility for adjust-
ment of status to permanent resi-
dent under INA § 245, § 9:193

Criminal matters

Evidence of criminal activity, adjust-
ment of status to permanent resi-
dent under INA § 245, § 9:214

National Crime Information Center
(NCIC), applications for
immigrant visas, § 9:64, 9:94

S nonimmigrants, eligibility for
adjustment of status to perma-
nent resident under INA § 245,
§ 9:243-9:246

Custodians, rescission of permanent
resident status, § 9:290

Date. Time or date, below

Decisions. Determinations and deci-
sions, below

Default, rescission of permanent resi-
dent status, § 9:289

Defects, medical examination of
applicants for adjustment of status
to permanent resident under INA
§ 245, § 9:237-9:239

Defenses, adjustment of status from per-
manent resident to nonimmigrant,
§ 9:275

PERMANENT RESIDENTS—Cont'd

Definitions

Grandfathered alien, § 9:177

High school education or its equiva-
lent, § 9:13

Immediate relative, § 9:174

Immigrant, § 9:2

Immigrant visa, § 9:2

Native, § 9:11

Delivery

Issuance of visas, § 9:131

Report on Class A or Class B medical
condition, medical examination
of applicants for immigrant
visas, § 9:103

Department of Homeland Security
Secretary of Homeland Security,
below

USCIS (United States Citizenship and
Immigration Services), § 9:1 et
seq.

Department of State

Advisory opinions, decision on
application for immigrant visa,
§ 9:120

Diversity immigrants, quota
immigrants, § 9:11, 9:14, 9:15

Fingerprints, applications for
immigrant visas, § 9:64, 9:93,
9:94

Order of issuance of visas, § 9:130

Recaptured numbers, numerical
quotas, § 9:49

Retroactivity of priority date, applica-
tions for immigrant visas, § 9:74

Secretary of State, below

Departure

Applicant's departure, denial of
application for adjustment of
status to permanent resident
under INA § 245, § 9:242

Ineligibility for adjustment of status
stemming from failure to depart,
§ 9:160

Maintenance of departure bond, post-
approval procedures for adjust-
ment of status to permanent resi-
dent under INA § 245, § 9:255

Pending adjustment application,
eligibility for adjustment of
status to permanent resident
under INA § 245, § 9:205-9:207

PERMANENT RESIDENTS—Cont'd

- Departure—Cont'd
 - Voluntary departure, denial of application for adjustment of status to permanent resident under INA § 245, § **9:242**
- Dependent areas, numerical quotas, § **9:32-9:49**
- Deportation
 - Applications for adjustment of status to permanent resident under INA § 245, § **9:223, 9:224**
 - Collateral attack in deportation proceedings, rescission of permanent resident status, § **9:302**
 - Departure while adjustment application is pending, eligibility for adjustment of status to permanent resident under INA § 245, § **9:205**
 - Immigration judges, applications for adjustment of status to permanent resident under INA § 245, § **9:252, 9:253**
- Derivative beneficiaries
 - Generally, § **9:6**
 - Determining state to which immigrant is chargeable, numerical quotas, § **9:44, 9:45**
 - Diversity immigrants, quota immigrants, § **9:11, 9:14, 9:18**
 - Eligibility for adjustment of status to permanent resident under INA § 245, § **9:157**
 - Post-approval procedures, applications for adjustment of status to permanent resident under INA § 245, § **9:254**
 - Record made when entitlement to immigrant classification established, § **9:7**
 - Supporting documentation for applications for immigrant visas, § **9:81**
- Determinations and decisions
 - Adjustment of status from permanent resident to nonimmigrant, § **9:274**
 - Applications. Determinations and decisions on applications, below
 - Children, determinations as to state to which immigrant is chargeable, § **9:42**

PERMANENT RESIDENTS—Cont'd

- Determinations and decisions—Cont'd
 - Diversity immigrants, quota immigrants, § **9:11**
 - Government misconduct resulting in unavailability of visas, adjustment of status to permanent resident under INA § 245, § **9:227**
 - Loss or abandonment of permanent resident status, § **9:278**
 - Notice of decision
 - Adjustment of status from permanent resident to nonimmigrant, § **9:274**
 - Applications. Determinations and decisions on applications, below
 - Rescission of permanent resident status, § **9:281, 9:287, 9:299, 9:300**
 - Returning permanent residents from temporary stay abroad, nonquota immigrants, § **9:23**
 - State to which immigrant is chargeable, numerical quotas, § **9:41-9:48**
- Determinations and decisions on applications
 - Adjustment of status to permanent resident
 - Aliens admitted as A or G nonimmigrants, § **9:259, 9:260**
 - INA § 245, § **9:241, 9:242, 9:249, 9:250**
 - Immigrant visas, § **9:118-9:122**
 - Notice of decision
 - Adjustment of status to permanent resident, § **9:241, 9:242, 9:249, 9:259**
 - Record of lawful admission, § **9:269**
 - Record of lawful admission, § **9:269-9:271**
 - S nonimmigrants, applications for adjustment of status to permanent resident under INA § 245, § **9:249, 9:250**
- DHS. Department of Homeland Security, above
- Diplomats
 - Career diplomatic officers, A nonimmigrant adjustment of status,

PERMANENT RESIDENTS—Cont'd

- Diplomats—Cont'd
 - § 9:175, 9:197, 9:256-9:260, 9:272-9:277
 - Children born in U.S. to parents who are diplomats, nonquota immigrants, § 9:29
- Disability, medical examination of applicants for adjustment of status to permanent resident under INA § 245, § 9:237-9:239
- Discretionary matters
 - Adjustment of status to permanent resident of aliens admitted as A or G nonimmigrants, § 9:256
 - Denial of applications for adjustment of status to permanent resident under INA § 245, § 9:241
 - Interviews, applications for immigrant visas, § 9:114
 - Nature of relief, adjustment of status to permanent resident under INA § 245, § 9:208-9:216
 - Record of lawful admission, § 9:261-9:271
 - Revocation of visa, § 9:143
 - S nonimmigrants, eligibility for adjustment of status to permanent resident under INA § 245, § 9:243
 - Where to apply for immigrant visas, § 9:70-9:73
- Diseases, medical examination of applicants for adjustment of status to permanent resident under INA § 245, § 9:237-9:239
- Disqualification or ineligibility. Eligibility or ineligibility, below
- District Director of USCIS (United States Citizenship and Immigration Services), § 9:1 et seq.
- Diversity immigrants
 - Approved visa petition as prerequisite to application for immigrant visa, § 9:58
 - Categories of immigrants eligible for lawful permanent resident status, § 9:1
 - Entitlement to immigrant classification, § 9:4
 - Order of issuance of visas, § 9:130
 - Quota immigrants, § 9:11-9:19

PERMANENT RESIDENTS—Cont'd

- Diversity immigrants—Cont'd
 - Replacement visas, § 9:153
 - Worldwide quotas, numerical quotas, § 9:34
- Doctors
 - Foreign medical graduates, below
 - Medical examination of applicants, § 9:95-9:109, 9:233-9:239
- Documents and documentation
 - Applications
 - Adjustment of status to permanent resident under INA § 245, § 9:218, 9:247
 - Immigrant visas, § 9:76-9:90
 - S nonimmigrants, adjustment of status to permanent resident under INA § 245, § 9:247
 - Cases processed at posts provided document review support by National Visa Center, immigrant visas, § 9:52
 - Entry without inspection, eligibility for adjustment of status to permanent resident under INA § 245, § 9:188-9:191
 - Physician's responsibilities regarding alien's identity, medical examination of applicants for immigrant visas, § 9:102
 - Retention or return of documents, below
 - Returning permanent residents from temporary stay abroad, nonquota immigrants, § 9:23, 9:26
 - Surrender of documents, below
- Duplicate visas, § 9:154
- Duties
 - Immigration Judge, rescission of permanent resident status, § 9:293
 - Physician's responsibilities regarding alien's identity, medical examination of applicants for immigrant visas, § 9:101-9:103
- Education
 - American University of Beirut employees, nonquota immigrants, § 9:28
 - Foreign medical graduates, eligibility for adjustment of status to permanent resident under INA § 245, § 9:200

PERMANENT RESIDENTS—Cont'd

Education—Cont'd

High school education or its equivalent, diversity immigrants, § **9:11-9:19**

Students, permanent residents returning from temporary stay abroad, § **9:22**

Effect

Adjustment of status from permanent resident to nonimmigrant, § **9:276**

Admission of allegations, adjustment of status from permanent resident to nonimmigrant, § **9:274**

Class A or Class B medical finding, medical examination of applicants for immigrant visas, § **9:108**

Departure while adjustment application is pending, eligibility for adjustment of status to permanent resident under INA § 245, § **9:205-9:207**

Entry without inspection, eligibility for adjustment of status to permanent resident under INA § 245, § **9:182, 9:186, 9:187**

Failure to contest allegations, rescission of permanent resident status, § **9:289**

Failure to respond to notice, adjustment of status from permanent resident to nonimmigrant, § **9:274**

Government misconduct resulting in unavailability of visas, applications for adjustment of status to permanent resident under INA § 245, § **9:225-9:227**

Rescission of permanent resident status, § **9:282, 9:283**

Revocation of petition or approval of subsequent petition, applications for immigrant visas, § **9:75**

September 11, 2001, diversity immigrants, § **9:12**

Unauthorized employment engaged in by alien, eligibility for adjustment of status to permanent resident under INA § 245, § **9:175**

Unavailability of immigrant visa to applicant, adjustment of status to

PERMANENT RESIDENTS—Cont'd

Effect—Cont'd

permanent resident under INA § 245, § **9:170, 9:171**

Waiver of nonimmigrant rights and privileges, adjustment of status from permanent resident to nonimmigrant, § **9:272**

Electronic data system, information on denials of applications for immigrant visas required to be entered into, § **9:119**

Eligibility or ineligibility

Adjustment of status to permanent resident

Aliens admitted as A or G nonimmigrants, § **9:256, 9:257**

INA § 245, § **9:157-9:207, 9:244**

Categories of immigrants eligible for lawful permanent resident status, § **9:1**

Diversity immigrants, quota immigrants, § **9:11**

Immigration Judge disqualification, rescission of permanent resident status, § **9:294**

Ineligibility, generally, § **9:160**

Record of lawful admission, § **9:261-9:266**

Refusal of visa, § **9:137-9:142**

Returning permanent residents from temporary stay abroad, nonquota immigrants, § **9:22**

Employment

Adjustment of status from permanent resident to nonimmigrant, § **9:272-9:277**

American University of Beirut employees, nonquota immigrants, § **9:28**

Basis of immigration. Employment-based immigration, below

Changes in employment, eligibility for adjustment of status to permanent resident under INA § 245, § **9:185**

Commuters, nonquota immigrants, § **9:27**

Foreign government employees, applications for immigrant visas, § **9:117**

PERMANENT RESIDENTS—Cont'd

- Employment—Cont'd
 - International organization employees, applications for immigrant visas, § 9:117
 - Questions concerning employment, interviews of applicants for adjustment of status to permanent resident under INA § 245, § 9:231
- Employment-based immigration
 - Adjustment of status to permanent resident
 - Generally, § 8:213-8:216
 - Preference petition decision, § 8:183
 - Categories of immigrants eligible for lawful permanent resident status, § 9:1
 - Entitlement to immigrant classification, § 9:4
 - First preference
 - Eligibility for adjustment of status to permanent resident under INA § 245, § 9:202
 - Quota immigrants, § 9:9, 9:10
 - Fourth preference, generally, § 9:9, 9:198
 - Labor certification, below
 - Obtaining permanent resident status, § 8:192-8:216
 - Order of issuance of visas, § 9:130
 - Per country quota levels, numerical quotas, § 9:35, 9:37, 9:39, 9:40
 - Preference petitions, generally, § 8:143-8:188, 9:9
 - Quota immigrants, § 9:9
 - Religious workers
 - Adjustment of status to permanent resident under INA § 245, § 9:173, 9:202
 - Period of validity of visas, § 9:135
 - Replacement visas, § 9:153
 - Second preference
 - Adjustment of status to permanent resident under INA § 245, § 9:202, 9:219
 - Quota immigrants, § 9:9
 - Third preference
 - Adjustment of status to permanent resident under INA § 245, § 9:202, 9:219

PERMANENT RESIDENTS—Cont'd

- Employment-based immigration
 - Cont'd
 - Third preference—Cont'd
 - Quota immigrants, § 9:9
 - Worldwide quotas, numerical quotas, § 9:33
- E nonimmigrants, adjustment of status, § 4:206-4:208, 9:197, 9:272-9:277, 9:279
- En route or in transit
 - Cancellation of visa of alien en route to U.S., revocation of visa, § 9:148
 - Eligibility for adjustment of status to permanent resident under INA § 245, alien admitted in transit without visa (TWOV), § 9:194
- Entitlement
 - Immigrant classification, § 9:4, 9:7
 - Prima facie entitlement to status, permanent residents returning from temporary stay abroad, § 9:25
- Entrepreneurs (employment creation aliens), fifth preference employment-based immigration, § 9:9
- Entry into U.S.
 - Adjustment of status to permanent resident under INA § 245, § 9:159, 9:176-9:192, 9:209-9:211, 9:221
 - Inability to enter U.S. as result of specific terrorist activity, extension of period of validity of visas, § 9:136
 - Record of lawful admission, § 9:261-9:271
 - Suspension of entry, § 9:8
 - Without inspection, adjustment of status to permanent resident under INA § 245, § 9:176-9:192, 9:221
- Entry of information on denials of applications for immigrant visas into electronic data system, § 9:119
- Equitable estoppel, applications for adjustment of status to permanent resident under INA § 245, § 9:226
- Equivalent of high school education, diversity immigrants, § 9:11-9:19
- Establishment of relationship to family members, supporting documenta-

PERMANENT RESIDENTS—Cont'd

- tion for applications for immigrant visas, § **9:81**
- Estoppel, applications for adjustment of status to permanent resident under INA § 245, § **9:225, 9:226**
- Evaluation of evidence of physical presence, eligibility for adjustment of status to permanent resident under INA § 245, § **9:192**
- Evidence
 - Adjustment of status
 - From permanent resident to nonimmigrant, § **9:275**
 - To permanent resident of aliens admitted as A or G nonimmigrants, § **9:258**
 - Admissions, above
 - Applications
 - Adjustment of status to permanent resident under INA § 245, § **9:240**
 - Immigrant visas, § **9:53, 9:76-9:90**
 - Burden of proof, above
 - Criminal activity, adjustment of status to permanent resident under INA § 245, § **9:214**
 - Entry without inspection, eligibility for adjustment of status to permanent resident under INA § 245, § **9:188-9:191**
 - Hearings, rescission of permanent resident status, § **9:298**
 - Immediate relatives of U.S. citizens, nonquota immigrants, § **9:20**
 - Interviews, applicants for adjustment of status to permanent resident under INA § 245, § **9:232**
 - Reconsideration of revocation of visa, § **9:150**
 - Rescission of permanent resident status, § **9:298**
 - Returning permanent residents from temporary stay abroad, nonquota immigrants, § **9:21-9:26**
 - S nonimmigrants, applications for adjustment of status to permanent resident under INA § 245, § **9:247**
 - Witnesses, below
 - Examination or examinations
 - Informal examination of family members, applications for

PERMANENT RESIDENTS—Cont'd

- Examination or examinations—Cont'd
 - immigrant visas, § **9:116**
 - Medical examination of applicants
 - Adjustment of status to permanent resident under INA § 245, § **9:233-9:239**
 - Immigrant visas, § **9:95-9:109**
- Exceeded quota, numerical quotas, § **9:39, 9:40**
- Exchange visitors
 - Eligibility for adjustment of status to permanent resident under INA § 245, § **9:196**
 - Two-year foreign residency requirement, refusal of visa, § **9:139**
- Exclusion proceedings, eligibility for adjustment of status to permanent resident under INA § 245, § **9:205**
- Execution
 - Applications for immigrant visas, § **9:118**
- Waiver
 - Applications for immigrant visas, § **9:117**
 - Nonimmigrant rights and privileges, adjustment of status to permanent resident of aliens admitted as A or G nonimmigrants, § **9:257**
- Exemptions
 - Immigrant visas, who is not required to obtain, § **9:3**
 - Medical examination of applicants for adjustment of status to permanent resident under INA § 245, § **9:233**
 - Passports, supporting documentation for applications for immigrant visas, § **9:89**
 - Vaccination requirements for foreign child, medical examination of applicants for immigrant visas, § **9:96, 9:97**
- Exercise of discretion, adjustment of status to permanent resident under INA § 245, § **9:208-9:216**
- Expedited Removal, this index
- Extensions
 - Petition's validity, approved visa petition as prerequisite to application for immigrant visa, § **9:61**

INDEX

PERMANENT RESIDENTS—Cont'd

- Extensions—Cont'd
 - Visa's period of validity, § **9:136**
- Extent of USCIS discretion, adjustment of status to permanent resident under INA § 245, § **9:208**
- Factors considered in exercise of discretion, adjustment of status to permanent resident under INA § 245, § **9:209-9:216**
- Failure to appear at removal proceedings, eligibility for record of lawful admission, § **9:266**
- Failure to comply with statute, refusal of visa, § **9:138**
- Failure to contest allegations, rescission of permanent resident status, § **9:289**
- Failure to respond to notice, adjustment of status from permanent resident to nonimmigrant, § **9:274**
- Family and relatives
 - Considerations, adjustment of status to permanent resident under INA § 245, § **9:215**
 - Establishment of relationship to family members, supporting documentation for applications for immigrant visas, § **9:81**
 - Immediate relatives, below
 - Informal examination of family members, applications for immigrant visas, § **9:116**
 - Relatives of Citizens or Permanent Residents, this index
 - S nonimmigrants, eligibility for adjustment of status to permanent resident under INA § 245, § **9:245**
 - Sponsored immigrants. Family-sponsored immigrants, below
- Family-sponsored immigrants
 - Categories of immigrants eligible for lawful permanent resident status, § **9:1**
 - Diversity immigrants, § **9:12**
 - Entitlement to immigrant classification, § **9:4**
 - Order of issuance of visas, § **9:130**
 - Per country quota levels, numerical quotas, § **9:35, 9:36, 9:39, 9:40**
 - Quota immigrants, § **9:9, 9:10**

PERMANENT RESIDENTS—Cont'd

- Family-sponsored immigrants—Cont'd
 - Replacement visas, § **9:153**
 - Worldwide quotas, numerical quotas, § **9:32**
- Federal Bureau of Investigation
 - Adjustment of status to permanent resident under INA § 245, § **9:176, 9:240**
 - Immigrant visa application, § **9:64**
- Fees
 - Adjustment of status to permanent resident under INA § 245, generally, § **9:157**
- Applications
 - Adjustment of status to permanent resident under INA § 245, § **9:218**
 - Immigrant visas, § **9:51, 9:52, 9:54**
- Duplicate visas, § **9:154**
- Entry without inspection, eligibility for adjustment of status to permanent resident under INA § 245, § **9:176, 9:179**
- Medical examination of applicants for adjustment of status to permanent resident under INA § 245, § **9:234**
- New visa issued to nonquota immigrant, § **9:152**
- Payment, below
- Premium processing service, applications for adjustment of status to permanent resident under INA § 245, § **9:222**
- Replacement visas, § **9:153**
- Fifth preference, employment-based immigration, § **9:9**
- Filing
 - Answers, adjustment of status from permanent resident to nonimmigrant, § **9:275**
 - Applications
 - Adjustment of status to permanent resident, § **9:158, 9:217-9:253, 9:259**
 - S nonimmigrants, applications for adjustment of status to permanent resident under INA § 245, § **9:250**
 - Motions to reopen removal or deportation proceedings, applica-

PERMANENT RESIDENTS—Cont'd

- Filing—Cont'd
 - tions for adjustment of status to permanent resident under INA § 245, § **9:242**
- Petitions
 - Approved visa petition as prerequisite to application for immigrant visa, § **9:57, 9:58**
 - Immediate relatives of U.S. citizens, nonquota immigrants, § **9:20**
 - Request for hearing, rescission of permanent resident status, § **9:288**
- Finality of decision, rescission of permanent resident status, § **9:300**
- Findings
 - Court findings pertaining to special immigrant juveniles, supporting documentation for applications for immigrant visas, § **9:85**
 - Medical examination of applicants
 - Adjustment of status to permanent resident under INA § 245, § **9:233, 9:237-9:239**
 - Immigrant visas, § **9:95, 9:104, 9:108**
- Fingerprints
 - Applications for immigrant visas, § **9:64, 9:93, 9:94**
 - Department of State, § **9:64, 9:93, 9:94**
 - Entry without inspection, eligibility for adjustment of status to permanent resident under INA § 245, § **9:176**
- First preference. Employment-based immigration, above
- Following-to-join quota immigrants, § **9:18**
- Follow-up package, applications for immigrant visas, § **9:112, 9:113**
- Foreign armed forces enlistees with honorable active duty records and fourth preference employment-based immigration, § **9:198**
- Foreign governments
 - Career diplomatic or consular officers, A nonimmigrant adjustment of status, § **9:175, 9:197, 9:256-9:260, 9:272-9:277**

PERMANENT RESIDENTS—Cont'd

- Foreign governments—Cont'd
 - G nonimmigrants (international organization representatives of foreign governments), adjustment of status, § **9:197, 9:256-9:260, 9:272-9:277**
 - Officers or employees, applications for immigrant visas, § **9:117**
- Foreign medical graduates, eligibility for adjustment of status to permanent resident under INA § 245, § **9:200**
- Foreign residence requirement
 - Exchange visitors, eligibility for adjustment of status to permanent resident under INA § 245, § **9:196**
 - Foreign medical graduates, eligibility for adjustment of status to permanent resident under INA § 245, § **9:200**
- Foreign state, numerical quotas, § **9:32-9:49**
- Forfeiture of right to appeal, rescission of permanent resident status, § **9:287**
- Form of discretionary denial, applications for adjustment of status to permanent resident under INA § 245, § **9:241**
- Forms, applications for immigrant visas, § **9:65**
- Fourth preference
 - Employment-based immigration, generally, § **9:9, 9:198**
 - Family-sponsored immigrants, quota immigrants, § **9:9, 9:10**
- Fraud
 - Admission obtained by fraud, interviews of applicants for adjustment of status to permanent resident under INA § 245, § **9:232**
 - Rescission of permanent resident status, § **9:281**
 - Vaccination records, medical examination of applicants for immigrant visas, § **9:99**
- Future possibility, adjustment of status to permanent resident under INA § 245, § **9:210**

INDEX

PERMANENT RESIDENTS—Cont'd

- G nonimmigrants (international organization representatives of foreign governments), adjustment of status, § 9:197, 9:256-9:260, 9:272-9:277, 9:279
- Good cause, adjournment of hearing on rescission of permanent resident status, § 9:292
- Good faith entry, adjustment of status to permanent resident under INA § 245, § 9:209-9:211
- Good moral character of applicant
 - Adjustment of status to permanent resident under INA § 245, § 9:213
 - Record of lawful admission, § 9:264
- Government
 - Documentation as evidence of physical presence, eligibility for adjustment of status to permanent resident under INA § 245, § 9:189, 9:190
 - Foreign governments, above
 - Misconduct resulting in unavailability of visas, applications for adjustment of status to permanent resident under INA § 245, § 9:225-9:227
- Graduates. Foreign medical graduates, above
- Grandfathered aliens, entry without inspection and eligibility for adjustment of status to permanent resident under INA § 245, § 9:176-9:192
- Grounds
 - Refusal of visa, § 9:137-9:142
 - Rescission of permanent resident status, § 9:281
 - Revocation of visa, § 9:143
 - Termination of registration, § 9:121
- Guam, eligibility for adjustment of status to permanent resident under INA § 245, § 9:195
- Guardians, rescission of permanent resident status, § 9:290
- Health care workers with missing or incomplete certification, eligibility for adjustment of status to permanent resident under INA § 245, § 9:201

PERMANENT RESIDENTS—Cont'd

- Hearings, rescission of permanent resident status, § 9:288, 9:292-9:298
- Hearsay evidence, applications for adjustment of status to permanent resident under INA § 245, § 9:240
- High school education or its equivalent, diversity immigrants, § 9:11-9:19
- H nonimmigrants, eligibility for adjustment of status to permanent resident under INA § 245, § 9:207
- Homeland Security Department
 - Secretary of Homeland Security, below
 - USCIS (United States Citizenship and Immigration Services), § 9:1 et seq.
- Homeless applicants for immigrant visas, § 9:72
- Hong Kong
 - Approved visa petition as prerequisite to application for immigrant visa, § 9:61
 - Investigation, applications for adjustment of status to permanent resident under INA § 245, § 9:240
 - Per country quota levels, numerical quotas, § 9:38
- Humanitarian/material witness (U nonimmigrants), eligibility for adjustment of status to permanent resident under INA § 245, § 9:204
- Husband and wife. Spouses, below
- ICE (Immigration and Customs Enforcement) counsel, rescission of permanent resident status, § 9:296, 9:302, 9:303
- Identification check, applications for adjustment of status to permanent resident under INA § 245, § 9:240
- Identity of alien, medical examination of applicants for immigrant visas, § 9:101-9:103
- Immediate availability of immigrant visa to applicant, eligibility for adjustment of status to permanent resident under INA § 245, § 9:168-9:171
- Immediate relatives
 - Adjustment of status to permanent resident
 - Aliens admitted as A or G nonimmigrants, § 9:256-9:260

PERMANENT RESIDENTS—Cont'd

- Immediate relatives—Cont'd
 - Adjustment of status to permanent resident—Cont'd
 - INA § 245, § **9:169, 9:172, 9:174, 9:220**
 - Nonquota immigrants, § **9:20**
 - Replacement visas, § **9:153**
- Immigrant visas
 - Applications, § **9:50-9:120, 9:137-9:142**
 - Definition, § **9:2**
 - Diversity lottery visa program, quota immigrants, § **9:11-9:19**
 - Duplicate visas, § **9:154**
 - Immediate availability of immigrant visa to applicant, eligibility for adjustment of status to permanent resident under INA § 245, § **9:168-9:171**
 - Interviews, applicants for adjustment of status to permanent resident under INA § 245, § **9:232**
 - Issuance of visas, below
 - Lawful permanent resident status, § **9:1-9:388**
 - New visa issued to nonquota immigrant, § **9:152**
 - Packet system no longer in use, § **9:50**
 - Processing visa, adjudication of applications for permanent residency, § **9:1**
 - Record made when entitlement to immigrant classification established, § **9:7**
 - Refusal of visa, § **9:137-9:142**
 - Replacement visas, § **9:153**
 - Revocation of visa, § **9:143-9:151**
 - Spouse or child accompanying or following to join principal alien, § **9:6**
 - Unused visa, § **9:155**
 - Validity or invalidity, § **9:133-9:136, 9:156**
 - Who is not required to obtain immigrant visas, § **9:3**
- Immigration judges
 - Applications for adjustment of status to permanent resident under INA § 245, § **9:252, 9:253**

PERMANENT RESIDENTS—Cont'd

- Immigration judges—Cont'd
 - Rescission of permanent resident status, § **9:292, 9:293, 9:294, 9:302, 9:303**
- Immigration officers
 - Adjustment of status from permanent resident to nonimmigrant, § **9:275**
 - Interviews, applicants for adjustment of status to permanent resident under INA § 245, § **9:229-9:232**
- Immigration Visa Appointment Package, § **9:17, 9:111**
- Imputed abandonment of permanent resident status, § **9:278**
- Inability to enter U.S. as result of specific terrorist activity, extension of period of validity of visas, § **9:136**
- Inadmissible or inadmissibility
 - Adjustment of status to permanent resident under INA § 245, eligibility, § **9:166, 9:167, 9:246**
 - Record of lawful admission eligibility, § **9:262**
- Incomplete certification of health care workers, eligibility for adjustment of status to permanent resident under INA § 245, § **9:201**
- Indochinese parolees, eligibility for adjustment of status to permanent resident under INA § 245, § **9:164**
- Ineligibility. Eligibility or ineligibility, above
- Informal examination of family members, applications for immigrant visas, § **9:116**
- Informants, S nonimmigrant adjustment of status to permanent resident under INA § 245, § **9:243-9:250**
- Information
 - Applications
 - Immigrant visas, § **9:66, 9:67, 9:82**
 - Denials of applications for immigrant visa, information required to be entered into electronic data system, § **9:119**
 - National Crime Information Center (NCIC), applications for immigrant visas, § **9:64, 9:94**
- Initiating termination of registration, § **9:123**

INDEX

PERMANENT RESIDENTS—Cont'd

- Inspection
 - Eligibility for adjustment of status to permanent resident under INA § 245, § **9:162-9:164**
 - Entry without inspection, adjustment of status to permanent resident under INA § 245, § **9:176-9:192, 9:221**
- Inspection and Admission of Arriving Aliens, this index
- Instructions
 - Medical examination of applicants, § **9:102, 9:236**
 - Packages, applications for immigrant visas, § **9:50, 9:53**
- Intent
 - Abandonment of permanent resident status, § **9:278**
 - Good faith entry of applicant considered in exercise of discretion, adjustment of status to permanent resident under INA § 245, § **9:209-9:211**
 - Returning permanent residents from temporary stay abroad, nonquota immigrants, § **9:21, 9:23**
- International organizations
 - G nonimmigrants (international organization representatives of foreign governments), adjustment of status, § **9:197, 9:256-9:260, 9:272-9:277**
 - Immigrant visa applications, officers or employees, § **9:117**
 - Officers, § **9:117**
- Interpreters, hearing on rescission of permanent resident status, § **9:295**
- Interviews of applicants
 - Adjustment of status to permanent resident, § **9:228-9:241**
 - Immigrant visas, § **9:114**
- In-transit. En route or in transit, above
- Invalidity. Validity or invalidity, below
- Investigation
 - Applications for adjustment of status to permanent resident under INA § 245, § **9:240**
 - Federal Bureau of Investigation, above
 - Revocation investigation of approved visa petition, § **9:126**

PERMANENT RESIDENTS—Cont'd

- Investigation—Cont'd
 - Withholding of adjudication of petition pending investigation, approved visa petition as prerequisite to application for immigrant visa, § **9:62**
- Issuance of visas
 - Generally, § **9:126-9:134**
 - Duplicate visas, § **9:154**
 - New visa issued to nonquota immigrant, § **9:152**
 - Previously issued visitor visa not bar to permanent resident status, returning permanent residents from temporary stay abroad, § **9:24**
 - Replacement visas, § **9:153**
- Judges. Immigration judges, above
- Judicial review, diversity immigrants, § **9:19**
- Jurisdiction
 - Acceptance of applications, adjustment of status to permanent resident under INA § 245, § **9:217**
 - Judicial review, diversity immigrants, § **9:19**
- Juveniles, special immigrants, § **9:85, 9:199**
- Kentucky Consular Center, diversity immigrants, § **9:16, 9:17**
- Labor certification
 - Adjustment of status to permanent resident under INA § 245, generally, § **9:219**
 - Applications, entry without inspection, eligibility for adjustment of status to permanent resident under INA § 245, § **9:183, 9:184**
 - Eligibility for adjustment of status to permanent resident under INA § 245, § **9:157, 9:174**
 - Interviews of applicants for adjustment of status to permanent resident under INA § 245, § **9:231**
 - Unauthorized employment engaged in by alien, eligibility for adjustment of status to permanent resident under INA § 245, § **9:174**
- Lawful matters
 - Immigration status, eligibility for adjustment of status to perma-

PERMANENT RESIDENTS—Cont'd

- Lawful matters—Cont'd
 - Permanent resident under INA § 245, § **9:158, 9:159**
 - Permanent resident status, § **9:1-9:388**
 - Record of lawful admission for permanent residence, below
- Legal Immigration Family Equity (LIFE) Act, eligibility for adjustment of status to permanent resident under INA § 245, § **9:157**
- Limitations
 - Statute of limitations, rescission of permanent resident status, § **9:284**
 - Visa number limitation, applications for adjustment of status to permanent resident under INA § 245, § **9:248**
- L nonimmigrants, eligibility for adjustment of status to permanent resident under INA § 245, § **9:207**
- Local specialist referral, medical examination of applicants for immigrant visas, § **9:104**
- Location or place
 - Adjustment of status to permanent resident under INA § 245, applications, § **9:217**
 - Immigrant visa applications, § **9:68-9:73**
- Loss of permanent resident status, § **9:278**
- Mailing registrations, diversity immigrants, § **9:16**
- Mandamus
 - Judicial review, diversity immigrants, § **9:19**
 - Scheduling interviews, applicants for adjustment of status to permanent resident under INA § 245, § **9:228**
- Medical examination of applicants, § **9:95**
- Medical matters
 - Examination or examinations, above
 - Foreign medical graduates, above
 - Officers, medical examination of applicants, § **9:239**
- Mentally incompetent persons, rescission of permanent resident status, § **9:290**

PERMANENT RESIDENTS—Cont'd

- Mexico, commuters, § **9:27**
- Ministers and religious workers
 - Eligibility for adjustment of status to permanent resident under INA § 245, § **9:173**
- Missionaries, permanent residents returning from temporary stay abroad, § **9:22**
- Special immigrant status, § **8:63**
- Misconduct of government resulting in unavailability of visas, applications for adjustment of status to permanent resident under INA § 245, § **9:225-9:227**
- Misrepresentation, interviews of applicants for adjustment of status to permanent resident under INA § 245, § **9:232**
- Missing certification of health care workers, eligibility for adjustment of status to permanent resident under INA § 245, § **9:201**
- Missionaries, permanent residents returning from temporary stay abroad, § **9:22**
- Moral character. Good moral character of applicant, above
- Motions, reopening or reconsideration, § **9:181, 9:182, 9:252, 9:253, 9:302**
- Multiple matters
 - Applications for advance parole, eligibility for adjustment of status to permanent resident under INA § 245, § **9:206**
 - Passports covering more than one person, supporting documentation for applications for immigrant visas, § **9:90**
- Name check response from National Crime Information Center (NCIC), applications for immigrant visas, § **9:94**
- National Crime Information Center (NCIC), applications for immigrant visas, § **9:64, 9:94**
- Nationals, acceptance of applications for immigrant visas by consular post in third country, § **9:72**
- National Visa Center
 - Diversity immigrants, quota immigrants, § **9:16**

INDEX

PERMANENT RESIDENTS—Cont'd

National Visa Center—Cont'd

Homeless applicants for immigrant visas, § 9:72

Immigrant visa applications, § 9:51-9:53, 9:72, 9:111

Immigration Visa Appointment Package, applications for immigrant visas, § 9:111

Processing of visas, adjudication of applications for permanent residency, § 9:1

Naturalization, this index

Nature

Petition, approved visa petition as prerequisite to application for immigrant visa, § 9:60

Relief, adjustment of status to permanent resident under INA § 245, § 9:157, 9:208-9:216

NCIC (National Crime Information Center), applications for immigrant visas, § 9:64, 9:94

Necessity of specific approval or denial, § 9:118, 9:119

New visa issued to nonquota immigrant, § 9:152

9-11. September 11, 2001, below

Nongovernment documentation as evidence of physical presence, eligibility for adjustment of status to permanent resident under INA § 245, § 9:191

Nonimmigrants

A nonimmigrants, adjustment of status, § 9:175, 9:197, 9:256-9:260, 9:272-9:277

Adjustment of status

From permanent resident to nonimmigrant, § 9:272-9:277

To permanent resident, generally, § 9:157 et seq.

Definition of immigrant, § 9:2

E nonimmigrants, adjustment of status, § 4:206-4:208, 9:197, 9:272-9:277

G nonimmigrants (international organization representatives of foreign governments), adjustment of status, § 9:197, 9:256-9:260, 9:272-9:277

PERMANENT RESIDENTS—Cont'd

Nonimmigrants—Cont'd

H nonimmigrants, eligibility for adjustment of status to permanent resident under INA § 245, § 9:207

Humanitarian/material witness (U nonimmigrants), eligibility for adjustment of status to permanent resident under INA § 245, § 9:204

L nonimmigrants, eligibility for adjustment of status to permanent resident under INA § 245, § 9:207

S nonimmigrants, adjustment of status to permanent resident under INA § 245, § 9:243-9:250

Suspension of entry, § 9:8

T nonimmigrants (victims of trafficking in persons), eligibility for adjustment of status to permanent resident under INA § 245, § 9:203

Visitors without visa, eligibility for adjustment of status to permanent resident under INA § 245, § 9:195

V nonimmigrants, eligibility for adjustment of status to permanent resident under INA § 245, § 9:207

Nonquota immigrants, § 9:20-9:31, 9:152

Nonresident alien physically present in consular district, applications for immigrant visas, § 9:70

Notice

Adjustment of status from permanent resident to nonimmigrant, § 9:272-9:277

Appeal of rescission of permanent resident status, § 9:303

Determinations and decisions, above

Interviews of applicants for adjustment of status to permanent resident under INA § 245, § 9:229

Possible termination of registration, applications for immigrant visas, § 9:112, 9:113

Refusal of visa, § 9:140

Rescission of permanent resident status, § 9:286

PERMANENT RESIDENTS—Cont'd

Notice—Cont'd

Revocation of visa, § **9:145, 9:146**

NVC. National Visa Center, above

Oaths

Answers, rescission of permanent resident status, § **9:287**Applications for immigrant visas, § **9:115**Occupations, adjustment of status from permanent resident to nonimmigrant, § **9:272-9:277**

Officers

Career diplomatic or consular officers, A nonimmigrant adjustment of status, § **9:175, 9:197, 9:256-9:260, 9:272-9:277**

Consular officers, above

Foreign government officers, applications for immigrant visas, § **9:117**

Immigration officers, above

International organizations, § **9:117**Medical officers, medical examination of applicants, § **9:95, 9:239**

Offices. Consular offices, above

Orders

Adjustment of status from permanent resident to nonimmigrant, § **9:276**Court orders pertaining to special immigrant juveniles, supporting documentation for applications for immigrant visas, § **9:85**Issuance of visas, § **9:130**Rescission of permanent resident status, § **9:302**Show cause orders, application for record of lawful admission, § **9:267**

Organizations. International organizations, above

Packages

Follow-up package, applications for immigrant visas, § **9:112, 9:113**Immigration Visa Appointment Package, § **9:17, 9:111**Instruction packages, applications for immigrant visas, § **9:50, 9:53**Panel physicians, medical examination of applicants for immigrant visas, § **9:95-9:109****PERMANENT RESIDENTS—Cont'd**

Parents

Abandonment of permanent resident status, § **9:278**Determining state to which immigrant is chargeable, numerical quotas, § **9:42, 9:44, 9:45, 9:47**Diplomat parents of children born in U.S., nonquota immigrants, § **9:29**Immediate relatives of U.S. citizens, nonquota immigrants, § **9:20**Parole, adjustment of status to permanent resident under INA § 245, § **9:162-9:164, 9:205-9:207**

Passports

Post-approval procedures, applications for adjustment of status to permanent resident under INA § 245, § **9:254**Supporting documentation for applications for immigrant visas, § **9:88-9:90**

Patriot Act. USA Patriot Act, below

Payment

Additional sum, eligibility for adjustment of status to permanent resident under INA § 245, § **9:179**

Fees

Applications for immigrant visas, § **9:54**Medical examination of applicants for adjustment of status to permanent resident under INA § 245, § **9:234**

Pending matters

Application for adjustment of status to permanent resident under INA § 245, § **9:180, 9:182, 9:205-9:207**Withholding of adjudication of petition pending investigation, approved visa petition as prerequisite to application for immigrant visa, § **9:62**Per country quota levels, numerical quotas, § **9:35-9:40**

Period

Authorization and parole, eligibility for adjustment of status to permanent resident under INA § 245, § **9:206**

INDEX

PERMANENT RESIDENTS—Cont'd

- Period—Cont'd
 - Validity
 - Medical examination of applicants for immigrant visas, § 9:95, 9:109
 - Visas, § 9:133-9:136
- Personal appearance, applications for immigrant visas, § 9:110
- Petitions
 - Diversity immigrants, quota immigrants, § 9:14, 9:15
 - Effect of revocation of petition or approval of subsequent petition, priority date of applications for immigrant visas, § 9:75
 - Entry without inspection, eligibility for adjustment of status to permanent resident under INA § 245, § 9:183
 - Filing, above
 - Immediate relatives of U.S. citizens, nonquota immigrants, § 9:20
 - Investigation, revocation of approved visa petition, § 9:126
 - Revocation, § 9:62, 9:75, 9:126, 9:183
 - Validity or invalidity, below
- Photographs, applications for immigrant visas, § 9:92
- Physical presence
 - Adjustment of status to permanent resident, above
 - Applications for immigrant visas, § 9:70
- Physicians
 - Foreign medical graduates, above
 - Medical examination of applicants, § 9:95-9:109, 9:233-9:239
- Place. Location or place, above
- Police certificate, supporting documentation for applications for immigrant visas, § 9:77
- Post-approval procedures, applications for adjustment of status to permanent resident under INA § 245, § 9:254, 9:255
- Post-decision matters
 - Applications for adjustment of status to permanent resident under INA § 245, § 9:242

PERMANENT RESIDENTS—Cont'd

- Post-decision matters—Cont'd
 - Rescission of permanent resident status, § 9:299-9:303
- Posting of bond, issuance of visa conditioned on, § 9:127
- Posts. Consular posts, above
- Power. Authority and authorization, above
- Preference
 - Allocations, quota immigrants, § 9:9-9:19
 - Employment-based immigration, above
 - Family-sponsored immigrants, generally, § 9:9, 9:10
 - First preference, above
 - Fourth preference, above
 - Fourth preference, generally, § 9:9, 9:198
 - Priority date, applications for immigrant visas, § 9:74
 - Relatives, applications for adjustment of status to permanent resident under INA § 245, § 9:220
 - Second preference, below
 - Third preference, below
- Pregnant women, medical examination of applicants, § 9:107, 9:236
- Preliminary review of applications for adjustment of status to permanent resident under INA § 245, § 9:228
- Premium processing service, applications for adjustment of status to permanent resident under INA § 245, § 9:222
- Prerequisites, applications for immigrant visas, § 9:56-9:63
- Presence
 - Applications for immigrant visas, § 9:70
 - Medical examination abroad for alien applying abroad while in U.S., immigrant visas, § 9:100
 - Physical presence, above
 - Revocation of visa of alien in U.S., § 9:149
- President of United States, suspension of availability of immigrant status to certain aliens, § 9:8
- Prima facie entitlement to status, permanent residents returning from

PERMANENT RESIDENTS—Cont'd

- temporary stay abroad, § 9:25
- Priority date
 - Immigrant visa applications, § 9:74, 9:75
 - S nonimmigrants, applications for adjustment of status to permanent resident under INA § 245, § 9:247
- Priority workers, first preference employment-based immigration, § 9:9
- Prison record, supporting documentation for applications for immigrant visas, § 9:78
- Private bills
 - Generally, § 9:1
 - Treaty traders and investors, adjustment of status, § 4:207
- Privileges, waiver for adjustment of status, § 9:257, 9:272, 9:273
- Processing
 - Applications
 - Adjustment of status to permanent resident under INA § 245, § 9:222, 9:227
 - Immigrant visas, § 9:50-9:120
 - Packet system no longer in use for immigrant visas, § 9:50
 - Consular processing of aliens requiring waiver of vaccination requirements, medical examination of applicants for immigrant visas, § 9:98
 - Department of Homeland Security, role in visa processing of, § 9:55
- Professions, adjustment of status from permanent resident to nonimmigrant, § 9:272-9:277
- Programs, diversity lottery visa program, quota immigrants, § 9:11-9:19
- Proof. Evidence, above
- Proposed matters
 - Adjustment of status from permanent resident to nonimmigrant, § 9:272-9:277
 - Revocation of visa, § 9:145
- Pro ratio dropdown, allocation when quota is exceeded, § 9:40
- Public Health Service, medical examination of applicants, § 9:95, 9:105, 9:236, 9:239

PERMANENT RESIDENTS—Cont'd

- Public ministers, A nonimmigrant adjustment of status, § 9:256-9:260, 9:264
- Qualified special immigrant workers, fourth preference employment-based immigration, § 9:9, 9:198
- Questions concerning employment, interviews of applicants for adjustment of status to permanent resident under INA § 245, § 9:231
- Quotas, immigrants, § 9:9-9:19, 9:32-9:49
- Reapplication, adjustment of status to permanent resident under INA § 245, § 9:224
- Recaptured numbers, numerical quotas, § 9:49
- Reconsideration
 - Applications, § 9:181, 9:182
 - Rescission of permanent resident status, § 9:302
 - Revocation of visa, § 9:150, 9:151
- Record of lawful admission for permanent residence
 - Applications, § 9:261-9:271
 - Cancellation, adjustment of status from permanent resident to nonimmigrant, § 9:276
- Record or records
 - Armed forces foreign enlistees with honorable active duty records, fourth preference employment-based immigration, § 9:198
 - Entitlement to immigrant classification established, § 9:7
 - Fingerprint checks as prerequisite to application for immigrant visa, § 9:64
 - Fraudulent vaccination records, medical examination of applicants for immigrant visas, § 9:99
 - Lawful admission. Record of lawful admission for permanent residence, above
 - Military record, supporting documentation for applications for immigrant visas, § 9:79
 - Prison record, supporting documentation for applications for immigrant visas, § 9:78

INDEX

PERMANENT RESIDENTS—Cont'd

Record or records—Cont'd

Returning permanent residents from temporary stay abroad, nonquota immigrants, § 9:26

Supporting documentation for applications for immigrant visas, § 9:76-9:90

Referral

Local specialist, medical examination of applicants for immigrant visas, § 9:104

Public Health Service, medical examination of applicants for immigrant visas, § 9:105

Refugees and asylum, § 9:1, 10:288

Refund of fees, applications for immigrant visas, § 9:54

Refusal of visa, § 9:137-9:142

Registration

Applications for immigrant visas, § 9:91

Diversity immigrants, quota immigrants, § 9:11, 9:16

Termination of registration, § 9:112, 9:113, 9:121-9:125

Registry

Application for record of lawful admission, § 9:261-9:271

Categories of immigrants eligible for lawful permanent resident status, § 9:1

Nonquota immigrants, § 9:31

Regulations, lawful permanent resident status, § 9:1-9:388

Reinstatement

Registration reinstatement following termination of registration, § 9:125

Visa, reconsideration of revocation of visa, § 9:151

Relatives. Family and relatives, above

Relatives of Citizens or Permanent Residents, this index

Religious workers

Employment-based immigration, above

Ministers and religious workers, above

Removal

Applications for adjustment of status to permanent resident under INA

PERMANENT RESIDENTS—Cont'd

Removal—Cont'd

§ 245, generally, § 9:224

Cancellation of removal

Categories of immigrants eligible for lawful permanent resident status, § 9:1

Nonquota immigrants, § 9:31

Departure while adjustment application is pending, eligibility for adjustment of status to permanent resident under INA § 245, § 9:205

Failure to appear at removal proceedings, eligibility for record of lawful admission, § 9:266

Immigration judges, applications for adjustment of status to permanent resident under INA § 245, § 9:252, 9:253

Relationship to removal proceedings, rescission of permanent resident status, § 9:285

Renewal of application for adjustment of status to permanent resident under INA § 245 in removal proceedings, § 9:242

Unavailability of immigrant visa to applicant, eligibility for adjustment of status to permanent resident under INA § 245, § 9:171

Renewal of application for adjustment of status to permanent resident under INA § 245 in removal proceedings, § 9:242

Reopening

Application for adjustment of status to permanent resident under INA § 245, § 9:181, 9:182

Removal or deportation proceedings, applications for adjustment of status to permanent resident under INA § 245, § 9:252, 9:253

Rescission of permanent resident status, § 9:302

Replacement visas, § 9:153

Reports

Approval of application for adjustment of status to permanent resident of aliens admitted as A or G nonimmigrants, § 9:260

Medical examination of applicants,

PERMANENT RESIDENTS—Cont'd

- Reports—Cont'd
 - § **9:95, 9:103, 9:104, 9:233, 9:237**
- Representatives and representation
 - G nonimmigrants (international organization representatives of foreign governments), adjustment of status, § **9:197, 9:256-9:260, 9:272-9:277**
 - Rescission of permanent resident status, § **9:290**
- Requests
 - Hearings, rescission of permanent resident status, § **9:288**
 - Premium processing service, applications for adjustment of status to permanent resident under INA § 245, § **9:222**
 - Reconsideration, revocation of visa, § **9:150**
 - Return of visa, revocation of visa, § **9:145**
 - Transfer of case, applications for immigrant visas, § **9:73**
- Rescission of permanent resident status, § **9:280-9:303, 9:380**
- Residence
 - Alien born in foreign state not of parents' birth or residence, determining state to which immigrant is chargeable, § **9:47**
 - Consular office in district of alien's residence, applications for immigrant visas, § **9:69**
 - Foreign residence requirement, above
 - Maintenance of continuous U.S. residence by applicant, eligibility for record of lawful admission, § **9:263**
- Response
 - Failure to respond to notice, adjustment of status from permanent resident to nonimmigrant, § **9:274**
 - Follow-up and notice of possible termination of registration, applications for immigrant visas, § **9:113**
 - National Crime Information Center (NCIC) name check response, applications for immigrant visas, § **9:94**

PERMANENT RESIDENTS—Cont'd

- Responsibilities. Duties, above
- Restrictions. Limitations, above
- Retention or return of documents
 - Refusal of visa, § **9:141**
 - Termination of registration, § **9:124**
- Retroactivity of priority date, applications for immigrant visas, § **9:74**
- Return
 - Documents. Retention or return of documents, above
 - Nonquota immigrants, permanent residents returning from temporary stay abroad, § **9:21-9:26**
 - Numerical quotas, returning resident parent or spouse, § **9:44, 9:45**
 - Visas, § **9:145, 9:155**
- Reversion of LPR status, § **9:279**
- Revocation
 - Labor certification application, eligibility for adjustment of status to permanent resident under INA § 245, § **9:183**
 - Naturalization, effect of rescission of permanent resident status, § **9:283**
 - Petitions, § **9:62, 9:75, 9:126, 9:183**
 - Visas, § **9:143-9:151**
- Rights
 - Approved visa petition as prerequisite to application for immigrant visa, § **9:60**
 - Forfeiture of right to appeal, rescission of permanent resident status, § **9:287**
 - Waiver of nonimmigrant rights, adjustment of status, § **9:257, 9:272, 9:273**
- Role of Immigration and Customs Enforcement (ICE) counsel, hearing on rescission of permanent resident status, § **9:296**
- Rules
 - Admissibility of alien to U.S. for permanent residence, adjustment of status to permanent resident under INA § 245, § **9:165**
 - Immediate availability of immigrant visa to applicant, eligibility for adjustment of status to perma-

INDEX

PERMANENT RESIDENTS—Cont'd

- Rules—Cont'd
 - Permanent resident under INA § 245, § **9:168**
 - Inspection and admission of alien into U.S., eligibility for adjustment of status to permanent resident under INA § 245, § **9:162**
 - Medical examination of applicants for immigrant visas, § **9:95**
 - Per country quota levels, numerical quotas, § **9:35-9:37**
 - Priority date, applications for immigrant visas, § **9:74**
 - Recaptured numbers, numerical quotas, § **9:49**
 - Unauthorized employment engaged in by alien, eligibility for adjustment of status to permanent resident under INA § 245, § **9:172**
- Sanctions, issuance of visas, § **9:129**
- Scheduling interviews, applicants for adjustment of status to permanent resident under INA § 245, § **9:228**
- Schools. Education, above
- Scope of medical examination of applicants for immigrant visas, § **9:95**
- Second preference
 - Employment-based immigration, above
 - Family-sponsored immigrants, quota immigrants, § **9:10**
- Secretary of Homeland Security
 - Adjustment of status, generally, § **9:259, 9:260, 9:272-9:277**
 - Application of statutory sanctions, issuance of visas, § **9:129**
 - Approved visa petition as prerequisite to application for immigrant visa, § **9:57**
 - Diversity immigrants, quota immigrants, § **9:11**
 - Eligibility for adjustment of status to permanent resident under INA § 245, generally, § **9:157**
 - Humanitarian/material witness (U nonimmigrants), eligibility for adjustment of status to permanent resident under INA § 245, § **9:204**

PERMANENT RESIDENTS—Cont'd

- Secretary of Homeland Security
 - Cont'd
 - Immediate relatives of U.S. citizens, nonquota immigrants, § **9:20**
 - Processing of visas, role of DHS in, § **9:55**
 - Record of lawful admission, § **9:261-9:271**
 - Registration, applications for immigrant visas, § **9:91**
 - Rescission of permanent resident status, § **9:280-9:303**
 - Retroactivity of priority date, applications for immigrant visas, § **9:74**
 - Revocation of visa, § **9:144**
 - S nonimmigrants, eligibility for adjustment of status to permanent resident under INA § 245, § **9:243**
 - Victims of trafficking in persons (T nonimmigrants), eligibility for adjustment of status to permanent resident under INA § 245, § **9:203**
 - Waiver of vaccination requirements, medical examination of applicants for immigrant visas, § **9:98**
- Secretary of State
 - Application of statutory sanctions, issuance of visas, § **9:129**
 - Approved visa petition as prerequisite to application for immigrant visa, § **9:58, 9:61**
 - Fees, applications for immigrant visas, § **9:54**
 - Fingerprint checks as prerequisite to application for immigrant visa, § **9:64**
 - Revocation of visa, § **9:143-9:151**
 - Selection of physician, medical examination of applicants for adjustment of status to permanent resident under INA § 245, § **9:234**
 - Selective Service classification, adjustment of status from permanent resident to nonimmigrant, § **9:280**
 - Self-employment, eligibility for adjustment of status to permanent resident under INA § 245, § **9:173**
 - September 11, 2001
 - Diversity immigrants, quota

PERMANENT RESIDENTS—Cont'd

- September 11, 2001—Cont'd
 - immigrants, § 9:12
 - Immediate relatives of U.S. citizens, nonquota immigrants, § 9:20
- Serologic tests, medical examination of applicants for immigrant visas, § 9:95, 9:106, 9:107
- Service of papers
 - Application for record of lawful admission, § 9:267, 9:268
 - Decision, rescission of permanent resident status, § 9:300
 - Notice, adjustment of status from permanent resident to nonimmigrant, § 9:275
- Services
 - Premium processing service, applications for adjustment of status to permanent resident under INA § 245, § 9:222
 - Public Health Service, medical examination of applicants, § 9:95, 9:105, 9:236, 9:239
 - USCIS (United States Citizenship and Immigration Services), § 9:1 et seq.
- Sham marriage, rescission of permanent resident status, § 9:281
- Show cause orders, application for record of lawful admission, § 9:267
- Signatures
 - Applications, § 9:115, 9:228
 - Photographs, applications for immigrant visas, § 9:92
- S nonimmigrants, adjustment of status to permanent resident under INA § 245, § 9:243-9:250
- Soviet parolees, eligibility for adjustment of status to permanent resident under INA § 245, § 9:164
- Special immigrants
 - American University of Beirut employees, nonquota immigrants, § 9:28
 - Approved visa petition as prerequisite to application for immigrant visa, § 9:58, 9:61
 - Categories of immigrants eligible for lawful permanent resident status, § 9:1

PERMANENT RESIDENTS—Cont'd

- Special immigrants—Cont'd
 - Entitlement to immigrant classification, § 9:4
 - Former U.S. citizens, nonquota immigrants, § 9:30
 - Immediate availability of immigrant visa to applicant, eligibility for adjustment of status to permanent resident under INA § 245, § 9:169
 - Juveniles, § 9:85, 9:199
 - Qualified special immigrant workers, fourth preference employment-based immigration, § 9:9, 9:198
 - Religious workers, eligibility for adjustment of status to permanent resident under INA § 245, § 9:202
 - Unauthorized employment engaged in by alien, eligibility for adjustment of status to permanent resident under INA § 245, § 9:172
- Specialists, medical examination of applicants for immigrant visas, § 9:104
- Special rules, per country quota levels, § 9:36, 9:37
- Spouses
 - Annulment of marriage, rescission of permanent resident status, § 9:281
 - Determining state to which immigrant is chargeable, numerical quotas, § 9:43-9:45
 - Immediate relatives of U.S. citizens, nonquota immigrants, § 9:20
 - Of permanent residents awaiting immigrant visa. V Nonimmigrant Visas, this index
 - Sponsored immigrants. Family-sponsored immigrants, above
- Standardized instruction packages, applications for immigrant visas, § 9:50
- Standard procedures, applications for immigrant visas, § 9:92
- State Department. Department of State, above
- Status
 - Adjustment of status, above
 - Effect of grandfathering on alien's nonimmigrant status, eligibility

INDEX

PERMANENT RESIDENTS—Cont'd

- Status—Cont'd
 - for adjustment of status to permanent resident under INA § 245, § **9:186**
 - Employment-based immigration, above
 - Lawful permanent resident status, § **9:1-9:388**
 - Maintenance of status, applications for adjustment of status to permanent resident under INA § 245, § **9:255**
 - Statute of limitations, rescission of permanent resident status, § **9:284**
 - Students, permanent residents returning from temporary stay abroad, § **9:22**
 - Subpoenas, rescission of permanent resident status, § **9:298**
 - Subsequent petition, priority date of applications for immigrant visas, § **9:75**
- Substitution
 - Beneficiary on application for labor certification, eligibility for adjustment of status to permanent resident under INA § 245, § **9:184**
 - Documentation, applications for immigrant visas, § **9:86**
 - Immigration Judge, rescission of permanent resident status, § **9:294**
- Sufficiency and weight of evidence, eligibility for adjustment of status to permanent resident under INA § 245, § **9:192**
- Support
 - Affidavit, applications for immigrant visas, § **9:52, 9:83**
 - Cases processed at posts provided document review support by National Visa Center, applications for immigrant visas, § **9:52**
- Surrender of documents
 - Adjustment of status from permanent resident to nonimmigrant, § **9:276**
 - Rescission of permanent resident status, § **9:301**
- Suspension
 - Action, approved visa petition as prerequisite to application for

PERMANENT RESIDENTS—Cont'd

- Suspension—Cont'd
 - immigrant visa, § **9:62, 9:63**
 - Availability of immigrant status to certain aliens, § **9:8**
 - Deportation, categories of immigrants eligible for lawful permanent resident status, § **9:1**
- Suspicion that documents are unauthentic, supporting documentation for applications for immigrant visas, § **9:87**
- Symbols for classification, § **9:5**
- Tax information, supporting documentation for applications for immigrant visas, § **9:82**
- Temporary matters
 - B-1 classification of personal/domestic employees of permanent residents, eligibility of business visitors for, § **4:133**
 - B-2 visitors for pleasure visas for emergency temporary visit to U.S., § **6:252**
 - Departure while application is pending, eligibility for adjustment of status to permanent resident under INA § 245, § **9:206**
- Visit abroad
 - American University of Beirut employees, nonquota immigrants, § **9:28**
 - Child born to permanent resident during temporary visit abroad, nonquota immigrants, § **9:31**
 - Permanent residents returning from temporary stay abroad, nonquota immigrants, § **9:21-9:26**
- Termination
 - Action, approved visa petition as prerequisite to application for immigrant visa, § **9:62, 9:63**
 - Application, adjustment of status to permanent resident under INA § 245, § **9:205**
 - Registration, § **9:112, 9:113, 9:121-9:125**
- Terrorism
 - Application for record of lawful admission, § **9:265**
 - Inability to enter U.S. as result of specific terrorist activity, exten-

PERMANENT RESIDENTS—Cont'd

- Terrorism—Cont'd
 - sion of period of validity of visas, § **9:136**
 - September 11, 2001, above
 - USA Patriot Act, below
- Third country, acceptance of applications for immigrant visas by consular post in, § **9:71-9:73**
- Third preference
 - Employment-based immigration, above
 - Family-sponsored immigrants, quota immigrants, § **9:10**
- Time or date
 - Appeals, rescission of permanent resident status, § **9:303**
 - Entry, record of lawful admission, § **9:261-9:271**
 - Immediate availability of immigrant visa to applicant, eligibility for adjustment of status to permanent resident under INA § 245, § **9:168-9:171**
 - Ineligibility for ten years for adjustment of status stemming from failure to depart, § **9:160**
 - Period, above
 - Priority date, above
 - Request for hearing, rescission of permanent resident status, § **9:288**
 - Statute of limitations, rescission of permanent resident status, § **9:284**
 - Temporary matters, above
- T nonimmigrants (victims of trafficking in persons), eligibility for adjustment of status to permanent resident under INA § 245, § **9:203**
- Tolling of statute of limitations, rescission of permanent resident status, § **9:284**
- Tourists, eligibility for adjustment of status to permanent resident under INA § 245, § **9:195**
- Trafficking in persons victims (T nonimmigrants), eligibility for adjustment of status to permanent resident under INA § 245, § **9:203**
- Transfer of case, applications for immigrant visas, § **9:73**

PERMANENT RESIDENTS—Cont'd

- Treaty traders and investors, adjustment of status, § **4:206-4:208, 9:197, 9:272-9:277**
- TWOV (alien admitted in transit without visa), eligibility for adjustment of status to permanent resident under INA § 245, § **9:194**
- Two-year foreign residency requirement, refusal of visa, § **9:139**
- Unauthentic documents, supporting documentation for applications for immigrant visas, § **9:87**
- Unauthorized employment engaged in by alien, eligibility for adjustment of status to permanent resident under INA § 245, § **9:175**
- Unavailability. Availability or unavailability, above
- Unemployment compensation laws, credits under state, § **16:99-16:105**
- United States Citizenship and Immigration Services (USCIS), § **9:1 et seq.**
- Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001. USA Patriot Act, below
- Unlawful presence, eligibility for adjustment of status to permanent resident under INA § 245, § **9:187**
- U nonimmigrants (humanitarian/material witness), eligibility for adjustment of status to permanent resident under INA § 245, § **9:204**
- Unused visa, § **9:155**
- USA Patriot Act
 - Diversity immigrants, quota immigrants, § **9:11**
 - Fingerprint checks as prerequisite to application for immigrant visa, § **9:64**
 - Immediate relatives of U.S. citizens, nonquota immigrants, § **9:20**
- USCIS (United States Citizenship and Immigration Services), § **9:1 et seq.**
- Vaccinations, medical examination of applicants for immigrant visas, § **9:96-9:99**
- Validity or invalidity
 - Orders, rescission of permanent resi-

PERMANENT RESIDENTS—Cont'd

- Validity or invalidity—Cont'd
 - dent status, § 9:302
 - Period, above
 - Petitions
 - Approved visa petition as prerequisite to application for immigrant visa, § 9:61
 - Diversity immigrants, quota immigrants, § 9:15
 - Visas, § 9:133-9:136, 9:156
 - Victims of trafficking in persons (T nonimmigrants), eligibility for adjustment of status to permanent resident under INA § 245, § 9:203
 - Vietnam Amerasian immigrants, § 9:1, 9:4
 - Visas
 - Cancellation, above
 - Immigrant visas, above
 - Issuance of visas, above
 - National Visa Center, above
 - Visitors
 - Exchange visitors, above
 - Nonimmigrant visitors without visa, eligibility for adjustment of status to permanent resident under INA § 245, § 9:195
 - Previously issued visitor visa not bar to permanent resident status, permanent residents returning from temporary stay abroad, § 9:24
 - Temporary matters, above
 - V nonimmigrants, eligibility for adjustment of status to permanent resident under INA § 245, § 9:207
 - Voluntary departure, denial of application for adjustment of status to permanent resident under INA § 245, § 9:242
 - Waiver
 - Execution, above
 - Fees for premium processing service, applications for adjustment of status to permanent resident under INA § 245, § 9:222
 - Inadmissibility
 - Eligibility for adjustment of status to permanent resident under INA § 245, § 9:166, 9:167, 9:246

PERMANENT RESIDENTS—Cont'd

- Waiver—Cont'd
 - Inadmissibility—Cont'd
 - Lawful permanent residents. Waivers of Inadmissibility, this index
 - Interviews, applicants for adjustment of status to permanent resident under INA § 245, § 9:229
 - Lawful permanent residents. Waivers of Inadmissibility, this index
 - Nonimmigrant rights and privileges, adjustment of status, § 9:257, 9:272, 9:273
 - Vaccination requirements, medical examination of applicants for immigrant visas, § 9:98
 - Warrant of arrest, application for record of lawful admission, § 9:267, 9:268
 - Weight and sufficiency of evidence of physical presence, eligibility for adjustment of status to permanent resident under INA § 245, § 9:192
 - Welfare and public benefits
 - Determination of lawful presence, § 16:64
 - Eligibility for, § 16:59, 16:60
 - Unemployment compensation laws, credits under state, § 16:99-16:105
 - Wife and husband. Spouses, above
 - Withdrawal of visa petition or labor certification application, eligibility for adjustment of status to permanent resident under INA § 245, § 9:183
 - Withholding of adjudication of petition pending investigation, approved visa petition as prerequisite to application for immigrant visa, § 9:62
 - Witnesses
 - Hearings, rescission of permanent resident status, § 9:298
 - Humanitarian/material witness (U nonimmigrants), eligibility for adjustment of status to permanent resident under INA § 245, § 9:204
 - S nonimmigrant adjustment of status to permanent resident under INA § 245, § 9:243-9:250
 - Work experience, diversity immigrants, § 9:11-9:19

PERMANENT RESIDENTS—Cont'd

Worldwide quotas, numerical quotas,
§ 9:32-9:34

X-rays, medical examination of
applicants, § 9:95, 9:102, 9:106,
9:107, 9:236, 9:237

PERMITS

Crimes and Related Conduct, this index

PERM (PROGRAM ELECTRONIC REVIEW MANAGEMENT) SYSTEM

Regulations and overview of the
changes, labor certification. legacy
traditional labor certification process
to PERM applications, § 8:100

PERSECUTION

Crew member alleging fear of persecu-
tion, parole for, § 2:201, 6:133
Foreign residence requirement waiver
(J-1 waiver), § 3:210, 3:214, 3:220,
3:222

Refugees and Asylum, this index
Removal, this index

PERSIAN GULF EVACUEES

Adjustment of status, 2000 legislation,
§ 1:55

PERSONAL APPEARANCE

International Organization Representa-
tives, this index
Nonimmigrant visas, applications, § 4:5
Permanent residents, applications for
immigrant visas, § 9:110

PERSONAL EMPLOYEES

Diplomatic Visas, this index

PERSONAL RESPONSIBILITY AND WORK OPPORTUNITY RECONCILIATION ACT OF 1996

Generally, § 1:27
Welfare and public benefits, aliens' right
to, § 16:59

PETITIONS

Amnesty, temporary resident status
eligibility, § 9:311
Employment-Based Immigration, this
index
Habeas corpus, denial of asylum,
§ 10:250

PETITIONS—Cont'd

H Nonimmigrants, this index
Illegal Entry Crimes, this index
Intracompany Transferees, this index
Judicial review, this index
Nonimmigrant visas
Humanitarian/material witnesses,
petition procedures and decision,
§ 6:365

Return of petition to USCIS on revo-
cation of visa, § 4:53

O Nonimmigrants, this index
Permanent Residents, this index
P Nonimmigrants, this index
Relatives of Citizens or Permanent
Residents, this index
Religious Workers, this index
TN Nonimmigrants, this index

PETTY LARCENY

Removal, § 13:33

PETTY OFFENSES

Inadmissibility, denial of admission or
visa, § 3:25

PHILIPPINES

Advance authorization for parole, family
beneficiaries of Filipino World War
II veterans, pending rescission,
§ 2:217

Citizenship of persons born abroad to
citizen parents, § 14:40

Naturalization
Entry into U.S. prior to May 1, 1934,
§ 14:301

IA90 provisions governing Filipinos
serving in W.W.II, § 14:256

Noncitizen national status lost upon
independence of territory of birth,
§ 14:62

PHOTOCOPIES OF DOCUMENTS

Intracompany transferees, petitions for
visas, § 4:565

PHOTOGRAPHS

International organization representa-
tives, waiver for G nonimmigrants,
§ 6:56

Naturalization, this index
Nonimmigrant visas, supporting
documentation for applications,
§ 4:14

INDEX

PHOTOGRAPHS—Cont'd

Permanent residents, applications for immigrant visas, § 9:92

PHYSICAL AND MENTAL EXAMINATIONS

Inspection and post-inspection mandatory detention for arriving aliens, § 2:166

PHYSICAL APPEARANCE

Fourth Amendment rights of aliens, § 16:30

PHYSICAL DISORDER

Definition of “physical disorder,” inadmissibility, § 3:6

PHYSICAL PRESENCE

Amnesty, § 9:366

Illegal presence. Removal, this index

Naturalization, this index

Nonimmigrant visas, applications, § 4:11

Permanent residents, applications for immigrant visas, § 9:70

PHYSICAL THERAPISTS

Employment-based immigration, documentation for Schedule A applications for labor certification, § 8:111, 8:112

PHYSICIANS

Employment-Based Immigration, this index

Labor certifications and qualifications, § 3:81

Nonimmigrant visas, medical examination of applicants, § 4:15

Permanent residents
Medical examination of applicants, § 9:95-9:109, 9:233-9:239

Temporary visitors for business, H-1 classifiable aliens eligible for B-1 classification, § 4:122

Underserved Areas Act, Physicians for, § 1:97

PHYSICIANS FOR UNDERSERVED AREAS ACT

2007, § 1:97

PLEAS AND PLEADINGS

Advising accused of consequence of plea, § 17:216, 17:217

PLEAS AND PLEADINGS—Cont'd

Employer Sanctions and Unfair Immigration Related Employment Practices, this index

H nonimmigrants, appeals regarding H-1C nonimmigrant violations, § 4:403

PLEASURE VISITORS

Temporary Visitors for Pleasure, this index

PLENARY POWER DOCTRINE

Federal authority over immigration matters, § 16:1, 16:2

P NONIMMIGRANTS

Admission, § 4:690

Advisory opinions, consultation requirement, § 4:669-4:677

Agents, filing petition to classify alien as P nonimmigrant, § 4:649, 4:650

Agreements. Contracts or agreements, below

Amendment or change

Effect of changes in terms and conditions of employment, petition to classify alien as P nonimmigrant, § 4:656

Employer change, petition to classify alien as P nonimmigrant, § 4:654

Nonimmigrant classification change, § 4:88

Petition to classify alien as P nonimmigrant, § 4:655, 4:656

Sponsor change, petition to classify alien as P nonimmigrant, § 4:653

Status change, petition to classify alien as P nonimmigrant, § 4:649

Appeal and review

Extension of stay, § 4:692

Petition to classify alien as P nonimmigrant, § 4:683

Revocation of petition to classify alien as P nonimmigrant, § 4:683

Applications

Extension of stay, § 4:68

Filing visa application, § 4:5

Nonimmigrant classification change, § 4:88

Reissuance of visas, § 4:30

Status change, § 4:649

P NONIMMIGRANTS—Cont'd

- Applications—Cont'd
 - Suspension of consular action on visa application, § 4:688
- Approval or denial
 - Effect of approval of permanent labor certification, § 4:647
 - Extension of stay, § 4:692
 - Petition to classify alien as P nonimmigrant, generally, § 4:649, 4:678-4:683
 - Prima facie evidence of entitlement to P classification for alien qualifying individually, approved petition as, § 4:685
 - Referral of approved petition to USCIS for reconsideration, consular officers, § 4:687
 - Use of approval notice, § 4:691
- Authority, filing petition to classify alien as P nonimmigrant, § 4:650
- Certification
 - Effect of approval of permanent labor certification, § 4:647
 - Labor dispute, Secretary of Labor, § 4:648
- Change. Amendment or change, above
- Children and spouses, § 4:643-4:645
- Circus personnel, § 4:644, 4:661, 4:672
- Consular officers, § 4:686-4:688
- Consultation requirement, petition to classify alien as P nonimmigrant, § 4:669-4:677
- Contracts or agreements
 - Definition of contract, § 4:646
 - Documentation, petition to classify alien as P nonimmigrant, § 4:652, 4:668
 - Organizations agreeing to provide advisory opinions, consultation requirement, § 4:676
- Culturally unique program participants, § 4:643 et seq., 4:666, 4:667, 4:674
- Definitions
 - Arts, § 4:646
 - Competition, event or performance, § 4:646
 - Contract, § 4:646
 - Culturally unique, § 4:646
 - Essential support alien, § 4:646
 - Group, § 4:646

P NONIMMIGRANTS—Cont'd

- Definitions—Cont'd
 - Internationally recognized, § 4:646
 - Member of a group, § 4:646
 - Sponsor, § 4:646
 - Team, § 4:646
- Denial. Approval or denial, above
- Derivative status, § 4:644, 4:645
- Determinations, consular officers, § 4:686-4:688
- Documentation, petition to classify alien as P nonimmigrant, § 4:652, 4:653, 4:660-4:662, 4:665, 4:667
- Duration of stay, § 4:690
- Duties, consular officers, § 4:686-4:688
- Effect
 - Approval of permanent labor certification or filing of preference petition, § 4:647
 - Changes in terms and conditions of employment, petition to classify alien as P nonimmigrant, § 4:656
 - Labor dispute, § 4:648
- Eligibility for status, § 4:644, 4:645
- Entertainment groups, § 4:672
- Entry, § 4:643 et seq.
- Essential support person
 - Approval of permanent labor certification or filing of preference petition, effect of, § 4:647, 4:649
 - Definition of “essential support alien,” § 4:646
 - Extension of stay, § 4:692
 - Multiple beneficiaries in visa petition, § 4:651
 - P-2 artist or entertainer, petition for, § 4:664
 - Period of validity of petition, § 4:679
 - Petition for essential support alien, § 4:668
 - Substitution of beneficiaries, § 4:657
 - Written consultation with labor organization, § 4:675
- Evidence
 - Approved petition as prima facie evidence of entitlement to P classification for alien qualifying individually, § 4:685
 - Consultation requirement, petition to classify alien as P nonimmigrant, § 4:669

INDEX

P NONIMMIGRANTS—Cont'd

- Evidence—Cont'd
 - Petition to classify alien as P nonimmigrant, § 4:652, 4:653, 4:660, 4:665, 4:667
- Exigent circumstances, waiver of one-year relationship requirement, § 4:644, 4:663
- Expedited procedures, consultation requirement, § 4:670
- Extension
 - Petition validity, § 4:680
 - Stay, § 4:68, 4:692
- Filing
 - Effect of preference petition, § 4:647
 - Petition to classify alien as P nonimmigrant, § 4:649-4:668
 - Visa application, § 4:5
- Groups, § 4:643 et seq.
- Illness, waiver of one-year relationship requirement, § 4:644, 4:663
- Individual artists or entertainers, § 4:644, 4:685
- Internationally recognized entertainment group members, § 4:643 et seq.
- Issuance of visas, § 4:684-4:689
- Labor certification, effect of approval, § 4:647
- Labor dispute, effect of, § 4:648
- Labor unions, negative consultations from, § 4:677
- Mandatory consultation requirement, petition to classify alien as P nonimmigrant, § 4:669-4:677
- Members of internationally recognized entertainment groups, § 4:643 et seq.
- Modification. Amendment or change, above
- Multiple matters
 - Beneficiaries, petition to classify alien as P nonimmigrant, § 4:651
 - Services in more than one location or for more than one employer, petition to classify alien as P nonimmigrant, § 4:653
- Nationally recognized entertainment groups, § 4:643 et seq.
- Notice
 - Changes in terms and conditions of employment, § 4:656

P NONIMMIGRANTS—Cont'd

- Notice—Cont'd
 - Denial of petition to classify alien as P nonimmigrant, § 4:681
 - Revocation of petition to classify alien as P nonimmigrant, § 4:682
 - Use of approval notice, § 4:691
- One-year relationship, members of internationally recognized entertainment groups, § 4:643 et seq.
- Organizations, § 4:643 et seq.
- Participants in culturally unique programs, § 4:643 et seq., 4:666, 4:667, 4:674
- Period of validity, § 4:679, 4:680, 4:684
- Permanent labor certification, effect of approval, § 4:647
- Petitions
 - Approved petition as prima facie evidence of entitlement to P classification for alien qualifying individually, § 4:685
 - Classification of alien as P nonimmigrant, generally, § 4:649-4:668
 - Effect of filing of preference petition, § 4:647
 - Referral of approved petition to USCIS for reconsideration, § 4:687
- Preference petition, effect of filing, § 4:647
- Prima facie evidence of entitlement to P classification for alien qualifying individually, approved petition as, § 4:685
- Programs, § 4:643 et seq.
- Proof. Evidence, above
- Qualifications, § 4:684-4:689
- Reciprocal exchange programs, § 4:643 et seq., 4:664, 4:665, 4:673
- Reconsideration of approved petition, § 4:687
- Referral of approved petition to USCIS for reconsideration, § 4:687
- Reissuance of visas, § 4:30
- Requests
 - Petition validity extension, § 4:680
 - Stay extension, § 4:692
 - Substitution of beneficiaries, § 4:657
- Return transportation, § 4:693

P NONIMMIGRANTS—Cont'd

- Review. Appeal and review, above
- Revocation of petition or approval of petition, § 4:682, 4:683
- Secretary of Labor, certification of labor dispute, § 4:648
- Services in more than one location or for more than one employer, petition to classify alien as P nonimmigrant, § 4:653
- Sponsor, § 4:646 et seq.
- Spouses and children, § 4:643-4:645
- Status
 - Change of status, § 4:649
 - Eligibility for status, § 4:644, 4:645
- Stay
 - Duration of stay, § 4:690
 - Extension of stay, § 4:68, 4:692
- Strikes, effect of, § 4:648
- Substantial relationship requirement, § 4:643 et seq.
- Substitution of beneficiaries, petition to classify alien as P nonimmigrant, § 4:657
- Suspension of consular action on visa application, § 4:688
- Sustained relationship requirement, § 4:643 et seq.
- Terms and conditions of employment, effect of changes in, § 4:656
- Time
 - Duration of stay, § 4:690
 - Period of validity, § 4:679, 4:680, 4:684
- United States Citizenship and Immigration Services (USCIS), § 4:644, 4:649 et seq.
- Use of approval notice, § 4:691
- Validity
 - Period of validity, § 4:679, 4:680, 4:684
 - Visas, § 4:684, 4:689
- Visas, § 4:5, 4:30
- Waiver
 - International recognition requirement, nationally recognized entertainment group, § 4:644, 4:662
 - One-year relationship requirement, § 4:644, 4:663

POLAND

- Refugees and Asylum, this index

Index-252

POLICE CERTIFICATE

- International organization representatives, waiver of police certificate requirement for G nonimmigrants, § 6:56
- Nonimmigrant visas, supporting documentation for applications, § 4:16
- Permanent residents, supporting documentation for applications for immigrant visas, § 9:77

POLITICAL OFFENSES

- Inadmissibility, denial of admission or visa, § 3:13

POLITICAL QUESTIONS AND MATTERS

- Equal protection and employment related rights of aliens, § 16:109-16:111
- Refugees and Asylum, this index

POLYGAMY

- Inadmissibility, denial of admission or visa, § 3:116

POPULATION CONTROL PROGRAMS

- Refugees and Asylum, this index

PORTABILITY

- H-1B nonimmigrants, § 4:319-4:333

PORT OF ENTRY

- Generally, § App 1-9
- H-1B nonimmigrants, § 4:222, 4:322
- Nonimmigrant Visas, this index
- Refugees and asylum, document presentation at port of entry, § 10:25, 10:26
- Treaty traders and investors, inspection, § 4:203

PORT PASSENGER ACCELERATED SERVICE SYSTEM (PORTPASS)

- Inspection and Admission of Arriving Aliens, this index

POSITIVE RECRUITMENT EFFORTS

- H-2A nonimmigrants, § 4:40-4:452

POSSESSING STOLEN PROPERTY

- Inadmissibility, denial of admission or visa, § 3:17

INDEX

POSSESSION OF MORE THAN ONE VISA

Nonimmigrant visas, issuance, § 4:34

POSSIBLE CLAIM TO U.S. CITIZENSHIP

Nonimmigrant visas, presumption of immigrant status, § 4:4

POSTAL MATTERS

Mail or Mailing, this index

POSTING OF BOND

Bonds and Undertakings, this index

POW/MIA

Refugee status grants to persons assisting in location of, § 10:11

PRECERTIFICATION

H nonimmigrants, labor certification for H-2B nonimmigrants, § 4:484

PRE-ENROLLED ACCESS LANE (PAL)

Generally, § 2:55

PREFERENCE

Employment-Based Immigration, this index

Intracompany transferees, effect of approval of immigrant preference petition on adjudication of petitions for visas, § 4:571

O nonimmigrants, effect of filing preference petition, § 4:603-4:605

Permanent Residents, this index

P nonimmigrants, effect of filing preference petition, § 4:647

Relatives of Citizens or Permanent Residents, this index

PREGNANT WOMEN

Parole of aliens subject to expedited removal and arriving noncitizens placed in removal proceedings, § 2:174

Permanent residents, medical examination of applicants, § 9:107, 9:236

PRE-INSPECTION

Inspection and Admission of Arriving Aliens, this index

PRELIMINARY REVIEW OF APPLICATIONS

Permanent residents, adjustment of status under INA § 245, § 9:228

PREMIUM PROCESSING SERVICE

H nonimmigrants, petitions for H-2A nonimmigrants, § 4:428

Permanent residents, applications for adjustment of status under INA § 245, § 9:222

PRESENCE

Amnesty, presence in U.S. continuously, § 9:362-9:366

Illegal presence. Removal, this index

Naturalization, this index

Permanent residents, applications for immigrant visas, § 9:70

Refugees and Asylum, this index

PRESENTATION OF CERTIFICATE OR CERTIFIED STATEMENTS

H nonimmigrants, nurses, § 4:350

PRESENT EMPLOYEES

Employment-based immigration, special immigrant status as present or former federal government employee abroad, § 8:144, 8:146

PRESIDENT

Generally, § 1:264

Executive Orders, source of law, § 1:186

Permanent residents, suspension of availability of immigrant status to certain aliens, § 9:8

Proclamations. Presidential Proclamations, this index

PRESIDENTIAL PROCLAMATIONS

Inadmissibility, denial of admission or visa, § 3:128

Source of law, § 1:186

PRESS

Media, this index

PRESUMPTIONS

Alien status, § 2:1

Citizenship, § 10:209, 14:2

Expatriation, voluntariness of, § 14:457

Lawful admission for permanent residence, naturalization, § 14:109

PRESUMPTIONS—Cont'd

- Nonimmigrant visas, immigrant status, § 4:2-4:4
- Passports and citizenship, § 10:209
- Refugees and Asylum, this index
- Temporary visitors for business, thirty/sixty day rule, § 4:111
- TN nonimmigrants, § 4:710

PREVAILING WAGE

- Employment-based immigration, labor certification, § 8:118
- H Nonimmigrants, this index

PREVIOUSLY REMOVED ALIENS

- Inadmissibility, denial of admission or visa, § 3:109

PRIMA FACIE ELIGIBILITY OR ENTITLEMENT

- Amnesty, Legal Immigration Family Equity (LIFE) Act, § 9:357
- Permanent residents returning from temporary stay abroad, § 9:25

PRIMA FACIE EVIDENCE

- O nonimmigrants, approved petition as prima facie evidence of entitlement to classification, § 4:630
- P nonimmigrants, approved petition as prima facie evidence of entitlement to classification for alien qualifying individually, § 4:685

PRIORITY DATE

- Employment-Based Immigration, this index
- Permanent Residents, this index
- Relatives of Citizens or Permanent Residents, this index

PRIORITY WORKERS

- Employment-Based Immigration, this index

PRISON RECORD

- Permanent residents, supporting documentation for applications for immigrant visas, § 9:78

PRIVACY ACT

- Records, this index

PRIVATE BILLS

- Exchange visitors and exchange visitor programs, § 5:121

PRIVATE BILLS—Cont'd

- Permanent residents
 - Generally, § 9:1
 - Treaty traders and investors, adjustment of status, § 4:207

PRIVATE RIGHT OF ACTION

- H nonimmigrants, labor certification for H-2B nonimmigrants, § 4:488

PRIVATE YACHTS

- Crew member, B-1 nonimmigrants, § 6:235

PRIVILEGES AND IMMUNITIES

- Aliens' rights, overview of, § 16:14-16:18
- Civil rights of aliens, § 16:54
- 18 USCA § 242, aliens' rights under, § 16:57
- Permanent residents, waiver for adjustment of status, § 9:257, 9:272, 9:273

PROBABLE CAUSE

- Fourth Amendment rights of aliens, § 16:31

PROBATION

- Naturalization, effect on good moral character requirement for, § 14:149

PRO BONO REPRESENTATION

- BIA Pro Bono Project, § 1:238

PROCEDURE

- Crimes and Related Conduct, this index
- Employer Sanctions and Unfair Immigration Related Employment Practices, this index
- Expedited Removal, this index
- Inspection and Admission of Arriving Aliens, this index

PROCESSING

- H Nonimmigrants, this index
- Intracompany transferees, petitions for visas, § 4:565
- Nonimmigrant visas, applications, § 4:5, 4:6
 - Special visa reapplication procedures for "travel ban" class members, § 4:5.50
- Permanent Residents, this index

INDEX

PROFESSION

Trade, Business, Occupation or Profession, this index

PROFESSIONAL ATHLETES

Labor certifications and qualifications, § 3:80

PROFESSORS AND RESEARCH SCHOLARS

Employment-Based Immigration, this index

Student and Exchange Visitors, this index

PROFICIENCY IN LANGUAGE

Employment-based immigration, qualifications for employment, § 8:202

PROFITS

Temporary visitors for business, accrual of profits, § 4:113

PROGRAM ELECTRONIC REVIEW MANAGEMENT (PERM) SYSTEM

Traditional labor certification process to PERM applications
legacy, § 8:100

PROGRAMS

Amnesty, Family Unity Program, § 9:321-9:328, 9:381-9:386

H-3 nonimmigrants, § 4:503, 4:504, 4:506

Nurses (J exchange visitors), program transfer to obtain additional training, § 4:368

Permanent residents, diversity lottery visa program, quota immigrants, § 9:11-9:19

P nonimmigrants, § 4:643 et seq.

Visa bond pilot, § 4:38.50

PROGRESSIVE EXPERIENCE

Employment-based immigration, members of professions holding advanced degrees, § 8:29, 8:34

PROPERTY CRIMES

Inadmissibility, this index

PROPERTY RIGHTS OF ALIENS

Generally, § 16:119-16:147

PROPERTY RIGHTS OF ALIENS

—Cont'd

Acquisition of property or rights in property, generally, § 16:123-16:135

Adverse possession, § 16:132

Agricultural foreign investment disclosure requirements, § 16:139

Attachment, § 16:143

Bankruptcy proceeding, availability of homestead exemption in, § 16:142

Common-law real property rights
Generally, § 16:120, 16:123

Inheritance or testamentary disposition, § 16:127

Lease, § 16:124

Mortgages and liens, § 16:126

Purchase and sale, § 16:123

Compensation, prohibition against deprivation of property without, § 16:145, 16:146

Confiscation of enemy alien's property on outbreak of war, § 16:146

Constitutional rights

Inheritance or testamentary disposition, § 16:128

Real property rights, generally, § 16:121

Conveyance of property or rights in property, generally, § 16:136-16:138

Disclosure requirements as to foreign agricultural investments, § 16:139

Disposition of property or rights in property, generally, § 16:136-16:138

District of Columbia, land in, § 16:135

Dower and curtesy, § 16:130

Escheat, § 16:144

Garnishment, § 16:143

Government grants, § 16:133

Homestead exemption in bankruptcy proceeding, availability of, § 16:142

Homesteading, § 16:134

Inheritance or intestate succession

Generally, § 16:127-16:129, 16:137

Common-law rule, § 16:127

Constitutional and statutory provisions, § 16:128

Dower and curtesy, § 16:130

Escheat, § 16:144

PROPERTY RIGHTS OF ALIENS

—Cont'd

Inheritance or intestate succession

—Cont'd

Treaty provisions, § 16:129

Insurance, § 16:141

Investors

Agricultural foreign investment disclosure requirements, § 16:139

Constitutionally or statutorily based property rights, § 16:121

Lease of property or rights in property, § 16:124, 16:125, 16:136

Lien on property or rights in property, § 16:126

Mortgage of property or rights in property, § 16:126, 16:136

Office of Alien Property, § 16:140

Oil, gas and mineral leases on federal lands, § 16:125

Sale of property or rights in property, generally, § 16:123, 16:136

Statutory rights

Conveyance by alien, § 16:136

Inheritance or testamentary disposition, § 16:128

Real property, generally, § 16:121

Testamentary disposition and intestate succession, § 16:137

Territories, land in U.S., § 16:135

Terrorists, blocking assets of, § 16:138

Testamentary disposition. Inheritance or intestate succession, above

Treaty-based rights

Inheritance or testamentary disposition, § 16:129

Real property rights, generally, § 16:122

Trusts, § 16:131

Uniform Relocation Assistance and Real Property Acquisition Policies Act, assistance under, § 16:147

Uses and trusts, § 16:131

War, effect on compensation for deprivation of property of, § 16:146

PROPORTIONALITY TEST

Treaty investors, substantial investment, § 4:187

PROPOSED MATTERS

H-1B nonimmigrants, regulations regarding labor condition application, § 4:261

Intracompany transferees, employment in U.S., § 4:521-4:551

PRO RATIO DROPDOWN

Permanent residents, allocation when quota is exceeded, § 9:40

PROSTITUTION

Inadmissibility, denial of admission or visa, § 3:20, 3:36

Removal, § 13:32

Waivers of inadmissibility, § 3:173

PROTECTION

Amnesty, Family Unity Program, § 9:384

Migrant protection protocols, return of certain applicants for admission, southwest border, § 2:163

PROTECTIVE ORDERS

Employer sanctions and unfair immigration related employment practices, § 12:141, 12:162

Removal, domestic violence protective order violations, § 13:94

PROXY MARRIAGES

B-2 visas for spouses by proxy marriage, § 6:245

Family members as immigrants, § 7:8

Intracompany transferees, eligibility, § 4:514

K visa nonimmigrants, effect of proxy marriage, § 6:282

PRUCOL STATUS

Unemployment compensation, Department of Labor opinion letters, § 16:101

PSYCHOTIC DISORDERS

Inadmissibility, denial of admission or visa, § 3:7

PUBLIC ACCESS

H Nonimmigrants, this index

PUBLIC BENEFITS

Welfare and Public Benefits, this index

INDEX

PUBLIC CHARGES

- Derivative status, this index
- Inadmissibility, this index
- Relatives of citizens or permanent residents, this index
- Removal, this index
- Waivers of inadmissibility, public charge bond, § **3:185**

PUBLIC HEALTH SERVICE

- Nonimmigrant visas, medical examination of applicants, § **4:15**
- Permanent residents, medical examination of applicants, § **9:95, 9:105, 9:236, 9:239**

PUBLIC HEALTH WAIVER

- H nonimmigrants, foreign medical graduates as H-1B nonimmigrants, § **4:326, 4:327**

PUBLIC MINISTERS

- Diplomatic visas, § **6:8**
- Permanent residents, A nonimmigrant adjustment of status, § **9:256-9:260, 9:272-9:277**

PUBLIC SAFETY RISKS AND CONTINUED DETENTION

- Generally, § **13:375-13:377**

PUERTO RICO

- Border crossing documents, nonimmigrant aliens entering from Puerto Rico as exempt from passport and visa requirements by law or treaty, § **2:128**
- Citizenship of persons born in, § **14:18**
- Temporary visitors for business, eligibility of residents for B-1 classification, § **4:141**

Q-1 VISAS

- Student and Exchange Visitors, this index

Q-2 VISAS

- Student and exchange visitors, Irish Peace Process Cultural and Training Program Act of 1998, § **5:215**

Q-3 VISAS

- Student and Exchange Visitors, this index

QUALIFICATION OR QUALIFICATIONS

- Employment-Based Immigration, this index
- H Nonimmigrants, this index
- Intracompany transferees, qualified organizations, § **4:509-4:599**
- P nonimmigrants, § **4:684-4:689**
- Refugees and Asylum, this index
- TN nonimmigrants, particular professions or occupations, § **4:719, 4:721-4:726**
- Treaty traders and investors, availability of status to employees, § **4:180, 4:192**

QUOTA LAW OF 1921

- Generally, § **1:4**

QUOTAS

- Permanent residents, immigrant quotas, § **9:9-9:19, 9:32-9:49**

RACE

- Civil Rights, this index
- Equal protection and classifications based on race, § **16:43**
- Naturalization, race as not affecting eligibility for, § **14:106**

RADIO

- Foreign Information Media Representatives, this index

RADIO-FREQUENCY IDENTIFICATION (RFID)

- RFID-Enabled Document Holders, this index

RAILROAD RETIREMENT ACT

- Aliens' right, § **16:107**

RAILROAD UNEMPLOYMENT INSURANCE ACT

- Aliens' rights, § **16:106**

RANDOM INVESTIGATIONS

- H Nonimmigrants, this index

RAPE

- Inadmissibility, this index, § **3:20**
- Removal, § **13:32, 13:54**

READJUDICATION

- Intracompany transferees, eligibility, § **4:575**

READMISSION

H Nonimmigrants, this index
 Religious workers, limitations, § 4:709

READY LANE PROGRAM

RFID-enabled document holders, § 2:56

REAL PROPERTY

Property Rights of Aliens, this index

REAPPLICATION

Permanent residents, adjustment of status under INA § 245, § 9:224

REASSIGNMENT DURING STAY

Intracompany transferees, extension of stay, § 4:595

RECAPTURED NUMBERS

Permanent residents, numerical quotas, § 9:49

RECEIVING STOLEN PROPERTY

Inadmissibility, denial of admission or visa, § 3:16
 Removal, § 13:32

RECIPROCITY

Exchange programs, P nonimmigrants, § 4:643 et seq.
 Nonimmigrant Visas, this index
 Temporary visitors for business, general rule of indefinite durational validity of visa, § 4:157

RECKLESS DRIVING

Inadmissibility, denial of admission or visa, § 3:19

RECOGNITION

Domestic recognition of foreign marriage, § 7:13, 7:14
 P nonimmigrants, internationally or nationally recognized entertainment groups, § 4:643 et seq.
 Torture, recognizing indicia of, § 10:23, 10:191

RECOMMENDATION

Alternative remedy for nursing shortage, H-1C nonimmigrants, § 4:408
 Genetic testing, when to recommend, § 7:153
 United Nations High Commissioner for Refugees (UNHCR), preferential

RECOMMENDATION—Cont'd

processing recommendations, § 10:21

RECONSIDERATION

Amnesty, this index
 Board of Immigration Appeals (BIA) decisions, § 13:219
 Nonimmigrant visas, revocation, § 4:56, 4:57
 Permanent Residents, this index
 P nonimmigrants, approved petition, § 4:687
 Removal decisions, § 13:200-13:202
 Reopened naturalization proceeding, reconsideration by USCIS (United States Citizenship and Immigration Services), § 14:381
 Treaty traders and investors, denial of change of status or extension of stay, § 4:202
 Voidable expatriation, § 14:463-14:465

RECORDS AND RECORDING

Generally, § 1:266-1:311
 Appeals
 Department of Homeland Security, below
 Department of Labor, FOIA/PA requests, § 1:311
 Department of State, filing and processing FOIA/PA requests, § 1:303-1:305
 Employment-Based Immigration, this index
 Freedom of Information Act (FOIA), § 1:281
 Department of Homeland Security
 Appeal of adverse determination
 Freedom of Information Act (FOIA), § 1:281
 Privacy Act, § 1:287
 Fees
 Freedom of Information Act (FOIA), below this group
 Privacy Act, § 1:285
 Freedom of Information Act (FOIA)
 Generally, § 1:274
 Appeal of adverse determination, § 1:281
 Description of records sought, § 1:277

RECORDS AND RECORDING**—Cont'd**

- Department of Homeland Security
 - Cont'd
 - Freedom of Information Act (FOIA)
 - Cont'd
 - Fees
 - Generally, § 1:278
 - Waiver or reduction, § 1:279
 - Public reading room, § 1:275
 - Requests
 - Description of records sought, § 1:277
 - Fees, above this group
 - Requirements, § 1:276
 - Where to send, § 1:276
 - Response to request, § 1:280
 - Privacy Act
 - Generally, § 1:282
 - Amendment or correction of records, request for, § 1:288
 - Appeal of adverse determination, § 1:287
 - Fees, § 1:285
 - Requests
 - Description of records sought, § 1:284
 - Fees, § 1:285
 - Requirements, § 1:283
 - Where to send, § 1:283
 - Response to request, § 1:286
 - Department of Labor
 - Generally, § 1:308
 - Appeal, FOIA/PA request, § 1:311
 - Fees, FOIA/PA request, § 1:310
 - FOIA/PA request
 - Appeal, § 1:311
 - Fees, § 1:310
 - Filing, § 1:309
 - Processing times, § 1:310
 - Department of State
 - Generally, § 1:291
 - Appeal, filing and processing FOIA/PA requests, § 1:303-1:305
 - Freedom of Information Act (FOIA)
 - Limited access under FOIA, § 1:293
 - Requests, filing and processing FOIA/PA requests, below this group

RECORDS AND RECORDING**—Cont'd**

- Department of State—Cont'd
 - Immigration and Naturalization Service, § 1:299
 - Internal Revenue Service, § 1:301
 - Nature of records, § 1:292
 - Parties, release of information to
 - Attorneys, § 1:296
 - Representatives, § 1:296
 - Third parties, above this group
 - Visa applicants, § 1:295
 - Privacy Act
 - Access, § 1:294
 - Access, limitations under FOIA, § 1:293
 - Requests, filing and processing FOIA/PA requests, below this group
 - Reading rooms
 - Electronic reading room, § 1:307
 - Public reading room, § 1:306
 - Requests, filing and processing FOIA/PA requests
 - Appeal, § 1:303-1:305
 - Response time, § 1:304
 - What to include, § 1:303
 - Where to file, § 1:303
 - Third parties
 - Generally, § 1:297
 - Department of Homeland Security, § 1:300
 - Foreign courts, § 1:298
 - Foreign law enforcement or other authorities, § 1:302
 - Immigration and Naturalization Service, § 1:299
 - Internal Revenue Service, § 1:301
 - United States courts, § 1:298
 - United States government agencies, § 1:299
 - United States courts, § 1:298
 - United States government agencies, § 1:299
 - E-FOIA. Electronic Freedom of Information Act Amendments of 1996 (E-FOIA), below
 - Electronic Freedom of Information Act Amendments of 1996 (E-FOIA)
 - Generally, § 1:291

RECORDS AND RECORDING**—Cont'd**

- Electronic Freedom of Information Act Amendments of 1996 (E-FOIA)
 - Cont'd
 - Executive Office for Immigration Review (EOIR) records, § **1:290**
 - FOIA/PA request, § **1:289**
- Employer Sanctions and Unfair Immigration Related Employment Practices, this index
- Executive Office for Immigration Review (EOIR) records
 - E-FOIA materials, § **1:290**
 - FOIA/PA request, § **1:289**
- Fees
 - Department of Homeland Security, above
 - Department of Labor, FOIA/PA request, § **1:310**
 - Freedom of Information Act (FOIA), § **1:278**
- Firearms transactions, § **16:24**
- FOIA. Freedom of Information Act (FOIA), below
- Foreign law enforcement or other authorities, Department of State records, § **1:302**
- Freedom of Information Act (FOIA)
 - Generally, § **1:266**
 - “Any person,” § **1:274**
 - Appeal, § **1:281**
 - Department of Homeland Security, above
 - Department of Labor, above
 - Department of State, above
 - Electronic Freedom of Information Act Amendments of 1996 (E-FOIA), above
 - Fees, § **1:278**
 - Requirements of FOIA request, § **1:276**
 - Who can make request, § **1:274**
- H Nonimmigrants, this index
- Homeland security. Department of Homeland Security, above
- Immigration and Naturalization Service, Department of State records, § **1:299**
- Internal Revenue Service, Department of State records, § **1:301**

RECORDS AND RECORDING**—Cont'd**

- Labor Department. Department of Labor, above
- Naturalization, this index
- Permanent Residents, this index
- Privacy Act
 - Generally, § **1:282**
 - Department of Homeland Security, above
 - Department of Labor, above
 - Department of State, above
- Refugees and Asylum, this index
- Removal hearings, § **13:170**
- State Department. Department of State, above

RECREATIONAL SCHOOLS

- B-2 visitors for pleasure visas for prospective students, § **6:255**

RECRUITMENT

- Employment-based immigration, supervised recruitment, labor certification, § **8:137**
- H-2A nonimmigrants, § **4:40-4:452**

RE-ENTRY AFTER DEPORTATION

- Arrest for illegal entry, § **17:8**
- Burden of proof
 - Generally, § **17:13-17:28**
 - Alien status, § **17:14**
- Collateral attack
 - Generally, § **17:18**
 - Exhaustion of administrative remedies, § **17:19**
 - Fundamental unfairness and prejudice, § **17:21**
 - Grounds, § **17:22-17:24**
 - Group deportation hearing, order entered in, § **17:24**
 - Judicial review, deprivation of opportunity for, § **17:20**
 - Regulations, violation of immigration, § **17:23**
 - Telephone hearing, order entered in, § **17:24**
- Detainer issued upon suspicion of illegal entry or presence, § **17:26**
- Entry, attempted entry, or being found in U.S., § **17:25, 17:26**
- Expedited proceedings, prior deportation, § **17:16**

INDEX

RE-ENTRY AFTER DEPORTATION

—Cont'd

- Burden of proof—Cont'd
 - Mistake of law defense, § 17:27, 17:28
 - Prior deportation, § 17:15-17:24
 - Reinstatement proceedings, prior deportation, § 17:17
 - Specific intent, § 17:27, 17:28
- Consent to the entry by Attorney General, § 17:11, 17:12
- Consent to the entry by DHS Secretary, § 17:11
- Constitutionality of statutory provision, § 17:10
- INA § 276(b) as sentence enhancement or separate offense, § 17:9
- Overview, § 17:7-17:12

REENTRY INTO U.S.

- American Indians born in Canada, § 13:4
- Border Crossing Documents, this index
- IIRIRA sanctions, § 13:173
- Inspection and admission of arriving aliens, § 2:17, 2:20
- Intracompany transferees, § 4:586-4:588
- Removal, this index
- Removal order, reinstatement against reentry violator of, § 13:206
- Terrorist removal proceedings, reentry warnings, § 13:483
- Treaty traders and investors, § 4:203

REFERENCE OR REFERRAL

- Permanent Residents, this index
- P nonimmigrants, referral of approved petition to USCIS for reconsideration, § 4:687

REFUGEE ACT OF 1980 AND MISCELLANEOUS LEGISLATION

- Generally, § 1:7

REFUGEE RELIEF ACT OF 1953

- Generally, § 1:6

REFUGEES AND ASYLUM

- Generally, § 10:1 et seq.
- Abandonment of asylum applications, § 10:196
- Ability to carry out threats, § 10:81

REFUGEES AND ASYLUM—Cont'd

- Abortion refugees
 - Generally, § 10:88
- Annual numerical limitations on asylum grants eliminated, § 10:88
- Degree of resistance required, § 10:90
- Gender-based asylum claims, § 10:151
- Location of applicant, § 10:7
- Ninth Circuit position, § 10:89
- Religious persecution claims, § 10:131
- Adjustment to permanent residence status
 - Generally, § 10:288 et seq.
 - Admissibility findings, § 10:292, 10:293
 - Annual numerical limitations, § 10:288, 10:294
 - Applications for, § 10:288, 10:289, 10:297 et seq.
 - Approvals, procedure on, § 10:304
 - Cambodia, § 10:321
 - Chinese Student Protection Act, below
 - Cuban Adjustment Act, below
 - Decisions, § 10:291, 10:302
 - Denials, procedure on, § 10:303
 - Discretionary nature of, § 10:285, 10:294
 - District Directors, authority of, § 10:302
 - Eligibility, § 10:288, 10:294
 - Employment authorizations, § 10:290, 10:299
 - Estonia, § 10:321
 - Evidence of physical presence
 - Generally, § 10:394 et seq.
 - Burden of proof, § 10:396
 - Obligations of applicant, § 10:396
 - Exclusion proceedings, § 10:298
 - Haitian Refugee Immigration Fairness Act (HRIFA), below
 - Hungary, § 10:321 et seq.
 - Immigration Judges, authority of, § 10:302
 - Inadmissibility findings, § 10:292
 - Indochinese parolees, below
 - Interviews, § 10:300
 - Judicial review, § 10:303

REFUGEES AND ASYLUM—Cont'd

Adjustment to permanent residence status—Cont'd
 Laos, § **10:321**
 Latvia, § **10:321**
 Limitations, § **10:285, 10:288, 10:294**
 Lithuania, § **10:321**
 Medical examinations, § **10:301**
 Nicaraguan Adjustment and Central American Relief Act (NACARA), below
 Numerical limitations, § **10:288, 10:294**
 Poland, § **10:321 et seq.**
 Pre-IA90 asylees, § **10:295**
 Procedure on approval, § **10:304**
 Procedure on denial, § **10:303**
 Removal proceedings, § **10:298**
 Renewal of request for, § **10:288, 10:303**
 Required filings, § **10:290, 10:299**
 Soviet Union, former, § **10:321**
 Syrian Jewish immigrants, below
 Time for application, § **10:288**
 Travel documents, § **10:290, 10:299**
 Vietnam, § **10:321**
 Waiting lists, § **10:294**
 Waivers of inadmissibility, § **10:288, 10:296**
 Work documents, filing, § **10:290, 10:299**

Administrative notice
 Generally, § **10:225**
 Changed conditions, § **10:77**
 Human rights violations in country of origin, § **10:248**
 Official notice, § **10:225**

Administrative review
 Generally, § **10:247**
 Aggravated felons, § **10:267, 10:268**
 BIA findings and conclusions
 Generally, § **10:248**
 Presumptive correctness, § **10:249**
 Changed conditions, significant procedural time gaps and, § **10:78**
 Haitian Refugee Immigration Fairness Act (HRIFA), § **10:364**
 Inadmissible applicants, § **10:263**
 Indochinese parolees, § **10:389**
 Judicial review, § **10:250 et seq.**

REFUGEES AND ASYLUM—Cont'd

Administrative review—Cont'd
 Nicaraguan Adjustment and Central American Relief Act (NACARA), § **10:343**
 Notice of right to appeal, § **10:247**
 Stowaways, § **10:263**
 Syrian Jewish immigrants, § **10:379**
 Temporary protected status (TPS), § **10:422 et seq., 10:431**

Admission and admission procedures
 Generally, § **10:21 et seq., 10:27**
 Administrative review, above
 Applications, below
 Decisions and determinations, below
 Denial of admission, below
 Inadmissible applicants, below
 Judicial review, below
 Processing consular posts, § **10:21**
 Secondary referrals, § **2:30**
 Sponsorship assurances, below
 Training of personnel, § **10:125, 10:171, 10:191**
 Waiver of inadmissibility, below

Advance parole, leaving country prior to receiving, § **10:196**

Advisory opinions of State Department, § **10:195**

AFDC benefits, § **10:35**

Afghanistan, Migration and Refugee Assistance Act (MRAA), § **10:36**

Agents of persecution, § **10:85**

Aggravated felons
 Administrative appeals, § **10:267, 10:268**
 Eligibility for asylum, § **10:264**
 Immigration judges, referrals to, § **10:295**
 Interviews, § **10:265**
 Jurisdiction, § **10:264**
 Removal, § **10:264, 10:267**

Ahmadis, religious persecution claims, § **10:135**

Airline boarding authorizations. Travel boarding, below

Alterations, political, persecution on account of, § **10:105**

Amending asylum applications, § **10:208**

Angola, resettlement and services to refugees after admission, § **10:36**

REFUGEES AND ASYLUM—Cont'd

- Annual numerical limitations
 - Generally, § **10:17 et seq.**
 - Adjustments of status, § **10:288, 10:294**
 - Chinese Student Protection Act, § **10:315**
 - Congressional consultations, § **10:20**
 - Emergency adjustments, § **10:18**
 - Humanitarian concerns adjustments, § **10:17**
 - Hungarian parolees, § **10:393**
 - Indochinese parolees, § **10:390, 10:391, 10:392**
 - Nicaraguan Adjustment and Central American Relief Act (NACARA), § **10:327**
 - Polish parolees, § **10:393**
 - Population control resistors, elimination of annual cap on, § **10:88**
 - Presidential determination, § **10:17**
 - Regional quotas, § **10:17**
 - Soviet parolees, § **10:392**
 - Status adjustments, § **10:288, 10:294**
 - Syrian Jewish immigrants, § **10:377**
 - Unused regional quotas, § **10:17**
 - Worldwide refugee situation and adjustments, § **10:19, 10:20**
- Annual registration requirements, temporary protected status (TPS), § **10:429**
- Anonymous threats, § **10:85**
- Antigovernment guerrillas
 - Conscription
 - Generally, § **10:113 et seq.**
 - Eleventh Circuit position, § **10:115**
 - Fear of harm, § **10:116**
 - Former soldiers' fears, § **10:117**
 - Fourth Circuit position, § **10:115**
 - Ninth Circuit position, § **10:114**
 - National police force members, fears of, § **10:118**
 - Persecution by, § **10:85**
- Appeals
 - Administrative review, above
 - Judicial review, below
- Applications
 - Abandoned asylum applications, § **10:196**
 - Adjustment to permanent residence status, § **10:289, 10:297 et seq.**

REFUGEES AND ASYLUM—Cont'd

- Applications—Cont'd
 - Admission
 - Generally, § **10:1, 10:21 et seq.**
 - Children
 - Priorities, § **10:16**
 - Requests for admission of, § **10:27, 10:28**
 - Consular offices
 - Filings at, § **10:6, 10:21**
 - Processing at, § **10:21**
 - Referrals from, § **10:21**
 - Criteria, processing, § **10:23**
 - Cuba priorities, § **10:17, 10:24**
 - Documentary evidence, § **10:27, 10:28**
 - Domestic resettlement, below
 - Employment verifications, § **10:30**
 - Family members, priorities, § **10:16**
 - Family relationship verifications, § **10:26**
 - Immigration judges, § **10:47**
 - Interviews, below
 - Jews from former Soviet Union, priorities, § **10:133**
 - Laos priorities, § **10:189**
 - Name checks for applicants, § **10:21**
 - Nonestablished refugee country, screening of applicants from, § **10:21**
 - Preliminary interviews, § **10:21**
 - Priorities of handling, § **10:23**
 - Religious persecution priorities, § **10:6**
 - Screening, § **10:21**
 - Security checks for applicants, § **10:21**
 - Spouses, requests for admission of, § **10:27, 10:28**
 - Training of personnel, § **10:125, 10:171, 10:191**
 - United Nations High Commissioner for Refugees (UNHCR) referrals, § **10:21**
 - Vietnam priorities, § **10:17**
 - Waiting lists, § **10:23**
 - What must be filed, § **10:22**
 - Where to file, § **10:21**
- Adverse credibility findings, § **10:220**

REFUGEES AND ASYLUM—Cont'd

Applications—Cont'd
 Amendments, § 10:208
 Annual numerical limitations, above
 Asylum
 Generally, § 10:190 et seq.
 Abandoned applications, § 10:196
 Advisory opinions of State Department, § 10:195
 Amending applications, § 10:208
 Board of Immigration Appeals filings with, § 10:206
 Burden of proof. Evidence, below
 Children of applicants
 Generally, § 10:202
 Separate applications by, § 10:243
 Completeness, § 10:209
 Conditions and consequences
 accompanying filing, § 10:201
 Confidentiality of, § 10:197
 Consideration of applications, § 10:209 et seq.
 Crew members, § 10:194
 Criminal convictions, § 10:183, 10:184
 Custody, required assistance to applicants in, § 10:193
 Denials of asylum applications, § 10:231
 District Director, jurisdiction of, § 10:207
 Entry into US, applicant's circumstances of as factor in asylum determinations, § 10:232
 Extraordinary circumstances
 justifying late filing, § 10:177
 Filing conditions and consequences, § 10:201
 Firm resettlement in third country, § 10:187 et seq.
 Form of application, § 10:200
 Frivolous applications, § 10:180
 Gang related claims, § 10:136
 Identity checks, § 10:210
 Immigration court, filings with, § 10:205
 Immigration judges, jurisdiction of, § 10:199
 Ineligible applicants, § 10:174 et seq.

REFUGEES AND ASYLUM—Cont'd

Applications—Cont'd
 Asylum—Cont'd
 Interviews, below
 Judicial review of asylum denials, § 10:181
 Jurisdiction, § 10:198
 Leaving country, effect of, § 10:196
 Mail, filings by, § 10:203
 Motivation for seeking asylum, burden of proving, § 10:170
 National security, denial of asylum to persons posing danger to, § 10:185
 Non-citizens, serious crime conviction, § 10:183
 Of applicants
 Generally, § 10:202
 Separate applications by, § 10:243
 Office of International Affairs jurisdiction, § 10:198
 One-year rule, § 10:176
 Persecutors, denial of asylum to, § 10:182
 Presence of applicant in US, § 10:169
 Previous denials, effect of
 Generally, § 10:178
 Changed circumstances, § 10:179
 Professional asylum officers, training of, § 10:191
 Refugee status of applicant, § 10:170
 Regulations, § 10:190, 10:191
 Right to counsel, § 10:192
 Safe third country ineligibility of applicants, § 10:175
 Similarly situated persons, evidence of treatment of, § 10:195
 Spouses' applications, § 10:202, 10:243
 State Department comments on, § 10:195
 Stowaways, § 10:194
 Termination of status, § 10:257
 Terrorists, asylum denials to, § 10:186

INDEX

REFUGEES AND ASYLUM—Cont'd

- Applications—Cont'd
 - Asylum—Cont'd
 - Timeliness of application, § **10:176**
 - Training of professional asylum officers, § **10:191**
 - Where to file, § **10:203, 10:204**
 - Withholding of removal, below
 - Board of Immigration Appeals, filings with, § **10:206**
 - Boilerplate rejections, § **10:77**
 - Burden of proof. Evidence, below
 - Children
 - Admission, § **10:16, 10:27, 10:28**
 - Asylum, above this group
 - Completeness, § **10:209**
 - Confidentiality requirements
 - Asylum applications, § **10:197**
 - Temporary protected status (TPS), § **10:411, 10:415**
 - Consular offices
 - Filings at, § **10:6, 10:21**
 - Processing at, § **10:21**
 - Referrals from, § **10:21**
 - Credibility and burden of proof, § **10:220**
 - Criteria, processing, § **10:23**
 - Cuba priorities, admissions, § **10:17, 10:24**
 - Discretionary nature of asylum determinations, § **10:49**
 - District Director, jurisdiction of, § **10:207**
 - Documentary evidence, § **10:27, 10:28**
 - Domestic resettlement, below
 - Employment verifications, § **10:30**
 - Extraordinary circumstances justifying late filing, § **10:177**
 - Family relationship verifications, § **10:26**
 - Form of application, § **10:200**
 - Fraudulent, § **10:279**
 - Frivolous applications for asylum, § **10:180**
 - Humanitarian concerns, admission under, § **10:9**
 - Identity requirements
 - Generally, § **10:210**
 - Temporary protected status (TPS), § **10:413**

REFUGEES AND ASYLUM—Cont'd

- Applications—Cont'd
 - Immigration court, filings with, § **10:205**
 - Immigration judges
 - Admission applications to, § **10:47**
 - Jurisdiction of, § **10:199**
 - Inadmissible applicants, below
 - Indochinese parolees, § **10:383**
 - Interviews, below
 - Jurisdiction, asylum applications, § **10:198**
 - Location of applicant, § **10:8**
 - Mail, asylum filings by, § **10:203**
 - Name checks for applicants, § **10:21**
 - Nationality, satisfactory establishment of, § **10:6**
 - Nicaraguan Adjustment and Central American Relief Act (NACARA), § **10:332**
 - Nonestablished refugee country, screening of applicants from, § **10:21**
 - Office of International Affairs jurisdiction, § **10:198**
 - One-year rule, § **10:176**
 - Preliminary interviews, § **10:21**
 - Presidential special circumstances designations, § **10:6**
 - Previous denials of asylum, effect of
 - Generally, § **10:178**
 - Changed circumstances, § **10:179**
 - Priorities of handling admission applications, § **10:23**
 - Refugee status of asylum applicant, § **10:170**
 - Rejections, boilerplate, § **10:77**
 - Removal proceedings, applications submitted in
 - Generally, § **10:277**
 - Procedure, § **10:278**
 - Residence country, location of applicant and, § **10:8**
 - Right to be heard, § **10:221**
 - Right to counsel, § **10:192**
 - Screening, § **10:21**
 - Security checks for applicants, § **10:21**
 - Special circumstances designations, § **10:6**

REFUGEES AND ASYLUM—Cont'd

Applications—Cont'd

Spouses

Requests for admission of, § **10:27, 10:28**

Separate asylum applications by, § **10:243**

State Department comments on, § **10:195**

Status adjustments, § **10:289, 10:297 et seq.**

Syrian Jewish immigrants, § **10:371**

Temporary protected status (TPS)

Generally, § **10:407 et seq.**

Confidentiality requirements, § **10:411, 10:415**

Continuous residence, proof of, § **10:414**

Deportation proceedings, applications during, § **10:410**

Evidentiary requirements, § **10:412**

Exclusion proceedings, applications during, § **10:410**

Fees, § **10:408**

Forms, § **10:407**

Identity requirements, § **10:413**

Nationality, proof of, § **10:413**

Waivers of fees, § **10:409**

When and where to file, § **10:407**

Timeliness, § **10:176**

Training of personnel, § **10:125, 10:171, 10:191**

Translation services, right to, § **10:213**

UNHCR referrals

Generally, § **10:21**

Priority treatment, § **10:21**

Waiting lists, admissions applications, § **10:23**

Waivers of inadmissibility, § **10:286**

What must be filed, § **10:22**

Where to file

Admission applications, § **10:21**

Asylum, § **10:204**

Withholding of removal, below

Applications at the southern border, § **2:164**

Arrests, § **10:86**

Arrival and Departure Record form, § **10:26**

Assistance contracts, § **10:33**

REFUGEES AND ASYLUM—Cont'd

Assistance programs

Benefits, below

Domestic resettlement, below

Asylum

Applications, above

Decisions and determinations, below

Denial of asylum, below

Eligibility for asylum, below

Employment authorization in asylum matters, § **11:8-11:11**

Fraudulent documents and asylum, § **10:226**

Grants of asylum, below

Hearings, below

Officers. Asylum officers, below

Previous denials of asylum, effect of
Generally, § **10:178**

Changed circumstances, § **10:179**

Temporary visitors for business,
asylum denied to alien in another
country, § **4:109**

Termination of asylum, below

Welfare and public benefits, eligibility
of asylees for, § **16:59, 16:60**

Asylum Officer Basic Training Course

Workbook as source of law,
§ **1:179**

Asylum officers

Authority of, § **10:212, 10:228**

Credible fear determinations,
§ **10:262**

Grants of asylum by, § **10:228**

Information from other sources, reliance on, § **10:229**

Interviews, conduct of, § **10:212**

Notices of decisions, § **10:245**

Other sources reliance on information
from, § **10:229**

Reliance on information from other
sources, § **10:229**

Stowaways, § **10:262**

Withholding of removal, authority to
decide, § **10:234**

Attorneys. Right to counsel, below

Automated Visa Lookout System,
asylum applicants, identity checks,
§ **10:210**

Background of refugee protection,
§ **10:2**

Beatings, threats of, § **10:86**

INDEX

REFUGEES AND ASYLUM—Cont'd

- Beliefs or activities of applicant, authorities' awareness of, § **10:82**
- Benefits
 - Admission applicants, § **10:30**
 - Agencies, domestic resettlement efforts of, § **10:37**
 - County grants, domestic resettlement, § **10:34**
 - Public charge waivers, § **10:284**
 - Sponsorship assurances, above
 - SSI extension for elderly and disabled refugees, § **1:109**
 - Temporary protected status (TPS), § **10:417, 10:424 et seq.**
 - Welfare benefits, § **10:35, 16:59, 16:60**
- Birth control
 - Abortion refugees, above
 - Coercive measures, § **10:151**
 - Sterilization refugees, below
- Board of Immigration Appeals (BIA)
 - Generally, § **10:247**
 - Filings with, § **10:206**
 - Findings and conclusions
 - Generally, § **10:248**
 - Presumptive correctness, § **10:249**
 - Nicaraguan Adjustment and Central American Relief Act (NACARA), § **10:329**
 - Right of appeal to, § **10:247**
 - Temporary protected status (TPS) appeals, § **10:423**
- Border Crossing Documents, this index
- Bosnia-Herzegovina, § **10:209**
- Burden of proof
 - Generally, § **10:214 et seq.**
 - Asylum eligibility, § **10:173, 10:214 et seq.**
 - Children of principal, eligibility of, § **10:214, 10:275**
 - Convention Against Torture, § **10:219**
 - Credibility, § **10:220**
 - Criminal prosecution, unfounded, § **10:92**
 - Discrepancies and credibility, § **10:220**
 - Eligibility for asylum, § **10:173, 10:214 et seq.**
 - Eligibility for refugee status, § **10:49**

REFUGEES AND ASYLUM—Cont'd

- Burden of proof—Cont'd
 - Internal relocation, reasonableness of, § **10:218**
 - Late filing, justification for, § **10:177**
 - Motivation for seeking asylum, § **10:170**
 - Past persecution and, § **10:49, 10:216**
 - Pattern or practice of persecution and, § **10:215**
 - Politically motivated persecution, § **10:214**
 - Prima facie case, § **10:214**
 - Refugee status, § **10:214**
 - Removal, persecution, torture, or danger limitations on, § **13:418**
 - Spouse, eligibility of, § **10:214, 10:275**
 - Temporary protected status (TPS), § **10:412**
 - Threats, § **10:216, 10:217**
 - Uncorroborated or uncontradicted testimony, § **10:220**
 - Waivers of inadmissibility, § **10:286**
 - Well-founded fear, § **10:57, 10:62, 10:214**
 - Withholding of removal, § **10:215**
- Burundi
 - Migration and Refugee Assistance Act (MRAA), § **10:36**
 - Temporary protected status (TPS), § **10:401**
- Cambodia
 - Adjustment to permanent residence status, § **10:321**
 - Indochinese parolees, below
- Canada-US safe third country agreement, § **10:175**
- Cash assistance programs. Domestic resettlement, below
- Central America. Nicaraguan Adjustment and Central American Relief Act (NACARA), below
- Changed conditions and circumstances
 - Generally, § **10:75 et seq.**
 - Administrative notice, § **10:77, 10:225**
- China, § **10:79**
- Determination, changes prior to, § **10:78**
- Evidence, § **10:75 et seq.**

REFUGEES AND ASYLUM—Cont'd

- Changed conditions and circumstances—Cont'd
 - Haiti, § 10:79
 - Hearing, changes during, § 10:78
 - Judicial deference to agency decisions, § 10:94
 - Lithuania, § 10:79
 - Mere passage of time, § 10:78
 - Official notice of, § 10:225
 - Previous denials of asylum, second applications, § 10:179
 - Review, changes during, § 10:78
 - Significant procedural time gaps, § 10:78
 - Soviet Union, § 10:79
 - State Department reports, § 10:80
- Chechnya. Migration and Refugee Assistance Act (MRAA), § 10:36
- Children
 - Generally, § 10:269 et seq.
 - Admission requests for, § 10:27, 10:28
 - Application priorities, § 10:16
 - Applications for asylum, § 10:162, 10:163, 10:164, 10:165, 10:202, 10:243
 - Benefits, § 10:30
 - Burden of proving eligibility of, § 10:214
 - Chinese Student Protection Act, § 10:317
 - Cuban Adjustment Act, § 10:306
 - Definition, § 10:270
 - Denials of asylum to principal, effect of, § 10:243
 - Derivative status, § 10:14, 10:15, 10:164
 - Division of Unaccompanied Children's Services, § 10:47
 - Domestic resettlement benefits
 - Generally, § 10:41 et seq.
 - Division of Unaccompanied Children's Services, § 10:47
 - Foster care, § 10:47
 - Health and Human Services
 - Department authority, § 10:41
 - Placement determinations, § 10:46
 - Unaccompanied children, § 10:47
 - Eligibility determinations
 - Generally, § 10:269 et seq.

REFUGEES AND ASYLUM—Cont'd

- Children—Cont'd
 - Eligibility determinations—Cont'd
 - Burden of proof, § 10:275
 - Child already in United States, § 10:274
 - Overseas dependents, § 10:273
 - Following-to-join benefits, § 10:273
 - Foster care, § 10:47
 - Haitian Refugee Immigration Fairness Act (HRIFA), § 10:347, 10:359
 - Health and Human Services Department authority, § 10:41
 - In utero children, asylum grants and, § 10:269
 - Medical examinations, § 10:276
 - Membership in social group, § 10:167
 - Nicaraguan Adjustment and Central American Relief Act (NACARA), § 10:341
 - Notices, § 10:29
 - Placement determinations, § 10:46
 - Release on own recognizance, § 10:46
 - Separate asylum applications by, § 10:243
 - Syrian Jewish immigrants, § 10:368
 - Tentative admission approvals, § 10:14, 10:15, 10:27
 - Termination of asylum, § 10:280
 - Termination of refugee status, § 10:30
 - Travel benefits, § 10:273
 - Unaccompanied children, § 10:47, 10:163, 10:164
 - VISAS 92, § 10:270 et seq.
 - Well-founded fear of persecution, § 10:165
- China
 - Abortion refugees, above
 - Changed conditions, § 10:79
 - Chinese Student Protection Act, below
 - Sterilization refugees, below
- Chinese Student Protection Act
 - Generally, § 10:314 et seq.
 - Annual numerical limits, § 10:315
 - Principal applicant status, § 10:316
 - Qualified family members, § 10:317
 - Temporary protected status (TPS), § 10:397

INDEX

REFUGEES AND ASYLUM—Cont'd

- Chinese Student Protection Act—Cont'd
 - Two-year foreign residence requirement, § **10:319**
 - Waivers of inadmissibility, § **10:318 et seq.**
- Civil actions by alien refugees, § **16:9**
- Civil rights of action by asylum claimants, § **10:255**
- Commonwealth of the Northern Mariana Islands, § **9:388**
- Compulsory military service
 - Antigovernment guerrillas, conscription, § **10:113 et seq.**
 - Conscientious objectors, § **10:130**
 - Conscription as persecution, § **10:111**
 - Forced or coerced recruitment, § **10:112**
 - Political opinion persecution, § **10:110**
- Confidentiality protections
 - Asylum applicants, § **10:197**
 - Migration and Refugee Assistance Act (MRAA), § **10:36**
 - TPS applicants, § **10:411, 10:415**
- Congo, this index
- Conscientious objectors, religious persecution, § **10:130**
- Conscription. Compulsory military service, above
- Consular offices
 - Admission applications at, § **10:6, 10:21**
 - Processing consular posts, § **10:21**
 - Referrals from, § **10:21**
- Continuous physical presence. Physical presence, below
- Contraception. Birth control, above
- Convention Against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment (CAT), § **10:168**
- Convention relating to the Status of Refugees, § **10:168**
- Corroboration. Evidence, below
- Counties, grants for domestic resettlement to, § **10:34**
- Coup attempts and persecution on account of political opinion, § **10:106**

REFUGEES AND ASYLUM—Cont'd

- Credibility determinations by asylum officers, § **10:194**
- Credible testimony, requirement of, § **10:52**
- Crew members
 - Credibility determinations by asylum officers, § **10:194**
 - Eligibility for asylum, § **10:172**
- Criminal acts
 - Generally, § **10:104**
 - Aggravated felons, above
 - Asylum eligibility, § **10:183, 10:184**
 - Coup attempts and persecution on account of political opinion, § **10:106**
 - Non-citizens, serious crime conviction, § **10:183**
 - Nonpolitical laws, violations of, § **10:104**
 - Withholding of removal ineligibility, § **10:237**
- Criminal prosecutions
 - Generally, § **10:86**
 - Motive for, § **10:92**
 - Political crimes, § **10:92**
- Cuba
 - Admissions priorities, § **10:17, 10:24**
 - Marielitos, § **10:145**
 - Nicaraguan Adjustment and Central American Relief Act (NACARA), below
 - Presidential declaration of status of refugees, § **10:6**
 - Processing of Cuban nationals imprisoned for political reasons, § **10:24**
 - Repatriation agreement, § **10:6**
- Cuban Adjustment Act
 - Generally, § **10:305 et seq.**
 - Applications, § **10:307**
 - Decisions, § **10:309**
 - Denials of applications, § **10:312**
 - Eligibility, § **10:305**
 - Interviews, § **10:308**
 - Medical examinations, § **10:308**
 - Permanent residence, record of admission for, § **10:310**
 - Prior admissions, § **10:311**
 - Record of admission for permanent residence, § **10:310**

REFUGEES AND ASYLUM—Cont'd

- Cuban Adjustment Act—Cont'd
 - Spouses and children, § 10:306
 - Standing to challenge act, § 10:313
- Current events, administrative notice of, § 10:225
- Custody, required assistance to applicants in, § 10:193
- Customary international law claims of safe haven, § 10:13
- Decisions and determinations
 - Generally, § 10:227 *et seq.*
 - Adjustment to permanent residence status, § 10:291, 10:302
 - Administrative appeals, § 10:247
- Admission
 - Generally, § 10:29 *et seq.*
 - Arrival and departure record form, § 10:26
 - Benefits, § 10:30
 - Children, tentative admission approvals, § 10:14, 10:15
 - Denial
 - Generally, § 10:29
 - Judicial review, § 10:29
 - Reconsiderations, § 10:29
 - Loans, travel, § 10:273
 - Medical approvals, § 10:288
 - Notices, § 10:29
 - Passports, § 10:25, 10:26
 - Registration numbers, § 10:23
 - Sponsorship assurances, below
 - Spouses, tentative admission approvals, § 10:14, 10:15
 - Tentative admission approvals, below
 - Termination of refugee status, § 10:30
 - Travel arrangements, § 10:273
 - Travel documents, § 10:28
 - Travel packets, § 10:25, 10:26
- Admission to US as refugee, § 10:27
- Annual numerical limitations, above
- Arrival and departure record form, § 10:26
- Asylum
 - Confidentiality of, § 10:197
 - Discretionary nature of grant of, § 10:173
 - Grants of, § 10:227

REFUGEES AND ASYLUM—Cont'd

- Decisions and determinations—Cont'd
 - Benefits for admission applicants, § 10:30
 - BIA findings and conclusions
 - Generally, § 10:248
 - Presumptive correctness, § 10:249
 - Burden of proof. Evidence, below
 - Changed conditions, significant procedural time gaps and, § 10:78
 - Children, tentative admission approvals, § 10:14, 10:15
 - Confidentiality of asylum adjudications, § 10:197
 - Continuation of nonimmigrant status, § 10:233
 - Credibility findings, § 10:224
 - Delay caused by applicant, § 10:212
 - Denial of admission application
 - Generally, § 10:29
 - Judicial review, § 10:29
 - Reconsiderations, § 10:29
 - Denials of asylum applications, § 10:231
 - Discretionary nature of grant or denial of asylum, § 10:173, 10:232
 - Document presentation at port of entry, § 10:25, 10:26
 - Entry into US, applicant's circumstances of as factor in asylum determinations, § 10:232
 - Grants of asylum, § 10:227
 - Inadmissible applicants, § 10:260
 - Information from other sources, reliance on, § 10:229
 - Judicial review, § 10:250 *et seq.*
 - Nicaraguan Adjustment and Central American Relief Act (NACARA), § 10:342
 - Nonimmigrant status, continuation in or restoration to, § 10:233
 - Notices
 - Admission, § 10:29
 - Decision, § 10:29, 10:245
 - Denial of admission application, § 10:29
 - Right to appeal, § 10:247
 - Port of entry, document presentation at, § 10:25, 10:26
 - Postdecision matters, below

REFUGEES AND ASYLUM—Cont'd

Decisions and determinations—Cont'd

Reliance on information from other sources, § 10:229

Restoration of nonimmigrant status, § 10:233

Review of denial, termination of refugee status, § 10:31

Right to appeal, notice of, § 10:247

Spouses, tentative admission approvals, § 10:14, 10:15

Status adjustments, § 10:291, 10:302

Stowaways, § 10:260

Temporary protected status (TPS), § 10:418 et seq.

Tentative admission approvals, below

Termination of asylum, below

Termination of refugee status, § 10:30

Travel documents, § 10:28

Travel packets, § 10:25, 10:26

Withholding of removal status, § 10:234

Defector applications, § 10:6

Defense. National security, below

Definitions. Words and phrases, below

Demonstrations, political, persecution on account of, § 10:105

Denial, review, termination of refugee status, § 10:31

Denial of admission

Generally, § 10:29

Judicial review, § 10:29

Reconsiderations, § 10:29

Denial of asylum

Generally, § 10:231

Administrative appeals, § 10:247

Dependents, denial of status to, § 10:243

Discretion, denial of asylum as matter of, § 10:232

Entry into US, applicant's circumstances of as factor in asylum determinations, § 10:232

Expeditious removal after, § 10:244

Habeas corpus petitions, § 10:250

Judicial review, § 10:250 et seq.

Notice of right to appeal, § 10:247

Notices of decisions, § 10:245

Removal, expeditious, after, § 10:244

Right to appeal, notice of, § 10:247

REFUGEES AND ASYLUM—Cont'd

Denial of refugee status, human rights abuses claims, § 10:49

Department of State

Advisory opinions, § 10:195

Asylum applications, comments on, § 10:195

Changed conditions reports, § 10:80

Derivative status

Generally, § 10:14, 10:15

Children, above

Immediate relatives, § 10:16

Special immigrants, § 10:16

Spouses, below

Tentative admission approvals, § 10:14, 10:15

Termination of asylum, § 10:280

Detention

Assistance to applicants in custody, § 10:193

Brief, § 10:86

Children, § 10:46

Release on own recognizance, § 10:46

Disabled persons

As social group, § 10:167

SSI extension of benefits, § 1:109

Disappearance of others seeking asylum as creating well-founded fear, § 10:91

Discovery of evidence, § 10:230

Discretionary nature of asylum determinations, § 10:49, 10:173

Displaced persons

Temporary protected status (TPS), § 10:1

War refugees, § 10:6

World War II, § 10:168

Distinction and particularity, social, § 10:138

District Directors

Adjustment to permanent residence status decisions, § 10:302

Jurisdiction of, § 10:207

Temporary protected status (TPS) decisions, § 10:418 et seq.

Documents

Employment authorizations, below

Passports, § 10:25, 10:26

Presentation at port of entry, § 10:25, 10:26

REFUGEES AND ASYLUM—Cont'd

Documents—Cont'd
 Travel authorizations, below
 Domestic resettlement
 Generally, § 10:32 et seq.
 AFDC benefits, § 10:35
 Appropriations, § 10:33
 Assistance contracts, § 10:33
 Benefit-granting agencies, § 10:37
 Benefits termination hearings, § 10:35
 Children's affairs
 Generally, § 10:41 et seq.
 Division of Unaccompanied Children's Services, § 10:47
 Foster care, § 10:47
 Health and Human Services
 Department authority, § 10:41
 Placement determinations, § 10:46
 Unaccompanied children, § 10:47
 County grants, § 10:34
 Extraterritorial assistance, § 10:36
 Funds appropriations, § 10:33
 Grants, § 10:32, 10:34
 Humanitarian concerns, § 10:32
 Refusing employment offers, § 10:35
 Services, § 10:32
 Temporary employment authorizations, below
 Termination of benefits
 Injunctions, § 10:39
 Private causes of actions against grant recipients, § 10:40
 Standing to contest, § 10:38
 Welfare benefits, § 10:35
 Domestic violence and gender-based asylum claims, § 10:151
 Due process rights, § 10:235
 Economic hardship and persecution claims, § 10:93
 Eligibility for asylum
 Generally, § 10:168 et seq.
 Aggravated felonies, § 10:174, 10:264 et seq.
 Burden of proof. Evidence, below
 Credibility findings, § 10:224
 Crew members, § 10:172
 Criminal convictions, § 10:183, 10:184
 Cuban Adjustment Act, § 10:305
 Custody, required assistance to applicants in, § 10:193

REFUGEES AND ASYLUM—Cont'd

Eligibility for asylum—Cont'd
 Discretionary nature of grant of, § 10:173
 Domestic resettlement, above
 Eligibility for refugee status, § 10:168
 Entry into US, applicant's circumstances of as factor in asylum determinations, § 10:232
 Firm resettlement in third country, § 10:187 et seq.
 Frivolous applications, § 10:180
 Ineligible applicants, § 10:174 et seq.
 Intermediate countries of refuge, § 10:170
 Judicial review of asylum denials, § 10:181
 Motivation for seeking asylum, burden of proving, § 10:170
 National security, denial of asylum to persons posing danger to, § 10:185
 Non-citizens, serious crime conviction, § 10:183
 Persecutors, denial of asylum to, § 10:182
 Preferential treatment for certain refugees, § 10:168
 Presence of applicant in US, § 10:169
 Previous denials, effect of
 Generally, § 10:178
 Changed circumstances, § 10:179
 Public interest grants of asylum, § 10:175
 Refugee Act of 1980, § 10:168
 Refugee status, § 10:170
 Safe third country ineligibility of applicants, § 10:175
 Security grounds, aliens removable on, § 10:172
 Serious crimes, § 10:174
 Similarly situated persons, evidence of treatment of, § 10:195
 Stowaways, § 10:172
 Sufficiency of evidence, § 10:223
 Termination of asylum, below
 Terrorists, asylum denials to, § 10:186
 Third country, firm resettlement in, § 10:187 et seq.
 Torture victims, § 10:168

REFUGEES AND ASYLUM—Cont'd

- Eligibility for asylum—Cont'd
 - UN Convention, compliance with, § **10:168**
- Eligibility for refugee status
 - Generally, § **10:1 et seq.**
 - Abortion refugees, above
 - Burden of proof. Evidence, below
 - Children, derivative status, § **10:14, 10:15**
 - Credible testimony, requirement of, § **10:52**
 - Cuban refugees, § **10:6**
 - Denial of refugee status, above
 - Derivative status, § **10:14, 10:15**
 - Discretionary nature of determination, § **10:49**
 - Displaced persons, § **10:6**
 - Domestic resettlement, above
 - Extradition magistrates, determinations by, § **10:6**
 - Extraterritorial status, § **10:6**
 - Family members, § **10:16**
 - Fear of persecution, § **10:1**
 - Humanitarian concern admissions, § **10:9**
 - Human rights abuses claims, § **10:49**
 - Immediate relatives, § **10:16**
 - Nationality, persecution on account of, below
 - Political opinion, persecution on account of, below
 - Possibility of persecution, § **10:1**
 - POW/MIA assistance, grants of refugee status to, § **10:11**
 - Presidential special circumstances designations, § **10:6**
 - Race, persecution on account of, below
 - Relatives, § **10:16**
 - Religion, persecution on account of, below
 - Resettled, individuals firmly, § **10:11**
 - Safe haven claims, § **10:13**
 - Social group membership, persecution on account of, below
 - Special circumstances designations, § **10:6**
 - Spouses, derivative status, § **10:14, 10:15**
 - Stateless persons, § **10:1, 10:12**

REFUGEES AND ASYLUM—Cont'd

- Eligibility for refugee status—Cont'd
 - Sterilization refugees, below
 - Syrian Jewish immigrants, § **10:368**
 - Temporary protected status (TPS), below
 - Temporary refugee status, § **10:13**
 - United Nations Handbook on Procedures and Criteria for Determining Refugee Status, § **10:6, 10:151**
 - Vietnamese, § **10:10**
 - War refugees, § **10:6**
 - Well-foundedness of fear, § **10:1**
- Eligibility for temporary protected status (TPS)
 - Generally, § **10:403 et seq.**
 - Continuous physical presence, § **10:403**
 - Domestic resettlement, above
 - Felons, § **10:405**
 - Foreign states included in program, § **10:400, 10:401**
 - Immigrant status and, § **10:406**
 - Ineligible aliens, § **10:405**
 - Nonimmigrant status and, § **10:406**
 - Persecutors, § **10:405**
 - Physical presence requirements, § **10:403**
 - Proof of continuous residence, § **10:414**
 - Proof of nationality, § **10:413**
 - Qualified registered immigrants, § **10:403**
 - Residence requirements, § **10:403**
 - Waivers of inadmissibility, § **10:404**
- El Salvador
 - Nicaraguan Adjustment and Central American Relief Act (NACARA), below
 - Temporary protected status (TPS), § **10:401**
 - Well-founded fear of persecution
 - Former police force members, § **10:142**
 - Political opinion, § **10:107, 10:111, 10:113, 10:115**
 - Present or future persecution, § **10:73**

REFUGEES AND ASYLUM—Cont'd

- El Salvador—Cont'd
 - Well-founded fear of persecution—Cont'd
 - Specific threats directed at particular alien or family, § **10:60-10:62**
 - Will and ability or persecutor to carry out threat, § **10:81**
- Emergencies
 - Annual numerical limitation adjustments, § **10:18**
 - Temporary protected status (TPS), below
- Employment
 - Authorizations. Employment authorizations, below
 - Domestic resettlement, above
 - Refusing employment offers, § **10:35**
 - Verifications, application, § **10:30**
- Employment authorization, noncitizens admitted as refugees, § **11:12**
- Employment authorizations
 - Adjustment to permanent residence status, § **10:290, 10:299**
 - Haitian Refugee Immigration Fairness Act (HRIFA), § **10:346**
 - Indochinese parolees, § **10:386**
 - Nicaraguan Adjustment and Central American Relief Act (NACARA), § **10:337**
 - Syrian Jewish immigrants, § **10:374**
 - Temporary protected status (TPS), § **10:425**
 - Work documents, filing, § **10:290, 10:299**
- Estonia, adjustment to permanent residence status, § **10:321**
- Ethiopian minorities, § **10:158**
- Ethnic minorities. Minority populations, below
- Evidence
 - Generally, § **10:221 et seq.**
 - Absence of evidence of well-founded fear, § **10:54**
 - Administrative notice of changed conditions, § **10:77**
 - Administrative or official notice generally, § **10:225**
 - Admissibility rules, § **10:222**
 - Adverse credibility findings, § **10:220**

REFUGEES AND ASYLUM—Cont'd

- Evidence—Cont'd
 - Advisory opinions of State Department, § **10:195**
 - Applicant's testimony as to well-founded fear, § **10:57**
 - Arrests, § **10:86**
 - Asylum officers, credibility determinations by, § **10:194**
 - Awareness of applicant's beliefs or activities, § **10:82**
 - Beatings, § **10:86**
 - Beliefs or activities of applicant, authorities' awareness of, § **10:82**
 - BIA findings and conclusions
 - Generally, § **10:248**
 - Presumptive correctness, § **10:249**
 - Brief detentions, § **10:86**
 - Burden of proof, above
 - Changed conditions
 - Generally, § **10:75 et seq.**
 - Administrative notice, § **10:77**
 - Mere passage of time, § **10:78**
 - State Department reports, § **10:80**
 - Commonly acknowledged facts, administrative notice of, § **10:225**
 - Concrete facts and well-founded fear, § **10:49**
 - Context-specific incidents and well-founded fear of persecution, § **10:149**
 - Corroboration
 - Generally, § **10:220**
 - Objective evidence, § **10:53**
 - Well-founded fear, § **10:49**
 - Credibility
 - Generally, § **10:53**
 - Burden of proof, § **10:220**
 - Determinations by asylum officers, § **10:194**
 - Discrepancies and, § **10:220**
 - Findings, § **10:224**
 - Credible testimony
 - Generally, § **10:52**
 - Past persecution, § **10:68**
 - Well-founded fear, § **10:63**
 - Cross-examination rights, § **10:221**
 - Current events, administrative notice of, § **10:225**

INDEX

REFUGEES AND ASYLUM—Cont'd

- Evidence—Cont'd
 - Demeanor findings of immigration judges, § 10:224
 - Department of State
 - Comments on asylum applications, § 10:195
 - Reports of changed conditions, § 10:80
 - Direct evidence of well-founded fear, § 10:63
 - Discovery, § 10:230
 - Discrepancies and credibility, § 10:220
 - Documentary evidence
 - Admission applications, § 10:27, 10:28
 - Well-founded fear, § 10:56, 10:57
 - Entry into US, applicant's circumstances of as factor in asylum determinations, § 10:232
 - expert witnesses, § 10:58
 - Federal Rules of Evidence, § 10:222
 - FOIA requests by applicants, § 10:230
 - Future persecution
 - Fear of, § 10:73
 - Likelihood of, § 10:69
 - Presumption of, § 10:71
 - General conditions in country of residence and well-founded fear, § 10:53
 - Genuineness of well-founded fear, § 10:61
 - Harm to applicant, subjective intent to cause, § 10:54
 - Humanitarian considerations for granting asylum status, evidence establishing, § 10:74
 - Human rights violations in country of origin, administrative notice of, § 10:248
 - Imprisonment, § 10:86
 - Inconsistent interview statements, inquiries as to, § 10:212
 - Information from other sources, reliance on, § 10:229
 - Insufficient evidence as to well-founded fear, § 10:54
 - Interrogations, § 10:86
 - Isolated acts of violence and well-founded fear, § 10:60

REFUGEES AND ASYLUM—Cont'd

- Evidence—Cont'd
 - Language problems and minor discrepancies, § 10:224
 - Likelihood of future persecution, § 10:69
 - Mental persecution, § 10:86
 - Mere passage of time and changed conditions, § 10:78
 - Minor discrepancies, § 10:224
 - Motive for claiming asylum, proving, § 10:52
 - Motive of persecutors, evidence of, § 10:54
 - Motives mixed, § 10:51
 - Nicaraguan Adjustment and Central American Relief Act (NACARA), § 10:333
 - Objective evidence, corroborative, § 10:53
 - Other sources reliance on information from, § 10:229
 - Past persecution
 - Generally, § 10:66
 - Burden of proof created by, § 10:49
 - Severity of, § 10:65
 - Pattern or practice of persecution
 - Generally, § 10:60
 - Burden of proving, § 10:215
 - Physical presence of permanent status applicant
 - Generally, § 10:394 et seq.
 - Burden of proof, § 10:396
 - Obligations of applicant, § 10:396
 - Politically motivated persecution, presumption of, § 10:97
 - Political opinions under INA, presumptive correctness of, § 10:249
 - Presumptions, below
 - Prima facie case, § 10:214
 - Property confiscations, § 10:86
 - Prosecution, § 10:86, 10:92
 - Punishment of applicant, subjective intent to cause, § 10:54
 - Rebuttable presumptions, § 10:71
 - Reliance on information from other sources, § 10:229
 - Religious persecution, § 10:128

REFUGEES AND ASYLUM—Cont'd

Evidence—Cont'd

- Removal proceedings, consideration of applications submitted in, § **10:278**
- Reopening of proceedings to present new evidence, § **10:246**
- Severity of past persecution, § **10:65**
- Similarly situated persons, treatment of, § **10:195**
- Specific evidence of well-founded fear, § **10:57, 10:63**
- Specific threats and well-founded fear, § **10:60**
- State Department. Department of State, above
- Subjective intent to harm or punish applicant, § **10:54**
- Sufficiency, § **10:223**
- Technical or scientific facts, administrative notice of, § **10:225**
- Testimony, § **10:221 et seq.**
- Threats generally, § **10:86 et seq.**
- Torture, § **10:86**
- Typographical errors, § **10:224**
- Uncorroborated or uncontradicted testimony and burden of proof, § **10:220**
- Viewpoint-specific incidents and well-founded fear of persecution, § **10:149**
- Violence of general nature and well-founded fear, § **10:59**
- Well-founded fear, below
- Witnesses, § **10:221 et seq.**

Examinations. Medical examinations, below

Exclusion proceedings, adjustment to permanent residence status, § **10:298**

Expedited removal, § **10:258 et seq.**

Expert witnesses, § **10:58**

Extradition magistrates, status determinations by, § **10:6**

Extralegal persecution, § **10:85**

Extraordinary circumstances justifying late filing for asylum, § **10:177**

Extraterritorial status, § **10:6**

Family planning. Birth control, above

REFUGEES AND ASYLUM—Cont'd

Family relationships

- Application priorities, § **10:16**
- Imputed political opinions
 - Generally, § **10:98**
 - Ninth Circuit position, § **10:71**
- Kinship as forming social group, § **10:150**
- Social group persecution, § **10:150**
- Ties and possibility of internal relocation, § **10:70**
- Verifications, application, § **10:26**

Fear of persecution

- Generally, § **10:1**
- Future persecution, fear of, below
- Well-founded fear, below

Felons

- Aggravated felons, above
- Temporary protected status (TPS) eligibility, § **10:405**

Female genital mutilation (FGM)

- Generally, § **10:154**
- Well-founded fear established by practice, § **10:64**

Feminist political opinions, § **10:124**

Financial assistance. Benefits, above

Firm resettlement

- Generally, § **10:11**
- Third country resettlement, § **10:187 et seq.**

FOIA requests by applicants, § **10:230**

Forced or coerced recruitment

- Generally, § **10:112**
- Antigovernment guerrillas, conscription, § **10:113 et seq.**
- Compulsory military service, above

Foster care, § **10:47**

Fraudulent documents and asylum, § **10:226**

Frivolous applications for asylum, § **10:180**

Future persecution, fear of

- Generally, § **10:65, 10:72**
- Evidence to support fear of, § **10:73**
- Likelihood of, § **10:69**
- Presumption of, § **10:71**
- Proof required, § **10:69**
- Well-founded fear of, § **10:72**

Gang related, social group membership claims, § **10:166**

REFUGEES AND ASYLUM—Cont'd

- Gender-based asylum claims
 - Generally, § 10:151 et seq.
 - Birth control measures, coercive, § 10:151
 - Burden of proof, § 10:214 et seq.
 - Domestic violence, § 10:151, 10:153
 - Female genital mutilation, § 10:154
 - Gender identity, § 10:155
 - HIV status, § 10:155
 - Honor killings, § 10:151
 - Marriage, forced, § 10:151
 - Opposition to gender-specific laws, § 10:152
 - Prostitution, forced, § 10:151
 - Sexual orientation, § 10:155
 - Trafficking, § 10:151
 - United Nations guidelines, § 10:151
- Geneva Convention
 - Temporary refugee status, § 10:13
 - War refugees, § 10:170
- Governing law, § 10:4, 10:5
- Grants of asylum
 - Generally, § 10:227
 - Adjustment to Permanent Residence Status, § 10:288
 - Notices of decisions, § 10:245
 - Rights of asylum grantees, § 10:256
 - Temporary employment authorizations, below
 - Termination of asylum, below
- Guatemala
 - Ethnic minorities, § 10:159
 - Nicaraguan Adjustment and Central American Relief Act (NACARA), below
 - Well-founded fear of persecution
 - Political opinion, § 10:113
- Guerrillas
 - Antigovernment guerillas, above
 - Social group, person who provides supplies to, § 10:117
- Guinea-Bissau, temporary protected status, § 10:401
- Habeas corpus petitions, § 10:250
- Haiti
 - Changed conditions, § 10:79
 - Haitian Refugee Immigration Fairness Act (HRIFA), below

REFUGEES AND ASYLUM—Cont'd

- Haitian Refugee Immigration Fairness Act (HRIFA)
 - Generally, § 10:344 et seq.
 - Adjudications, § 10:361 et seq.
 - Adjustments to permanent status, § 10:344 et seq.
 - Administrative review, § 10:364
 - Applications, § 10:351 et seq.
 - Approvals, § 10:363
 - Children, § 10:347, 10:359
 - Continuity of presence in US, § 10:357
 - Denials of application, review of, § 10:365
 - Dependents' applications, § 10:359
 - Employment authorizations, § 10:346
 - Evidence, secondary, § 10:360
 - Evidence of eligibility, § 10:358
 - Filing, § 10:351 et seq.
 - Form of application, § 10:355
 - Judicial review, § 10:364
 - Notice of certification referrals, § 10:367
 - Parole authorizations, § 10:348 et seq.
 - Presence in US on December 31, 1995, § 10:356
 - Referrals of Notice of Certification, § 10:367
 - Removal stays, § 10:345
 - Renewals of applications, § 10:366
 - Spouses, § 10:347, 10:359
 - Status adjustments, § 10:344 et seq.
 - Stays of removal, § 10:345
 - Supporting documents, § 10:355
 - Travel authorizations, § 10:348 et seq.
 - When to file, § 10:351
 - Where to file, § 10:352 et seq.
- Hardships, economic, and persecution claims, § 10:93
- Health and Human Services Department responsibilities for children of refugees, § 10:41
- Hearings
 - Generally, § 10:221 et seq.
 - Administrative appeals, § 10:247
 - Administrative or official notice, § 10:225
 - Admissibility of evidence, § 10:222

REFUGEES AND ASYLUM—Cont'd

Hearings—Cont'd
 Adverse credibility findings, § 10:220
 Asylum
 Generally, § 10:209
 Identity checks, § 10:210
 Interviews, below
 Stowaways, § 10:259
 Benefits termination hearings, § 10:35
 BIA findings and conclusions
 Generally, § 10:248
 Presumptive correctness, § 10:249
 Changed conditions, significant procedural time gaps and, § 10:78
 Credibility and burden of proof, § 10:220
 Credibility findings, § 10:224
 Cross-examination rights, § 10:221
 Demeanor findings of immigration judges, § 10:224
 Denials of asylum applications, § 10:231
 Discovery of evidence, § 10:230
 Discretion, denial of asylum as matter of, § 10:232
 Due process rights, § 10:221
 Entry into US, applicant's circumstances of as factor in asylum determinations, § 10:232
 Findings, support in evidence for, § 10:224
 Limiting testimony, § 10:221
 Minor discrepancies in evidence, § 10:224
 Removal proceedings, consideration of applications submitted in, § 10:278
 Reopening of proceedings to present new evidence, § 10:246
 Right to be heard, § 10:221
 Stowaways, asylum-only hearings, § 10:259
 Sufficiency of evidence, § 10:223
 Termination of asylum, § 10:281
 Testimony, § 10:221 et seq.
 Translation services, right to, § 10:213
 Herzegovina, § 10:209
 Among admissions priorities, § 10:189

REFUGEES AND ASYLUM—Cont'd

Homeland Security Secretary
 Discretion to admit certain refugees, § 10:6
 Humanitarian concern admissions, § 10:9
 Honduras
 Nicaraguan Adjustment and Central American Relief Act (NACARA), below
 Temporary protected status (TPS), below
 Honor killings and gender-based asylum claims, § 10:151
 Humanitarian concerns
 Generally, § 10:74
 Annual numerical limitations adjustments, § 10:17
 Domestic resettlement, § 10:32
 Homeland Security Secretary's discretion, § 10:9
 POW/MIA assistance, refugee status allowed for, § 10:11
 Vietnamese refugees, § 10:10
 Human rights abuses claims, § 10:49
 Hungarian parolees
 Annual numerical limitations, § 10:393
 Hungary, adjustment to permanent residence status, § 10:321 et seq.
 Husband and wife. Spouses, below
 Identity requirements
 Automated Visa Lookout System, § 10:210
 Name checks for applicants, § 10:21
 Nationality of applicants, satisfactory establishment of, § 10:6
 Political persecution, identity card requirements as, § 10:110
 TPS applications, § 10:413
 VISAS 92, § 10:271
 Withholding of removal, hearing requirements, § 10:210
 Immigration judges
 Adjustments to permanent residence status, § 10:302
 Aggravated felon referrals, § 10:266
 Asylum application filings, § 10:205
 Demeanor findings of, § 10:224
 Discretion, denial of asylum as matter of, § 10:232

INDEX

REFUGEES AND ASYLUM—Cont'd

- Immigration judges—Cont'd
 - Jurisdiction, § **10:199**
 - Nicaraguan Adjustment and Central American Relief Act (NACARA), § **10:326**
 - Removal proceedings, consideration of applications submitted in, § **10:278**
 - Training, asylum applications, § **10:191**
- Impact of refugee policies, Presidential report to Congress, § **10:168**
- Imprisonment
 - Cuban nationals imprisoned for political reasons, processing of, § **10:24**
 - Threats, § **10:86**
- Imputed political opinions
 - Generally, § **10:98**
 - Ninth Circuit position, § **10:71**
- Imputed social group membership, § **10:161**
- Inadmissible applicants
 - Generally, § **10:258 et seq.**, **10:284**
 - Administrative appeals, § **10:263**
 - Determinations, § **10:260**
 - Expedited removal, § **10:258 et seq.**
 - Interviews, § **10:259**
 - Waivers of inadmissibility, below
- In-country processing, Vietnam, § **10:10**
- India Sikhs, religious persecution claims, § **10:132**
- Individual nature of persecution and well-founded fear, § **10:59**
- Indochina
 - Hmong admissions priorities, § **10:189**
 - Indochinese parolees, below
 - Migration and Refugee Assistance Act (MRAA), § **10:36**
- Indochinese parolees
 - Generally, § **10:380 et seq.**
 - Adjustments to permanent status, § **10:381**
 - Administrative review, § **10:389**
 - Admission dates, § **10:388**
 - Annual numerical limitations, § **10:390, 10:392**
 - Applications, § **10:383**
 - Approvals, § **10:388**

REFUGEES AND ASYLUM—Cont'd

- Indochinese parolees—Cont'd
 - Dates of admission, § **10:388**
 - Denials, § **10:389**
 - Employment authorizations, § **10:386**
 - Evidence of eligibility, § **10:385**
 - Notices of denials, § **10:389**
 - Numerical limitations, § **10:390, 10:391, 10:392**
 - Travel authorizations, § **10:387**
 - Waivers of inadmissibility, § **10:384**
- Informants, § **10:160**
- Inspection and post-inspection detention of arriving aliens, § **2:160**
- Intent or motive
 - Burden of proving motivation for seeking asylum, § **10:52, 10:170**
 - Persecutors. Intent or motive of persecutors, below
- Intent or motive of persecutors
 - Generally, § **10:81 et seq.**
 - Ability to carry out threats, § **10:81**
 - Awareness of applicant's beliefs or activities, § **10:82**
 - Criminal prosecutions, § **10:92**
 - Harm, subjective intent to cause, § **10:83**
 - Multiple motives, § **10:86**
 - Political opinion persecution, § **10:94, 10:96**
 - Prosecutions, § **10:92**
 - Punishment, subjective intent to cause, § **10:83**
 - Religious persecution, § **10:126**
 - Several motives, § **10:86**
 - Subjective intent to harm or punish, § **10:83**
 - Will to carry out threats, § **10:81**
- Intermediate countries of refuge, § **10:170**
- Internal relocation to avoid persecution
 - Generally, § **10:87**
 - Family ties and possibility of, § **10:70**
 - Reasonableness of, burden of proof, § **10:218**
- International law claims of safe haven, § **10:13**
- Interrogations
 - Generally, § **10:86**
 - Political opinion, persecution on account of, § **10:108**

REFUGEES AND ASYLUM—Cont'd

Interviews
 Generally, § 10:21
 Adjustment to permanent residence status, § 10:300
 Adverse credibility findings, § 10:220
 Aggravated felons, § 10:265
 Argument by applicants, time for, § 10:212
 Asylum officers' conduct of, § 10:212
 Attendance, § 10:211
 Comments by applicants, time for, § 10:212
 Conduct of, § 10:212
 Credibility and burden of proof, § 10:220
 Credible fear interviews, § 10:197
 Cuban Adjustment Act, § 10:308
 Default, § 10:211
 Failure to attend, § 10:211
 Final statements, § 10:212
 Forms required at, § 10:22
 Inadmissible applicants, § 10:259
 Inconsistent statements, inquiries as to, § 10:212
 Information from other sources, reliance on, § 10:229
 Nicaraguan Adjustment and Central American Relief Act (NACARA), § 10:335
 Nonadversarial techniques, § 10:191
 Nonestablished refugee countries, refugees from, § 10:21
 Other sources reliance on information from, § 10:229
 Records of proceedings, § 10:212
 Reliance on information from other sources, § 10:229
 Right to be heard, § 10:221
 Statements, final, by applicants, § 10:212
 Stowaways, § 10:259
 Summaries, § 10:212
 Temporary protected status (TPS), § 10:416
 Time for, § 10:209
 Torture victims, § 10:191
 Training of professional asylum officers, § 10:191
 Translation services, right to, § 10:213

REFUGEES AND ASYLUM—Cont'd

Iran, religious persecution claims, § 10:134
 Jehovah's Witnesses, religious persecution claims, § 10:136
 Jews
 Religious persecution claims, § 10:133
 Soviet Union refugees, application priorities, § 10:133
 Syrian Jewish immigrants, below
 Judges. Immigration judges, above
 Judicial deference to agency decisions, § 10:94
 Judicial review
 Generally, § 10:250 et seq.
 Adjustment to permanent residence status, § 10:303
 Asylum denials, § 10:181
 Attorneys' fee awards, § 10:251
 Changed conditions, significant procedural time gaps and, § 10:78
 Convention Against Torture claims, § 10:23, 10:252
 Deference to agency decisions, § 10:94
 Denial of admission application, § 10:29
 Fugitive disentitlement doctrine, § 10:253
 Habeas corpus petitions, § 10:250
 Haitian Refugee Immigration Fairness Act (HRIFA), § 10:364
 Jurisdiction, § 10:250
 Nicaraguan Adjustment and Central American Relief Act (NACARA), § 10:343
 Political opinions, deference to agency decisions, § 10:94
 Private rights of action by asylum claimants, § 10:255
 Record on appeal, § 10:254
 Restrictions on, § 10:250
 Termination of refugee status
 Generally, § 10:30
 Denial, review, § 10:31
 Waiver of inadmissibility decisions, § 10:287
 Jurisdiction
 Asylum applications, § 10:198

INDEX

REFUGEES AND ASYLUM—Cont'd

- Jurisdiction—Cont'd
 - Board of Immigration Appeals, § **10:206**
 - District Director, jurisdiction of, § **10:207**
 - Immigration court, § **10:205**
 - Immigration judges, § **10:199**
 - Office of International Affairs, § **10:198**
- Kinship as forming social group, § **10:150**
- Kosovo
 - Funding of resettlement and services to refugees after admission, § **10:36**
 - Temporary protected status (TPS), § **10:401**
- Kuwait
 - Reasonable fear of persecution, § **10:66**
 - Temporary protected status (TPS), § **10:401**
- Labor certification waivers, § **10:284**
- Landholders as social group, § **10:149**
- Laos
 - Adjustment to permanent residence status, § **10:321**
 - Admissions priorities, § **10:189**
 - Indochinese parolees, above
 - Migration and Refugee Assistance Act (MRAA), § **10:36**
- Latvia. adjustment to permanent residence status, § **10:321**
- Lawyers. Right to counsel, below
- Lebanon, temporary protected status (TPS), § **10:401**
- Legal protections under U.S. law, § **10:3**
- Liberia
 - Resettlement and services to refugees after admission, § **10:36**
 - Temporary protected status (TPS), § **10:401**
 - Well-founded fear of persecution, § **10:154**
 - Withholding of removal, § **10:236**
- Likelihood of future persecution, proof required absent, § **10:69**
- Limitations. Annual numerical limitations, above
- Lists. Waiting lists, below

REFUGEES AND ASYLUM—Cont'd

- Lithuania
 - Adjustment to permanent residence status, § **10:321**
 - Changed conditions, § **10:79**
- Loans, travel, § **10:273**
- Marielitos, § **10:145**
- Mariners
 - Crewmen, above
 - Inadmissible applicants, above
 - Stowaways, below
- Marriage, forced and gender-based asylum claims, § **10:151**
- Mauritania, ethnic minorities, § **10:157**
- Medical examinations
 - Generally, § **10:276**
 - Adjustment to permanent residence status, § **10:301**
 - Children, § **10:276**
 - Cuban Adjustment Act, § **10:308**
 - Spouses, § **10:276**
 - Tentative admission approvals, § **10:288**
- Mental persecution, § **10:86**
- Migration and Refugee Assistance Act (MRAA), § **10:36**
- Military service
 - Compulsory military service, above
 - Conscientious objectors, § **10:130**
 - Desertion, § **10:102**
 - Former members as social group, § **10:146**
 - Political opinion, resistance as form of, § **10:102**
 - Social group, former members as, § **10:146**
- Minority populations
 - Ethiopia, § **10:158**
 - Guatemala, § **10:159**
 - Mauritania, § **10:157**
 - Nationality, persecution on account of, below
 - Political persecutions of, § **10:119**
 - Romania, § **10:156**
 - Syrian Jewish immigrants, § **10:368**
- Minors. Children, above
- Montserrat, temporary protected status (TPS), § **10:401**
- Motivation for seeking asylum, burden of proving, § **10:52, 10:170**

REFUGEES AND ASYLUM—Cont'd

Motive for persecution. Intent or motive of persecutors, above

Murder of others seeking asylum as creating well-founded fear, § 10:91

Name checks for applicants, § 10:21

Nationality, persecution on account of

 Generally, § 10:6

 Burden of proof, § 10:214 et seq.

 Changed conditions, § 10:75 et seq.

 Ethiopia, § 10:158

 Future persecution, fear of, § 10:72

 Gender-based asylum claims, above

 Guatemala, § 10:159

 Individual, persecution directed at, § 10:59

 Intent or motive of persecutors, above

 Mauritania, § 10:157

 Minority populations, above

 Past persecution, required showing of, § 10:67

 Political persecutions of minority populations, § 10:119

 Romania, § 10:156

 Sufficiency of evidence, § 10:223

 Temporary refuge, § 10:13

 Threats, below

 Well-founded fear, below

Nationality of applicants, satisfactory establishment of, § 10:6

National security

 Asylum denials to persons posing danger to, § 10:185

 Spouses of principle applicants, § 10:269

Nationwide nature of threats, § 10:87

Neutrality as political opinion

 Generally, § 10:101

 Military service resistance, § 10:102

New nationality, acquisition of by asylee, § 10:279

Nicaraguan Adjustment and Central American Relief Act (NACARA)

 Adjustment to permanent residence status, § 10:326 et seq.

 Administrative closure of other proceedings, § 10:330

 Administrative review, § 10:343

 Annual numerical limits, § 10:327

 Applications, § 10:332

REFUGEES AND ASYLUM—Cont'd

Nicaraguan Adjustment and Central American Relief Act (NACARA)

 —Cont'd

 Board of Immigration Appeals, § 10:329

 Children, § 10:341

 Decisions, § 10:342

 Eligibility, § 10:326

 Employment authorizations, § 10:337

 Evidence, secondary, § 10:333

 Filings, § 10:334

 Immigration judges, § 10:326

 Ineligible persons, § 10:327

 Interviews, § 10:335

 Judicial review, § 10:343

 Jurisdiction, § 10:326 et seq.

 Parole authorizations, § 10:338 et seq.

 Physical presence period, § 10:331

 Removals, § 10:336

 Spouses, § 10:341

 Stays of removal, § 10:336

 Travel authorizations, § 10:338 et seq.

 Waivers of inadmissibility, § 10:326

1997 legislation, § 1:38

Nongovernmental groups, persecution by, § 10:85

Northern Mariana Islands, § 9:388

Notices

 Administrative appeals, § 10:247

 Administrative notice. Evidence, above

 Admission

 Generally, § 10:29, 10:245

 Denial, § 10:29

 Asylum officers' decisions, § 10:245

 Children, § 10:29

 Decision, notice of, § 10:29, 10:245

 Denial of admission application, § 10:29

 Denial of asylum

 Generally, § 10:245

 Right to appeal, § 10:247

 Grants of asylum, § 10:245

 Official notice, § 10:225

 Right to appeal, notice of, § 10:247

 Temporary protected status (TPS)

 Generally, § 10:401

INDEX

REFUGEES AND ASYLUM—Cont'd

- Notices—Cont'd
 - Temporary protected status (TPS)
 - Cont'd
 - Notice of availability of, § 10:398
 - Notice of withdrawal of status, § 10:430
 - Notices of rights, duties and benefits, § 10:424
 - Temporary protected status (TPS), below
- Numerical limitations. Annual numerical limitations, above
- Office of International Affairs jurisdiction, § 10:198
- Officers. Asylum officers, above
- Official notice, § 10:225
- Outlaw groups, persecution by, § 10:85
- Outside country of nationality, requirement of, § 10:6
- Pakistan, religious persecution claims, § 10:135
- Palestine, Migration and Refugee Assistance Act (MRAA), § 10:36
- Parole and parole authorizations
 - Advance parole, leaving country prior to receiving, § 10:196
 - Arriving aliens seeking asylum, § 2:191
 - Haitian Refugee Immigration Fairness Act (HRIFA), § 10:348 et seq.
 - Indochinese parolees, above
 - Nicaraguan Adjustment and Central American Relief Act (NACARA), § 10:338 et seq.
 - Persons with refugee travel documents, § 2:196
- Passports
 - Tentative admission approvals, § 10:25, 10:26
 - Travel documents, below
- Past persecution
 - Generally, § 10:65 et seq.
 - Arrests, § 10:86
 - Beatings, § 10:86
 - Burden of proof created by, § 10:49
 - Burden of proving, § 10:216
 - Changed conditions, above
 - Credible testimony, § 10:68
 - Definition, § 10:67

REFUGEES AND ASYLUM—Cont'd

- Past persecution—Cont'd
 - Family ties and possibility of internal relocation, § 10:70
 - Future persecution
 - Likelihood of, § 10:69
 - Presumption of, § 10:71
 - Humanitarian considerations arising from evidence of, § 10:74
 - Imprisonment, § 10:86
 - Internal relocation, family ties and possibility of, § 10:70
 - Interrogations, § 10:86
 - Likelihood of future persecution, § 10:69
 - Presumption of future persecution, § 10:71
 - Property confiscations, § 10:86
 - Prosecutions, § 10:86, 10:92
 - Severity, § 10:65, 10:67
 - Sufficiency of showing, § 10:66
 - Threats, below
 - Torture, § 10:86
- Pattern or practice of persecution
 - Generally, § 10:60
 - Burden of proving, § 10:215
- Permanent resident status
 - Generally, § 10:288 et seq.
 - Adjustment to permanent residence status, § 10:288
 - Categories of immigrants eligible for lawful permanent resident status, § 9:1
 - Nonquota immigrants, § 9:31
- Persecution
 - Generally, § 10:64
 - Defined, § 10:67
 - Future persecution, above
 - Past persecution, above
 - Persecutors, below
 - Removal, relief from, below
 - Social group membership, below
- Persecutors
 - Denial of asylum to, § 10:182
 - Eligibility for refugee status, § 10:10
 - Intent or motive of persecutors, above
 - Temporary protected status (TPS) eligibility, § 10:405
- Personal disputes with government officials, § 10:96
- Personal interviews. Interviews, above

REFUGEES AND ASYLUM—Cont'd

- Physical abuse, § 10:108
- Physical presence
 - Adjustment to permanent residence status
 - Generally, § 10:394 et seq.
 - Burden of proof, § 10:396
 - Obligations of applicant, § 10:396
 - Asylum applicants, § 10:169
 - Haitian Refugee Immigration Fairness Act (HRIFA), § 10:356, 10:357
 - Nicaraguan Adjustment and Central American Relief Act (NACARA), § 10:331
 - Temporary protected status (TPS), § 10:403, 10:426
- Poland
 - Adjustment to permanent residence status, § 10:321 et seq.
 - Solidarity cases, § 10:123
- Polish parolees
 - Annual numerical limitations, § 10:393
- Political opinion, persecution on account of
 - Generally, § 10:6, 10:94 et seq.
 - Abortion refugees, above
 - Altercations, § 10:105
 - Beatings, § 10:109
 - Burden of proof, § 10:214 et seq. cases, § 10:99
 - Changed conditions, § 10:75 et seq.
 - Compulsory military service, § 10:111
 - Conscription as persecution, § 10:111
 - Coup attempts, § 10:106
 - Criminal law violations, § 10:104
 - Definition of political opinion, § 10:98
 - Demonstrations, § 10:105
 - Discretion as to eligibility, § 10:94
 - Forced or coerced recruitment, § 10:111
 - Future persecution, fear of, § 10:72
 - Gender-based asylum claims, above
 - Guerrilla associations, fear because of, § 10:116
 - Identity card requirements, § 10:110
 - Imputed political opinions
 - Generally, § 10:98
 - Ninth Circuit position, § 10:71

REFUGEES AND ASYLUM—Cont'd

- Political opinion, persecution on account of—Cont'd
 - Individual, persecution directed at, § 10:59
 - Injury caused by civil strife, § 10:107
 - Intent or motive of persecutors, above
 - Interrogation, § 10:108
 - Judicial deference to agency decisions, § 10:94
 - Membership in political organization, § 10:103
 - Mere holding of political opinion, § 10:60
 - Military associations, fear because of, § 10:116, 10:117
 - Minority populations, § 10:119
 - Mixed motives, § 10:94, 10:96
 - Motives of persecutors, § 10:94, 10:96
 - National police force members, fears of, § 10:118
 - Neutrality as political opinion, § 10:101
 - Ninth Circuit opinion, § 10:96
 - Past persecution, required showing of, § 10:67
 - Persistence of activities and well-founded fear, § 10:52
 - Personal disputes with government officials, § 10:96
 - Physical abuse, § 10:108
 - Population control programs, resistance to, § 10:88 et seq.
 - Presumption of politically motivated persecution, § 10:97
 - Prosecution for political crimes, § 10:92
 - Provocations, § 10:105
 - Rape, § 10:109
 - Reasons for applicant's political choice, § 10:95
 - Solidarity cases, § 10:123
 - Sterilization refugees, below
 - Sufficiency of evidence, § 10:223
 - Taunts, § 10:109
 - Threats, below
 - Violations of nonpolitical laws, § 10:104
 - Well-founded fear, below

REFUGEES AND ASYLUM—Cont'd

- Religion, persecution on account of
 - Generally, § 10:6, 10:125 et seq.
 - Admissions priorities, § 10:6
 - Ahmadis, § 10:135
 - Burden of proof, § 10:128, 10:214 et seq.
 - Changed conditions, § 10:75 et seq.
 - Conscientious objectors, § 10:130
 - Future persecution, fear of, § 10:72
 - Gender-based asylum claims, above
 - Individual, persecution directed at, § 10:59
 - Intent or motive of persecutors, above
 - Iran, § 10:134
 - Jehovah's Witnesses, § 10:136
 - Jews, § 10:133
 - Motives of persecutors, § 10:126
 - Past persecution, required showing of, § 10:67
 - Persistence of activities and well-founded fear, § 10:52
 - Population control measures, § 10:131
 - Sikhs, § 10:132
 - Sufficiency of evidence, § 10:223
 - Threats, below
 - Well-founded fear, below
 - Yugoslavia, § 10:137
- Removal
 - Generally, § 10:234
 - Adjustment to permanent residence status, removal proceedings, § 10:298
 - Aggravated felons, § 10:237, 10:264 et seq.
 - Asylum applications during removal proceedings
 - Generally, § 10:277
 - Procedure, § 10:278
 - Asylum claims in, § 10:1
 - Convention Against Torture protections, § 10:239 et seq.
 - Denials of asylum application. expeditious removal after, § 10:244
 - Deportation, elimination of term, § 10:1
 - Due process rights, § 10:235
 - Expedited removal, § 10:258 et seq.
 - Habeas corpus petitions to stay, § 10:250

REFUGEES AND ASYLUM—Cont'd

- Removal—Cont'd
 - Nicaraguan Adjustment and Central American Relief Act (NACARA), § 10:336
 - Reinstatement of removal, § 10:264 et seq.
 - Removal, relief from, below
 - Rights of asylum grantees, § 10:256
 - Stays
 - Generally, § 10:250
 - Haitian Refugee Immigration Fairness Act (HRIFA), § 10:345
 - Nicaraguan Adjustment and Central American Relief Act (NACARA), § 10:336
 - Temporary protected status (TPS), below
 - Termination of refugee status, § 10:30
 - Third country, removal to, § 10:279
 - Torture claims by removable aliens, § 10:172, 10:239 et seq.
 - USA Patriot Act, effect of, § 10:238
 - Withholding of removal, below
- Removal, relief from
 - Generally, § 13:223
 - Cancellation of removal applications, § 13:245
 - Persecution, torture, or danger
 - Generally, § 13:411-13:413
 - Aggravated felons, § 13:44
 - Burden of proof, § 13:418
 - Due process claims, § 13:421
 - Genocide laws violators, § 13:416
 - Nazi war criminals, § 13:416
 - Particularly serious crimes, § 13:417
 - Torture claims, § 13:419, 13:421
 - Travel funding restrictions, § 13:419
 - UN Convention Against Torture, § 13:420
 - Terrorist removal proceedings, asylum claims in, § 13:472
- Reopening
 - Generally, § 10:246
 - Board of Immigration Appeals, § 10:206
 - Population control resisters' applications, § 10:88
 - Termination of asylum on, § 10:282

INDEX

REFUGEES AND ASYLUM—Cont'd

Repatriation of war refugees, § 10:170
Reproductive rights. Birth control, above
Resettlement
 Domestic resettlement, above
 Safe third country availability, below
Residence country, location of applicant and, § 10:8
Residence status, adjustment to permanent, § 10:288
Resident aliens, § 16:9
Review
 Administrative review, above
 Judicial review, above
Rights of action by asylum claimants, § 10:255
Rights of asylum grantees
 Generally, § 10:256
 Temporary employment authorizations, below
Right to appeal, notice of, § 10:247
Right to counsel
 Asylum applicants, § 10:192
 Effectiveness of representation, § 10:246
 Stowaways, § 10:259
Romania
 Ethnic minorities, § 10:156
 Well-founded fear of persecution
 Generally, § 10:76, 10:86
 Jehovah's Witness fearing religious persecution, § 10:136
Rwanda
 Migration and Refugee Assistance Act (MRAA), § 10:36
 Temporary protected status, § 10:401
Safe haven international law claims, § 10:13
Safe third country availability
 Generally, § 10:175
 Asylum status ineligibility, § 10:187
 Canada-US safe third country agreement, § 10:175
 Equitable considerations, § 10:187
 Firm resettlement, § 10:187 et seq.
 Permanent resettlement in, § 10:174
Screening
 Generally, § 10:21
 Nonestablished refugee countries, § 10:21

REFUGEES AND ASYLUM—Cont'd

Seamen
 Crewmen, above
 Inadmissible applicants, above
 Stowaways, below
Secretary of Homeland Security
 Discretion to admit certain refugees, § 10:6
 Humanitarian concern admissions, § 10:9
Security checks for applicants, § 10:21
Security grounds, aliens removable on, § 10:172
Serbia
 Migration and Refugee Assistance Act (MRAA), § 10:36
 Temporary protected status (TPS), § 10:401
 Well-founded fear of prosecution, § 10:63, 10:65
Services to admitted refugees. Domestic resettlement, above
Sexual orientation claims, § 10:155
Sierra Leone
 Migration and Refugee Assistance Act (MRAA), § 10:36
 Temporary protected status (TPS), § 10:401
Sikhs, religious persecution claims, § 10:132
Social group membership, persecution on account of
 Generally, § 10:6, 10:138 et seq.
 Burden of proof, § 10:214 et seq.
 Changed conditions, § 10:75 et seq.
 Children's asylum claims, § 10:167
 Context-specific incidents, § 10:149
 Disabled persons, § 10:167
 Distinction and particularity, § 10:138
 Family, § 10:150
 Future persecution, fear of, § 10:72
 Gang related claims, § 10:166
 Gender-based asylum claims, above
 Government employees, § 10:143
 Illustrative cases, no social group found, § 10:139
 Imputed membership, § 10:161
 Individual, persecution directed at, § 10:59
 Informants, § 10:160
 Intent or motive of persecutors, above

REFUGEES AND ASYLUM—Cont'd

Social group membership, persecution on account of—Cont'd

- Kinship, § **10:150**
- Landholders, § **10:149**
- Marielitos, § **10:145**
- Military age males, § **10:141**
- Military service former members, § **10:146**
- No social group found, illustrative cases, § **10:139**
- other employment-related social groups, § **10:147**
- Particularity and distinction, § **10:138**
- Past persecution, required showing of, § **10:67**
- Persistence of activities and well-founded fear, § **10:52**
- Persons who provide supplies to guerrillas, § **10:148**
- Police force former members, § **10:142**
- Sufficiency of evidence, § **10:223**
- Threats, below
- UNHCR approach, § **10:140**
- Union members, § **10:144**
- Urban males, § **10:141**
- Viewpoint-specific incidents, § **10:149**
- Well-founded fear, below
- witnesses, § **10:160**
- Working class males, § **10:141**
- Solidarity cases, § **10:123**
- Somalia
 - Membership in social group, § **10:150**
 - Temporary protected status, § **10:401**
- Sources of law, § **10:4, 10:5, 10:140**
- Soviet parolees, annual numerical limitations, § **10:392**
- Soviet Union, former
 - Adjustment to permanent residence status, § **10:321**
 - Changed conditions, § **10:79**
 - Jewish refugees, application priorities, § **10:133**
- Special circumstances applications, Presidential designations, § **10:6**
- Special immigrants, § **10:16**
- Sponsorship assurances
 - Generally, § **10:46 et seq.**
 - Domestic resettlement, above

REFUGEES AND ASYLUM—Cont'd

Sponsorship assurances—Cont'd

- Forms, § **10:46**
- Loans, travel, § **10:273**
- Proof requirements, § **10:49**
- Public charge waivers, § **10:284**
- Requests for, § **10:28**
- Tax considerations, § **10:46**
- Voluntary agency sponsorships, § **10:28**
- When to file, § **10:47**
- Who may file, § **10:46**

Spouses

- Generally, § **10:269 et seq.**
- Admission requests for, § **10:27, 10:28**
- Applications for asylum, § **10:202, 10:243**
- Burden of proving eligibility of, § **10:214**
- Chinese Student Protection Act, § **10:317**
- Cuban Adjustment Act, § **10:306**
- Definition, § **10:270**
- Denials of asylum to principal, effect of, § **10:243**
- Derivative status, § **10:14, 10:15**
- Eligibility determinations
 - Generally, § **10:269 et seq.**
 - Burden of proof, § **10:275**
 - Overseas dependents, § **10:273**
 - Spouse already in United States, § **10:274**
- Following-to-join benefits, § **10:273**
- Haitian Refugee Immigration Fairness Act (HRIFA), § **10:347, 10:359**
- Marriage, forced and gender-based asylum claims, § **10:151**
- Medical examinations, § **10:276**
- Nicaraguan Adjustment and Central American Relief Act (NACARA), § **10:341**
- Security risks, § **10:269**
- Separate asylum applications by, § **10:243**
- Syrian Jewish immigrants, § **10:368**
- Tentative admission approvals, § **10:14, 10:15, 10:27**
- Termination of asylum, § **10:280**
- Termination of refugee status, § **10:30**
- Travel benefits, § **10:273**

REFUGEES AND ASYLUM—Cont'd

- Spouses—Cont'd
 - VISAS 92, § **10:270 et seq.**
- SSI extension for elderly and disabled refugees, § **1:109**
- Standard of proof as to religious persecution, § **10:128**
- Standing to sue, termination of assistance benefits, § **10:38 et seq.**
- State Department. Department of State, above
- Stateless persons
 - Eligibility for refugee status, § **10:12**
 - Past persecution showing, § **10:65**
 - Temporary protected status (TPS), § **10:1**
- Status adjustments, § **10:288**
- Stays of removal
 - Generally, § **10:250**
 - Haitian Refugee Immigration Fairness Act (HRIFA), § **10:345**
 - Nicaraguan Adjustment and Central American Relief Act (NACARA), § **10:336**
- Sterilization refugees
 - Generally, § **10:88**
 - Annual numerical limitations on asylum grants eliminated, § **10:88**
 - Degree of resistance required, § **10:90**
 - Gender-based asylum claims, § **10:151**
 - Location of applicant, § **10:6**
 - Religious persecution claims, § **10:131**
 - Spouse, sterilization of, § **10:88**
- Stowaways
 - Generally, § **10:258 et seq.**
 - Administrative appeals, § **10:263**
 - Asylum-only hearings, § **10:259**
 - Credibility determinations by asylum officers, § **10:194**
 - Credible fear determinations, § **10:258, 10:262**
 - Determinations, § **10:260**
 - Eligibility for asylum, § **10:172**
 - Immigration judges, referrals to, § **10:261**
 - Inadmissible applicants, above
 - Interviews, § **10:259**
 - Special treatment, § **10:259**

REFUGEES AND ASYLUM—Cont'd

- Sudan
 - Political opinion, § **10:122**
 - Religion, § **10:127**
 - Temporary protected status (TPS), § **10:401**
- Sufficiency of evidence, § **10:223**
- Sur place refugee, § **10:171**
- Syria
 - Syrian Jewish immigrants, below
 - Well-founded fear, specific threats directed at particular alien or family, § **10:62**
- Syrian Jewish immigrants
 - Generally, § **10:368 et seq.**
 - Adjustments to permanent status, § **10:368 et seq.**
 - Administrative review, § **10:379**
 - Admission dates, § **10:376**
 - Annual numerical limitations, § **10:377**
 - Applications, § **10:371**
 - Approvals of applications, § **10:376**
 - Children, § **10:368**
 - Dates of admission, § **10:376**
 - Denials of applications, § **10:378**
 - Eligibility for refugee status, § **10:368**
 - Employment authorizations, § **10:374**
 - Evidence of eligibility, § **10:373**
 - Notices of denials of applications, § **10:378**
 - Numerical limitations, § **10:377**
 - Permanent residence, record of, § **10:369**
 - Policy of US, § **10:368**
 - Refugee status, eligibility for, § **10:368**
 - Spouses, § **10:368**
 - Travel authorizations, § **10:375**
 - Waivers of inadmissibility, § **10:370**
- Temporary asylum applications, § **10:6**
- Temporary employment authorizations, work documents, filing, § **10:290, 10:299**
- Temporary protected status (TPS)
 - Generally, § **10:397 et seq.**
 - Adjustment of status, eligibility, § **10:427**
 - Adjustments, Congressional restrictions, § **10:397**

REFUGEES AND ASYLUM—Cont'd

Temporary protected status (TPS)

—Cont'd

Administrative appeals, § 10:422 et seq., 10:431

Annual registration requirements, § 10:429

Appeals, § 10:431

Applications

Generally, § 10:407 et seq.

Confidentiality requirements, § 10:411, 10:415

Continuous residence, proof of, § 10:414

Deportation proceedings, applications during, § 10:410

Evidentiary requirements, § 10:412

Exclusion proceedings, applications during, § 10:410

Fees, § 10:408

Forms, § 10:407

Identity requirements, § 10:413

Nationality, proof of, § 10:413

Waivers of fees, § 10:409

When and where to file, § 10:407

Benefits, § 10:417, 10:424 et seq.

BIA, appeals to, § 10:423

Burden of proof, § 10:412 et seq.

Charging document, filing, § 10:422

Charging documents, effect on deportability, § 10:428

Chinese Student Protection Act, § 10:397

Congressional restrictions, § 10:397

Continuation of nonimmigrant status on denial of asylum, § 10:233

Continuous physical presence, § 10:403, 10:426

Continuous residence, proof of, § 10:414

Creation of status, § 10:1, 10:397

Decisions, § 10:418 et seq.

De novo hearings before immigration judge, § 10:422

Deportability, § 10:428

Deportation proceedings, applications during, § 10:410

Designated foreign states, § 10:400, 10:401

Designation chart, § App 10-1

Displaced persons, § 10:1

REFUGEES AND ASYLUM—Cont'd

Temporary protected status (TPS)

—Cont'd

District Director decisions, § 10:418 et seq.

Duties of TPS aliens, § 10:424 et seq.

Effective dates of designations, § 10:401

Employment authorizations, § 10:425

Exclusion proceedings, applications during, § 10:410

Exclusiveness of remedy, § 10:399

Extensions, § 10:402

Felons, § 10:405

Foreign states, designated, § 10:400

Immigrant status and individual eligibility, § 10:406

Individual eligibility

Generally, § 10:403 et seq.

Continuous physical presence, § 10:403

Felons, § 10:405

Immigrant status and, § 10:406

Ineligible aliens, § 10:405

Nonimmigrant status and, § 10:406

Persecutors, § 10:405

Physical presence requirements, § 10:403

Proof of continuous residence, § 10:414

Proof of nationality, § 10:413

Qualified registered immigrants, § 10:403

Residence requirements, § 10:403

Waivers of inadmissibility, § 10:404

Ineligible aliens, § 10:405

Information requirements, § 10:401

Interviews, § 10:416

Loss of status, § 10:402

Nonimmigrant status and individual eligibility, § 10:406

Notice

Requirements, generally, § 10:401

Rights, duties and benefits, notice of, § 10:424

Withdrawal of status, § 10:430

Obligations, § 10:424 et seq.

Permanent residence status, § 10:426

Persecutors, ineligibility of, § 10:405

INDEX

REFUGEES AND ASYLUM—Cont'd

- Temporary protected status (TPS)
 - Cont'd
 - Physical presence requirements, § 10:403
 - Qualified registered immigrants, § 10:403
 - Relationship of status to other relief, § 10:399
 - Residence requirements, § 10:403
 - Restoration of nonimmigrant status on denial of asylum, § 10:233
 - Review of designation, § 10:402
 - Rights of TPS aliens, § 10:424 et seq.
 - Stateless persons, § 10:1, 10:168
 - Status adjustment, eligibility, § 10:427
 - Termination of asylum, below
 - Termination of designation, § 10:402
 - Termination of status, § 10:402
 - Travel authorizations, § 10:426
 - Waivers of inadmissibility, § 10:404
 - Withdrawal, § 10:430, 10:431
- Temporary refuge, Geneva Convention, § 10:13
- Temporary visitors for business, asylum denied to alien in another country, § 4:109
- Tentative admission approvals
 - Generally, § 10:288 et seq.
 - Arrival and departure record form, § 10:26
 - Children, § 10:14, 10:15, 10:27
 - Derivative status, § 10:14, 10:15
 - Document presentation at port of entry, § 10:25, 10:26
 - Length of, § 10:288
 - Loans, travel, § 10:273
 - Medical approvals, § 10:288
 - Passports, § 10:25, 10:26
 - Port of entry, document presentation at, § 10:25, 10:26
 - Registration numbers, § 10:23
 - Sponsorship assurances, above
 - Spouses, § 10:14, 10:15, 10:27
 - Travel arrangements, § 10:273
 - Travel documents, § 10:28
 - Travel packets, § 10:25, 10:26
 - Voluntary agency sponsorships
 - Generally, § 10:28

REFUGEES AND ASYLUM—Cont'd

- Termination of assistance
 - Generally, § 10:38 et seq.
 - Private causes of actions against grant recipients, § 10:40
 - Standing to contest, § 10:38
- Termination of asylum
 - Generally, § 10:279 et seq.
 - Arriving aliens, termination for, § 10:283
 - Change in circumstances, § 10:279
 - Children, § 10:280
 - Derivative status, § 10:280
 - Fraudulent applications, § 10:279
 - Hearing, § 10:281
 - New nationality, acquisition of by asylee, § 10:279
 - Postdecision matters, § 10:257
 - Procedure, § 10:281
 - Reopening to terminate, § 10:282
 - Spouses, § 10:280
 - Third country, removal to, § 10:279
- Termination of refugee status, § 10:30
 - Review of denial, § 10:31
- Terrorists, asylum denials to, § 10:186
- Third country refuge. Safe third country availability, above
- Threats
 - Generally, § 10:84 et seq.
 - Ability to carry out, § 10:81
 - Anonymous, § 10:85
 - Arrests, § 10:86
 - Beatings, § 10:86
 - Burden of proof, § 10:216, 10:217
 - Credibility of, § 10:72
- Evidence
 - Generally, § 10:86 et seq.
 - Brief detentions, § 10:86
 - Mental persecution, § 10:86
- Future persecution, fear of, § 10:65, 10:72
- Imprisonment, § 10:86
- Intent or motive of persecutors, above
- Interrogations, § 10:86
- Mental persecution, § 10:86
- Nationwide nature of, § 10:87
- Objective standard as to credibility of, § 10:72
- Property confiscations, § 10:86
- Prosecution, § 10:86, 10:92

REFUGEES AND ASYLUM—Cont'd

- Threats—Cont'd
 - Specific threats and well-founded fear, § **10:60**
 - Torture, § **10:86**
 - Will to carry out, § **10:81**
- Timor, Migration and Refugee Assistance Act (MRAA), § **10:36**
- Torture
 - Burden of proof, § **10:219**
 - Humanitarian considerations arising from evidence of, § **10:74**
 - Indicia of, recognizing, § **10:23, 10:191**
 - Interviews of torture victims, § **10:191**
 - Judicial review of Convention Against Torture claims, § **10:23, 10:252**
 - Multilateral treaty, § **10:168**
 - Preferential treatment for certain refugees, § **10:23**
 - Prompt consideration for victims of, § **10:209**
 - Removable aliens, claims by, § **10:172**
 - Similarly situated persons, treatment of, § **10:195**
 - Threats of, § **10:86**
 - Training of FSOs, § **10:191**
 - UN Convention, § **10:168**
 - Withholding of removal sought under Convention Against Torture, § **10:236, 10:239 et seq.**
- TPS. Temporary protected status (TPS), above
- Trafficking and gender-based asylum claims, § **10:151**
- Training of personnel, § **10:125, 10:171, 10:191**
- Translation and translators
 - Impartiality of translators, § **10:213**
 - Language problems and minor discrepancies, § **10:224**
 - Right to translations services, § **10:213**
- Travel arrangements, § **10:273**
- Travel authorizations
 - Arrival and departure record form, § **10:26**
 - Haitian Refugee Immigration Fairness Act (HRIFA), § **10:348 et seq.**

REFUGEES AND ASYLUM—Cont'd

- Travel authorizations—Cont'd
 - Indochinese parolees, § **10:387**
 - Nicaraguan Adjustment and Central American Relief Act (NACARA), § **10:338 et seq.**
 - Syrian Jewish immigrants, § **10:375**
 - Temporary protected status (TPS), § **10:426**
- Travel benefits, § **10:273**
- Travel documents
 - Generally, § **10:28**
 - Filing, § **10:290, 10:299**
- Travel packets, § **10:25, 10:26**
- UNHCR approach to particular social group, § **10:140**
- Union membership
 - Social group membership, persecution on account of, § **10:144**
 - Solidarity case, § **10:123**
- United Nations
 - Convention Against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment (CAT), § **10:168**
 - Convention relating to the Status of Refugees, § **10:168**
 - Handbook on Procedures and Criteria for Determining Refugee Status, § **10:6, 10:151**
 - High Commissioner for Refugees (UNHCR)
 - Preferential processing recommendations, § **10:21**
 - Referral of admission applicants to, § **10:21**
- USA Patriot Act, effect on removal and applications for withholding, § **10:238**
- Vietnam
 - Adjustment to permanent residence status, § **10:321**
 - Application priorities, § **10:17**
 - Children, § **10:10**
 - Indochinese parolees, above
 - Migration and Refugee Assistance Act (MRAA), § **10:36**
 - Orderly Departure Program, § **10:10**
 - Voluntary agency sponsorships, § **10:28**
- Waiting lists
 - Adjustment to permanent residence status, § **10:294**

INDEX

REFUGEES AND ASYLUM—Cont'd

- Waiting lists—Cont'd
 - Admissions applications, § 10:23
- Waiver
 - Fees on application for temporary protected status (TPS), § 10:409
 - Inadmissibility. Waivers of inadmissibility, below
- Waivers of inadmissibility
 - Generally, § 10:284 et seq.
 - Adjustment of status, § 10:288, 10:296
 - Applications, § 10:286
 - Burden of proof, § 10:286
 - Chinese Student Protection Act, § 10:318 et seq.
 - Indochinese parolees, § 10:384
 - Judicial review, § 10:287
 - Labor certification waivers, § 10:284
 - Limitations on, § 10:285
 - Nicaraguan Adjustment and Central American Relief Act (NACARA), § 10:326
 - Public charge waivers, § 10:284
 - Syrian Jewish immigrants, § 10:370
 - Temporary protected status (TPS), individual aliens, § 10:404
- War refugees
 - Generally, § 10:6
 - Geneva Convention Relative to the Protection of Civilian Persons in Time of War, § 10:170
 - Repatriation restrictions, § 10:170
 - Temporary protected status (TPS), above
- Welfare. Benefits, above
- Well-founded fear
 - Generally, § 10:1, 10:49 et seq.
 - Absence of evidence, § 10:54
 - Applicant's testimony, § 10:56
 - Arrests, § 10:86
 - Beatings, § 10:86
 - Brief detentions, § 10:86
 - Burden of proof, § 10:57, 10:62, 10:214
 - Changed conditions, § 10:75 et seq.
 - Clear probability of persecution, § 10:63
 - Concrete facts, § 10:49
 - Context-specific incidents, § 10:149
 - Corroboration, § 10:49

REFUGEES AND ASYLUM—Cont'd

- Well-founded fear—Cont'd
 - Corroborative objective evidence, § 10:53
 - Credible evidence requirement, § 10:53, 10:63
 - Credible testimony, requirement of, § 10:52
 - Definition, § 10:63
 - Direct evidence, § 10:63
 - Disappearance of others seeking asylum, § 10:91
 - Documentary evidence, § 10:57
 - Economic hardship, § 10:93
 - Establishment of, § 10:61
 - Failure to establish, § 10:62
 - Family ties and possibility of internal relocation, § 10:70
 - Forms of persecution creating, § 10:86
 - Future persecution, fear of, § 10:65, 10:72
 - General conditions in country of residence, § 10:53
 - General evidence of violence, § 10:59
 - Generous standard, § 10:52
 - Genital mutilation practice, § 10:64
 - Genuineness, § 10:61
 - Imprisonment, § 10:86
 - Individual nature of persecution, § 10:59
 - Insufficient evidence, § 10:54
 - Intent or motive of persecutors, above
 - Internal relocation
 - Generally, § 10:87
 - Family ties and possibility of, § 10:70
 - Interrogations, § 10:86
 - Interviews, § 10:197
 - Isolated acts of violence, § 10:60
 - Likelihood, § 10:64
 - Motivation burden of proving, § 10:170
 - Motives mixed, § 10:51
 - Murders of others seeking asylum, § 10:91
 - Nationwide nature of threats, § 10:87
 - Nexus requirement, § 10:50
 - Ninth Circuit test, § 10:63
 - Objective evidence, corroborative, § 10:53

REFUGEES AND ASYLUM—Cont'd

- Well-founded fear—Cont'd
 - Objective standard, § 10:61
 - “On account of” or nexus requirement, § 10:50
 - Past persecution showing, § 10:65
 - Pattern of persecution, § 10:60
 - Possibility of persecution, § 10:63
 - Present or future persecution, fear of, § 10:72
 - Probability of persecution, § 10:63
 - Prominent role of applicant or family, § 10:60
 - Property confiscations, § 10:86
 - Prosecution, § 10:86, 10:92
 - Reasonable person test, § 10:63
 - Reasonable possibility of persecution, § 10:63
 - Specific evidence, § 10:63
 - Specific facts, importance of, § 10:57
 - Specific threats, § 10:60-10:62
 - State-of-mind investigation, § 10:63
 - Stowaways, credible fear determinations re, § 10:258
 - Subjective and objective evidence, § 10:49
 - Subjective component, proving, § 10:52
 - Subjective test, § 10:63
 - Sufficiency of evidence, § 10:55, 10:223
 - Threats, above
 - Torture, § 10:86
 - Types of persecution creating, § 10:86
 - Viewpoint-specific incidents, § 10:149
 - Violence, general evidence of, § 10:59
 - Work, inability to find, § 10:93
- Whistleblowers, opposition to corruption, § 10:120
- Will of persecutors. Intent or motive of persecutors, above
- Withholding of removal
 - Generally, § 10:1, 10:234 et seq.
 - Administrative appeals, § 10:247
 - Aggravated felonies, § 10:174
 - Aggravated felony convictions, § 10:237
 - Asylum officers' authority to decide, § 10:234

REFUGEES AND ASYLUM—Cont'd

- Withholding of removal—Cont'd
 - Burden of proof
 - Generally, § 10:215
 - Torture claims, § 10:219
 - Consideration of applications, § 10:209 et seq.
 - Convention Against Torture, claims under, § 10:236, 10:239 et seq.
 - Criminal convictions, § 10:183, 10:184
 - Custody, required assistance to applicants in, § 10:193
 - Due process grounds, § 10:235
 - Firm resettlement in third country, § 10:187
 - Form of application, § 10:200
 - Frivolous applications for asylum and, § 10:180
 - Hearings
 - Generally, § 10:209
 - Identity checks, § 10:210
 - Interviews, above
 - Immigration court, filings with, § 10:205
 - Immigration judges, jurisdiction of, § 10:199
 - Ineligible applicants, § 10:174 et seq.
 - Interviews, above
 - Judicial review of asylum denials, § 10:181
 - National security, denial of asylum to persons posing danger to, § 10:185
 - Non-citizens, serious crime conviction, § 10:183
 - Persecutors, denial of asylum to, § 10:182
 - Postdecision matters, § 10:245
 - Public interest grants of asylum, § 10:175
 - Reconsiderations, § 10:246
 - Removal proceedings, applications submitted in, § 10:277
 - Reopenings, § 10:246
 - Rights of asylum grantees, § 10:256
 - Serious crimes, § 10:174
 - Temporary employment authorizations, above
 - Temporary protected status (TPS), above

INDEX

REFUGEES AND ASYLUM—Cont'd

- Withholding of removal—Cont'd
 - Terrorists, asylum denials to, § 10:186
 - Translation services, right to, § 10:213
 - USA Patriot Act, effect of, § 10:238
- Witnesses, § 10:160
- Words and phrases
 - Asylee, § 10:1
 - Children, § 10:270
 - Derivative, § 10:14, 10:15
 - Persecution, § 10:67
 - Political opinion, § 10:98
 - Refugee, § 10:1
 - Spouses, § 10:270
 - VISAS 92 beneficiaries, § 10:270
 - War refugees, § 10:6
 - Well-founded fear, § 10:63
- Work, inability to find and persecution claims, § 10:93
- Work permits. Employment authorizations, above
- Worldwide refugee situation and annual numerical limitations, § 10:19, 10:20
- Yugoslavia
 - Migration and Refugee Assistance Act (MRAA), § 10:36
 - Religious persecution claims, § 10:137
 - Well-founded fear of persecution
 - Generally, § 10:65
 - Political opinion, § 10:105, 10:110

REFUNDS

- Nonimmigrant visas, fees for issuance, § 4:37, 4:57
- Permanent residents, fees for applications for immigrant visas, § 9:54

REFUSAL

- Crew Members, this index
- Farm labor contractor certificate of registration, refusal to issue or renew, § 12:68
- International organization representatives
 - C-2 visa, § 6:89
 - G visa, § 6:60
- Nonimmigrant visas, § 4:43-4:46
- Permanent residents, visa, § 9:137-9:142

REGIONAL CERTIFYING OFFICERS

- Department of Labor (DOL), § 1:243

REGIONAL DIRECTORS

- Department of Homeland Security, this index

REGISTERED NURSES

- H Nonimmigrants, this index
- TN Nonimmigrants, this index

REGISTRATION

- Citizenship, this index
- Crimes and related conduct
 - Generally, § 17:105-17:110
 - Aiding and abetting, § 17:106
 - Counterfeiting registration cards, § 17:110
 - Fraud in registration application, § 17:109
 - Notice of change of address, failure to give, § 17:108
 - Personal possession, failure to keep registration card in, § 17:105
 - Willful failure to register, § 17:107
- Illegal Entry Crimes, this index
- Nonimmigrant visas, § 4:94-4:101
- Offenses. Removal, this index
- Permanent Residents, this index
- Refugees and Asylum, this index

REGISTRY

- Crimes and Related Conduct, this index
- Permanent Residents, this index

REGULAR VISAS

- Nonimmigrant Visas, this index

REGULATIONS

- Amnesty, § 9:305-9:387
- Employment-based immigration, labor certification, § 8:99-8:142
- H nonimmigrants, § 4:209-4:506
- Intracompany transferees, § 4:509-4:599
- Nonimmigrant visas, § 4:1-4:713
- O nonimmigrants, § 4:600-4:642
- Permanent residents, lawful status, § 9:1-9:388
- Religious workers, § 4:694-4:709
- Temporary visitors for business, § 4:109-4:161
- Treaty traders and investors, § 4:163-4:208

REINSTATEMENT

- Nonimmigrant visas, § 4:54, 4:56, 4:57
- Permanent Residents, this index
- Re-entry after deportation, § 17:17

REISSUANCE

- Board of Immigration Appeals (BIA), motion to rescind and reissue decision, § 13:210
- Foreign information media representatives, visas for, § 4:30
- H visas, § 4:30
- Intracompany transferees, visas for, § 4:30, 4:583
- K-1 visas, § 6:287
- Nonimmigrant visas, generally, § 4:30
- O visas, § 4:30, 4:637
- P visas, § 4:30, 4:689
- Treaty traders and investors, visas, § 4:30, 4:196

RELATED ENTITY

- Intracompany transferees, proposed employment in U.S. eligibility, § 4:536-4:538

RELATIVES OF CITIZENS OR PERMANENT RESIDENTS

- Generally, § 7:1-7:393
- Abusive citizens or lawful permanent residents. Self-petitions by spouses and children of. Immediate relative and family-sponsored petitions, below
- Action on preference petitions
 - Administrative appeal, review of denial of petition, § 7:368
- Approval
 - Effect and record of approval, § 7:365
 - Forwarding of approved petition, § 7:365
 - Revocation of approval of petition, below this group
 - Subsequent petition after first is approved, effect of, § 7:366
- Automatic revocation, grounds for. Revocation of approval of petition, below
- Disclosing information from visa files to INS, revocation of approval of petition, § 7:382

RELATIVES OF CITIZENS OR PERMANENT RESIDENTS**—Cont'd**

- Action on preference petitions—Cont'd
 - Judicial review. Review of denial of petition, below this group
 - New petition, effect of approval of new petition when original petition revoked, § 7:381
 - Noticed revocation, grounds cited for revocation on notice, § 7:370
 - Notice of decision and of right to appeal, § 7:367
 - Notice of revocation. Revocation of approval of petition, below
 - Preference System, generally, § 7:2
 - Processing of petitions
 - country-specific USCIS benefit “holds” for “travel ban” countries, § 7:362.50
 - Denial. Review of denial of petition, below
 - Effect and record of approval, § 7:365
 - Forwarding of approved petition, § 7:365
 - Judicial review. Review of denial of petition, below this group
 - Return of supporting documents to petitioner, § 7:364
- Reinstatement, consular recommendation that petition be reinstated, § 7:380
- Review of denial of petition
 - Administrative appeal, § 7:368
 - Notice of decision and of right to appeal, § 7:367
- Revocation of approval of petition
 - Appeal, right to appeal revocation, § 7:379
- Automatic revocation, grounds for
 - Generally, § 7:371
 - Amerasian petition, changed circumstances in connection with, § 7:374
 - Change in status of relative petition or self-petition, § 7:373
 - Missing deadline for visa application, § 7:372
 - Special immigrant juvenile petition, changed circumstances in connection with, § 7:375

**RELATIVES OF CITIZENS OR
PERMANENT RESIDENTS****—Cont'd**

- Action on preference petitions—Cont'd
 - Revocation of approval of petition
 - Cont'd
 - Disclosing information from visa files to INS, § 7:382
 - New petition, effect of approval of new petition when original petition revoked, § 7:381
 - Noticed revocation, grounds cited for revocation on notice, § 7:370
 - Notice of revocation
 - Automatic revocation, notice of, § 7:378
 - Beneficiary en route to United States, notice to, § 7:377
 - Petitioner or self-petitioner, notice to, § 7:376
 - Reinstatement, consular recommendation that petition be reinstated, § 7:380
 - Right to revoke approval, § 7:369
 - Subsequent petition after first is approved, effect of, § 7:366
 - USCIS records, check of, § 7:363
 - Adjustment of status for K-1/K-2 nonimmigrants, § 7:391
 - Adjustment of status to permanent resident, § 7:390
 - Adoption
 - Adult sons or daughters, § 7:59
 - Age limit, § 7:48
 - Deprivation of rights of natural or prior adoptive parents and siblings, § 7:51
 - Family members as immigrants, below
 - Family-sponsored eligibility, siblings of adult citizens by means of adoption as entitled to fourth preference eligibility, brothers and sisters of adult citizens, § 7:90
 - Foreign country, adoption in
 - Generally, § 7:52
 - Customary adoption, § 7:55
 - High-volume adoption countries, § 7:53

**RELATIVES OF CITIZENS OR
PERMANENT RESIDENTS****—Cont'd**

- Adoption—Cont'd
 - Foreign country, adoption in—Cont'd
 - No legal provisions for adoption, effect of adoption in country with, § 7:54, 7:55
 - Foreign country, state court adoption of child born in, § 7:56
 - Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption, § 7:62
 - Married sons or daughters, § 7:59
 - Orphan petitions and advanced processing applications, below
 - Requirements for recognized adoption, § 7:47
 - Residence, two-year period of residence and legal custody, § 7:49, 7:50
 - State court adoption of child born in foreign country, § 7:56
 - Visas, processing immigrant visas for adopted children, § 7:57
- Advanced processing applications.
 - Orphan petitions and advanced processing applications, below, below
- “Age-out” protection for children, derivative definitions, § 7:27
- Amerasian petitions
 - Generally, § 7:339-7:362
 - Adverse information, notice about, § 7:349
 - Automatic revocation, § 7:351
- Children
 - Minor aliens, special requirements for, below this group
 - Vietnamese child fathered by United States citizen, below this group
- Civil suits
 - Enforcement of guarantee of legal custody and financial responsibility, § 7:358
 - Who may file request for enforcement, § 7:359
- Determinations. Information and determinations, below this group
- Eligibility, § 7:339

**RELATIVES OF CITIZENS OR
PERMANENT RESIDENTS**

—Cont'd

- Amerasian petitions—Cont'd
- Filing petition, § 7:4, 7:340
- Information and determinations
 - Abandonment and revival of petition, § 7:350
 - Adverse information, notice about, § 7:349
 - Automatic revocation, § 7:351
 - Interview of beneficiary
 - Generally, § 7:347
 - Overseas investigation, § 7:348
 - Marital status, proof of, § 7:345
 - Notice about adverse information, § 7:349
 - One and two-stage processing, § 7:346
 - Origin, proof of Amerasian origin, § 7:342
 - Paternity, proof of, § 7:343
 - Photograph of alien beneficiary, § 7:344
 - Revival of petition, § 7:350
- Interview of beneficiary. Information and determinations, above this group
- Marital status, proof of, § 7:345
- Minor aliens, special requirements for
 - Arrangement for placement, § 7:356
 - Guarantee of legal custody, § 7:355
 - Release by mother or guardian, § 7:354
 - Substitution of new sponsor, § 7:357
- Notice about adverse information, § 7:349
- One and two-stage processing, § 7:346
- Origin, proof of Amerasian origin, § 7:342
- Paternity, proof of, § 7:343
- Photograph of alien beneficiary, § 7:344
- Revival of petition, § 7:350
- Sponsorship
 - Financial responsibility, sponsor's guarantee of, § 7:352

**RELATIVES OF CITIZENS OR
PERMANENT RESIDENTS**

—Cont'd

- Amerasian petitions—Cont'd
- Sponsorship—Cont'd
 - Legal custody, sponsor's guarantee of, § 7:352
 - Qualification of sponsor, § 7:353
 - Vietnamese child fathered by United States citizen
 - Eligibility for benefits, § 7:362
 - Issuance and validity of visas, § 7:361
 - Who is eligible, § 7:360
 - Who may file petition, § 7:4, 7:5, 7:341
- Annulments. Family members as immigrants, below
- Bigamous marriages
 - Generally, § 7:9
 - Annulment, effect of annulment of first marriage, § 7:10
- Blood relatives, validity of marriage between, § 7:12
- Blood tests. Immediate relative and family-sponsored petitions, below
- Brothers
 - Family-sponsored eligibility, below
 - Immediate relative and family-sponsored petitions, below
- Children
 - Adoption
 - Adult sons or daughters, § 7:59
 - Stepchildren, § 7:34, 7:58
 - “Age-out” protection for children, derivative definitions, § 7:27
 - Amerasian petitions, above
 - Daughter, derivative definition, § 7:28
 - Derivative definitions
 - Generally, § 7:26
 - “Age-out” protection for children, § 7:27
 - Daughter, § 7:28
 - Son, § 7:28
 - Family members as immigrants, below
 - Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption, § 7:62

**RELATIVES OF CITIZENS OR
PERMANENT RESIDENTS****—Cont'd**

- Children—Cont'd
 - Immediate relative and family-sponsored petitions, below
 - Immediate relative eligibility, below
 - Legitimation. Wedlock, birth in or out of, below this group
 - Orphans
 - Definition of orphan child, § 7:61
 - Eligibility as dependent on approved visa petition, § 7:60
 - Orphan petitions and advanced processing applications, below
 - Out-of-wedlock. Wedlock, birth in or out of, below this group
 - Sham marriage, stepchildren, § 7:31
 - Son, derivative definition, § 7:28
 - Stepchildren
 - Adoption, effect of, § 7:34
 - Marriage status as creating stepparent-stepchild relationship
 - Generally, § 7:30
 - Sham marriage, § 7:31
 - Out-of-wedlock birth, effect of, § 7:33
 - Preexisting family unit not necessary, § 7:32
 - Recognition of stepparent-stepchild relationship, § 7:29
 - Sham marriage, § 7:31
 - Wedlock, birth in or out of
 - Abolition of distinction between children born in-wedlock and out-of-wedlock, effect of
 - Generally, § 7:44
 - Timing of legislation and age of child, effect of, § 7:45
 - Foreign country, legitimation in
 - Generally, § 7:40
 - Acknowledgment by natural father, § 7:42
 - Court decree, § 7:43
 - Marriage of natural parents, § 7:41
 - In-wedlock, child born, § 7:35
 - Legitimation
 - Generally, § 7:37
 - Domestic legitimation under state law, § 7:39

**RELATIVES OF CITIZENS OR
PERMANENT RESIDENTS****—Cont'd**

- Children—Cont'd
 - Wedlock, birth in or out of—Cont'd
 - Legitimation—Cont'd
 - Foreign country, legitimation in, above this group
 - Rights of legitimated and legitimate children, comparison of, § 7:38
 - Out-of-wedlock, child born, § 7:36
 - Status through natural parent, child born out-of-wedlock seeking, § 7:46
 - Stepchildren, effect of out-of-wedlock birth, § 7:33
- Child Status Protection Act, definition of “immediate relative,” § 7:66
- Civil suits. Amerasian petitions, above
- Cohabitation, family members as immigrants, § 7:7
- Common-law marriages, family members as immigrants, § 7:7
- Conditional permanent residence status
 - Generally, § 7:220-7:255
 - After termination of conditional resident status
 - Applicability of INA § 204(c), § 7:251
 - Effective date of termination, § 7:249
 - INA § 245(d) bar to adjustment, § 7:252
 - Loss of waivers, § 7:250
 - Creation of conditional resident category, § 7:220
 - Expiration of status, § 7:241
- Forms
 - I-688, Temporary Resident Card, § 7:223
 - I-751, Petition to Remove the Conditions on Residence, § 7:229 et seq.
- IIRIRA impact on conditional residents, “unlawful presence” after termination, § 7:253
- Joint filing, who should jointly file Form I-751, § 7:229
- Judicial review, removal proceedings, § 7:246

**RELATIVES OF CITIZENS OR
PERMANENT RESIDENTS****—Cont'd**

- Conditional permanent residence status
 - Cont'd
 - Naturalization, time as conditional resident counts towards naturalization, § 7:254
- Perpetual residency, Form I-751 approval does not mean, § 7:255
- Removal of conditions on residency
 - Generally, § 7:224
 - Affirmative petition by conditional resident to remove conditions, § 7:226
 - Interview, termination for failure to attend USCIS interview, § 7:228
 - Review in removal proceedings, below this group
 - Untimely filing, termination for failure to timely file, § 7:227
- USCIS (U.S. Citizenship and Immigration Services)
 - Adjudication of Form I-751
 - Generally, § 7:238
 - Approval, § 7:239
 - Denial, § 7:240
 - Termination
 - For failure to attend USCIS interview, § 7:228
 - Of conditional residency during conditional period, § 7:225
- Waiver under Form I-751
 - Conditional resident child who must file alone, § 7:237
 - Grounds for waiver
 - Generally, § 7:232
 - Battered spouse or child, § 7:236
 - Death of petitioning spouse, § 7:233
 - Extreme hardship, § 7:235
 - Good faith marriage, § 7:234
 - When to file, § 7:231
 - Who should file, § 7:230
- Review in removal proceedings
 - Generally, § 7:242
 - Burden of proof in removal proceedings, § 7:245

**RELATIVES OF CITIZENS OR
PERMANENT RESIDENTS****—Cont'd**

- Conditional permanent residence status
 - Cont'd
 - Review in removal proceedings
 - Cont'd
 - Confidentiality for abuse victims, § 7:247
 - Judicial review, § 7:246
 - Scope of review, § 7:243
 - Strategies to avoid removal proceedings, § 7:244
 - Work authorization, § 7:248
- Temporary Resident Card (Form I-688), § 7:223
- USCIS (U.S. Citizenship and Immigration Services). Removal of conditions on residency, above this group
- Who becomes conditional resident
 - Children, § 7:222
 - Spouses, § 7:221
- Consular processing, § 7:392, 7:393
- Customary divorce, family members as immigrants, § 7:24
- Customary marriage, domestic recognition of foreign marriage, § 7:14
- Date
 - Conditional permanent residence status, § 7:227, 7:254
 - Visa application, missing deadline for, § 7:372
- Daughter, derivative definition, § 7:28
- Deadline for visa application, missing, § 7:372
- Definition, “immediate relative.” Immediate relative eligibility, below
- Derivative definitions. Family members as immigrants, below
- Derivative status
 - Immigrant spouse or parent, deriving status from
 - Generally, § 7:3, 7:91
 - Chargeability obtained from derivative beneficiary, § 7:95
 - Petitioner benefited from alternate chargeability, § 7:94
 - Principal alien’s status adjusted, § 7:93
 - Spouse or child of immediate relatives of U.S. citizen not deriv-

INDEX

**RELATIVES OF CITIZENS OR
PERMANENT RESIDENTS**

—Cont'd

- Derivative status—Cont'd
 - Immigrant spouse or parent, deriving status from—Cont'd
 - ative beneficiaries, § 7:103
 - Spouse or parent not actually charged to foreign state, § 7:92
 - Legislative drafting error in excluding spouse or child of immediate relatives of U.S. citizen from, § 7:103
 - Preferences, § 7:99
 - Priority date
 - Generally, § 7:100
 - USCIS files, how to obtain information from, § 7:102
 - Western Hemisphere applicants, § 7:101
 - Spouse or child accompanying or following to join principal alien, when is
 - Generally, § 7:96
 - Preceding principal alien, prohibition against, and effect of, § 7:97
 - Spouse or child acquired prior to admission, § 7:98
 - Spouse or child of immediate relatives of U.S. citizen not entitled to, § 7:103
- Divorce, finality
 - Collateral attack, divorce required to be immune from, § 7:23
 - Customary divorce, § 7:24
 - Foreign divorce, recognition, § 7:22
 - K-1 nonimmigrant, continuing eligibility for K-1 nonimmigrant after divorce, § 6:273
 - Sham divorce, § 7:25
- Domestic marriage governed by state law, family members as immigrants, § 7:6
- Eligibility
 - Family-sponsored eligibility, below
 - Immediate relative eligibility, below
- Family members as immigrants
 - Generally, § 7:1
 - Adoption, above

**RELATIVES OF CITIZENS OR
PERMANENT RESIDENTS**

—Cont'd

- Family members as immigrants
 - Cont'd
 - “Age-out” protection for children, derivative definitions, § 7:27
 - Annulment of marriage
 - Bigamous marriage, effect of annulment of first marriage on bigamous marriage, § 7:10
 - Inadmissibility grounds not cured by annulment, § 7:21
 - Bigamous marriages
 - Generally, § 7:9
 - Annulment, effect of annulment of first marriage, § 7:10
 - Children, above
 - Cohabitation, § 7:7
 - Collateral attack, divorce required to be immune from, § 7:23
 - Common-law marriage, § 7:7
 - Customary divorce, § 7:24
 - Customary marriage, domestic recognition of foreign marriage, § 7:14
 - Daughter, derivative definition, § 7:28
 - Derivative definitions. Children, above this group
 - Divorce, above
 - Domestic marriage governed by state law, § 7:6
 - Foreign divorce, recognition, § 7:22
 - Foreign marriage, domestic recognition. Marriage, what constitutes valid, below
 - Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption, § 7:62
 - Legitimation. Children, above
 - Marriage, what constitutes valid, below
 - Non-preference family members, generally, § 7:3
 - Orphans. Children, above
 - Out-of-wedlock children. Children, above
 - Separation, legal versus physical, § 7:19
 - Sham divorce, § 7:25
 - Son, derivative definition, § 7:28

**RELATIVES OF CITIZENS OR
PERMANENT RESIDENTS**

—Cont'd

- Family members as immigrants
 - Cont'd
 - Stepchildren. Children, above
 - Unmarried status, what constitutes
 - Annulment, inadmissibility grounds not cured, § 7:21
 - Preference, when is alien “unmarried” for preference purposes, § 7:20
- Visas
 - Adoption, visas, processing immigrant visas for adopted children, § 7:57
 - Orphans, eligibility as dependent on approved visa petition, § 7:60
 - Wedlock, birth in or out of. Children, above
- Family-sponsored eligibility
 - First preference eligibility, unmarried sons and daughter of citizens
 - Generally, § 7:71
 - Automatic conversion of petitions to accord first preference status, § 7:73, 7:74
 - Children, rules for determining whether certain aliens are children, § 7:72
 - Fourth preference eligibility, brothers and sisters of adult citizens
 - Generally, § 7:85
 - Adoption, siblings by means of, § 7:90
 - Common parents, siblings required to be children of, § 7:86
 - Stepsiblings, § 7:88, 7:89
 - Whole or half blood siblings, need for legitimation, § 7:87
- Petitions. Immediate relative and family-sponsored petitions, below
- Preferences
 - First preference eligibility, unmarried sons and daughter of citizens, above this group
 - Fourth preference eligibility, brothers and sisters of adult citizens, above this group
 - Second preference eligibility, spouses and unmarried sons

**RELATIVES OF CITIZENS OR
PERMANENT RESIDENTS**

—Cont'd

- Family-sponsored eligibility—Cont'd
- Preferences—Cont'd
 - and daughters of permanent resident aliens, below this group
 - Third preference eligibility, married sons or daughters of citizens, below this group
- Preference System, generally, § 7:2
- Second preference eligibility, spouses and unmarried sons and daughters of permanent resident aliens
 - Generally, § 7:74
 - Child Status Protection Act, § 7:75
 - Determination rules, are aliens children, § 7:75
 - Noncitizen national, § 7:81
 - Permanent resident alien entitled to sponsor immigrant, who is
 - Generally, § 7:76
 - Foreign Affairs Manual, provisions as to petitioner’s status based on prior marriage, § 7:80
 - Noncitizen national, § 7:81
 - Petitioner’s naturalization after approval, effect of, § 7:82
 - Prior marriage, petitioner’s status based on
 - Generally, § 7:77
 - Burden of proof, § 7:80
 - Evidence, § 7:79
 - Foreign Affairs Manual, provisions, § 7:80
 - Submission of documents, § 7:78
 - Petitioner’s naturalization after approval, effect of, § 7:82
 - Prior marriage, petitioner’s status based on. Who is permanent resident alien entitled to sponsor immigrant, below this group
 - Siblings. Fourth preference eligibility, brothers and sisters of adult citizens, above this group
 - Spouses. Second preference eligibility, above this group

**RELATIVES OF CITIZENS OR
PERMANENT RESIDENTS****—Cont'd**

- Family-sponsored eligibility—Cont'd
 - Third preference eligibility, married sons or daughters of citizens
 - Generally, § 7:83
 - Automatic conversion of petition to accord third preference status, § 7:84
- First preference eligibility, unmarried sons and daughter of citizens. Family-sponsored eligibility, above
- Foreign divorces, family members as immigrants, § 7:22
- Foreign marriage, domestic recognition. Family members as immigrants, above
- Forms
 - I-600, Petition To Classify Orphan As an Immediate Relative, § 7:312
 - I-600A, Application for Advance Processing of Orphan Petition, § 7:316
 - I-604, § 7:310 et seq.
 - I-688, Temporary Resident Card, § 7:223
 - I-751, Petition to Remove the Conditions on Residence, § 7:229 et seq.
- Fourth preference eligibility, brothers and sisters of adult citizens. Family-sponsored eligibility, above
- Genetic testing. Immediate relative and family-sponsored petitions, below
- Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption, family members as immigrants, § 7:62
- Haiti
 - Eligibility for adoption, special provisions for Haitian children in the United States, § 7:258
 - Haitian Orphan Parole Program, special status adjustment, § 7:63
 - Orphan petitions and advanced processing applications
 - Haitian Orphan Parole Program, special status adjustment, § 7:63

**RELATIVES OF CITIZENS OR
PERMANENT RESIDENTS****—Cont'd**

- Homosexual marriage, implications of U.S. v. Windsor, § 7:11
- Humanitarian relief for surviving spouses and children, immediate relative eligibility, § 7:70
- Immediate relative and family-sponsored petitions
 - Generally, § 7:104 et seq.
- Abusive citizens or lawful permanent residents, self-petitions by spouses and children of
 - Generally, § 7:164-7:169
- Appeals, general considerations, § 7:166
- Children, self-petitions by abused children
 - “Aging out,” § 7:186
 - Alternative remedy: special immigrant juvenile status, § 7:184
 - Decision on, and disposition of, self-petition, § 7:190
 - Eligibility, § 7:183
 - Eligibility under VAWA 2005, § 7:194
 - Immigrant classification, self-petitioner’s eligibility for, § 7:188
 - Name change, § 7:192
 - No derivative beneficiaries, § 7:191
 - Parent-child relationship, § 7:185
 - Petition conversion, § 7:193
 - Residence, § 7:189
 - Status of abusive parent, citizenship or lawful permanent resident, § 7:187
- Motions to reopen or reconsider, general considerations, § 7:166
- Other approved petitions, effect on, § 7:168
- Parents, self-petitions of parents of abusive U.S. citizens, § 7:195
- Petition, general considerations, § 7:165
- Priority dates
 - Derivative beneficiaries, § 7:181

**RELATIVES OF CITIZENS OR
PERMANENT RESIDENTS****—Cont'd**

- Immediate relative and family-sponsored petitions—Cont'd
- Abusive citizens or lawful permanent residents, self-petitions by spouses and children of—Cont'd
- Priority dates—Cont'd
 - General considerations, § 7:167
 - Name change, § 7:182
 - Recapturing priority dates, § 7:180
- Revocation of VAWA self-petitions, § 7:169
- Spouses, self-petitions by abused spouses
 - Abuse of child, spousal self-petition based on, § 7:178
 - Battery or extreme cruelty, § 7:174
 - Decision on, and disposition of, self-petition, § 7:179
 - Derivative beneficiaries, § 7:181
 - Eligibility
 - Generally, § 7:170
 - Adjustment of status for self-petitioner, entered without inspection, § 7:171
 - Former INS guidance on VAWA self-petitioning for divorced spouses, § 7:172
 - Extreme hardship, § 7:176
 - Good faith marriage, § 7:177
 - Good moral character, § 7:175
 - Name change, § 7:182
 - Recapturing priority dates, § 7:180
 - Residence, § 7:173
 - Stepparents, ability of stepparents to self-petition, § 7:196
- Blood tests
 - Documentary relationship, § 7:125
 - Shifting burden when test is inconclusive, § 7:126
- Brother or sister, petition for
 - Eligibility, § 7:206
 - Evidence of sibling relationship
 - Generally, § 7:207

**RELATIVES OF CITIZENS OR
PERMANENT RESIDENTS****—Cont'd**

- Immediate relative and family-sponsored petitions—Cont'd
- Brother or sister, petition for—Cont'd
- Evidence of sibling relationship—Cont'd
 - Decision on and disposition of petition, § 7:213
 - Derivative beneficiaries, § 7:214
 - Genetic testing, § 7:212
 - Legitimate children, primary evidence if siblings are, § 7:208
 - Legitimated children, primary evidence if either or both siblings are, § 7:209
 - Name change, § 7:215
 - Out of wedlock children, primary evidence if either or both siblings are, § 7:210
 - Stepsiblings, primary evidence, § 7:211
- Burden of proof, preference classification cases, § 7:105
- Child or son or daughter, petition for
 - Adopted child or son or daughter, primary evidence for, § 7:150
- Blood tests, § 7:152
- Decision on and disposition of petition, § 7:161
- Derivative beneficiaries, § 7:162
- Eligibility, § 7:144
- Evidence of parent-child relationship
 - Generally, § 7:145
 - Adopted child or son or daughter, primary evidence for, § 7:150
 - Blood tests, § 7:152
 - Genetic testing
 - As basis for Form I-130 testing, § 7:154
 - Choosing testing facility, § 7:158
 - Communicating testing results, § 7:157
 - Conception through assisted reproductive technology, § 7:160

**RELATIVES OF CITIZENS OR
PERMANENT RESIDENTS****—Cont'd**

- Immediate relative and family-sponsored petitions—Cont'd
- Child or son or daughter, petition for—Cont'd
 - Evidence of parent-child relationship—Cont'd
 - Genetic testing—Cont'd
 - Procedural safeguards, § 7:155
 - Testing procedures, § 7:156
 - Tests and methods that can be used, § 7:159
 - When to recommend, § 7:153
 - Legitimate child or son or daughter, primary evidence for, § 7:146
 - Legitimated child or son or daughter, primary evidence for, § 7:147
 - Out-of-wedlock child or son or daughter, primary evidence for, § 7:148
 - Primary evidence
 - Adopted child or son or daughter, § 7:150
 - Legitimate child or son or daughter, § 7:146
 - Legitimated child or son or daughter, § 7:147
 - Out-of-wedlock child or son or daughter, § 7:148
 - Stepchild, § 7:149
 - Secondary evidence, § 7:151
 - Stepchild, primary evidence for, § 7:149
 - Genetic testing. Evidence of parent-child relationship, above this group
 - Legitimate child or son or daughter, primary evidence for, § 7:146
 - Legitimated child or son or daughter, primary evidence for, § 7:147
 - Out-of-wedlock child or son or daughter, primary evidence for, § 7:148
 - Stepchild, primary evidence for, § 7:149

**RELATIVES OF CITIZENS OR
PERMANENT RESIDENTS****—Cont'd**

- Immediate relative and family-sponsored petitions—Cont'd
- Children, self-petitions by abused children. Abusive citizens or lawful permanent residents, self-petitions by spouses and children of, above
- Citizenship or lawful permanent residence, evidence of
 - Passport, proof with, § 7:114
 - Primary evidence
 - Generally, § 7:113
 - Passport, proof with, § 7:114
 - Secondary evidence, § 7:115
 - Self-petition, evidence submitted with, § 7:116
- Conditional permanent residence status, above
- Consular officers, where to file with, § 7:109
- Documentary evidence, supporting, § 7:112
- Evidence
 - Citizenship or lawful permanent residence, evidence of, above this group
 - Documentary evidence, supporting, § 7:112
 - Request for additional evidence, § 7:117
- Family relationship, documentation of
 - Availability of documents from foreign countries, § 7:120
 - Documentary requirement, § 7:118
 - Father, relationship through, § 7:124
 - Foreign law, proof of, § 7:119
 - Interview to supplement documentation, § 7:122
 - Mother, relationship through, § 7:123
 - Stepparent, relationship through, § 7:124
 - USCIS files, documentation supplied by, § 7:121
- Filing of petition
 - Evidence, above this group
 - Execution of forms, § 7:106
 - Fees, § 7:106

**RELATIVES OF CITIZENS OR
PERMANENT RESIDENTS
—Cont'd**

- Immediate relative and family-sponsored petitions—Cont'd
 - Filing of petition—Cont'd
 - Filing date, § 7:107
 - Priority date, § 7:107
 - Proper filing, § 7:107
 - Supporting documentary evidence, § 7:112
 - Who can file petition for alien relative, § 7:4, 7:5
- Genetic testing
 - Evidence of parent-child relationship, above this group
 - Evidence of sibling relationship, § 7:212
- Genetic testing. Child or son or daughter, petition for, above this group
- Immigration Marriage Fraud Amendments of 1986 (IMFA).
 - Conditional permanent residence status, above
- Lawful permanent residence. Citizenship or lawful permanent residence, evidence of, above this group
- Need for approved petition, § 7:104
- Parent, petition for
 - Decision on and disposition of petition, § 7:205
 - Eligibility, § 7:197
 - Evidence to support petition
 - Generally, § 7:198
 - Adopted son or daughter as petitioner, primary evidence
 - Generally, § 7:202
 - Name change, § 7:203
 - Legitimated son or daughter as petitioner, primary evidence, § 7:200
 - Legitimate son or daughter as petitioner, primary evidence, § 7:199
 - Out of wedlock, petition by son or daughter born, § 7:201
 - Primary evidence, generally, § 7:198-7:203
 - No derivative beneficiaries, § 7:205

**RELATIVES OF CITIZENS OR
PERMANENT RESIDENTS
—Cont'd**

- Immediate relative and family-sponsored petitions—Cont'd
 - Petitions
 - Abusive citizens or lawful permanent residents, self-petitions by spouses and children of, above
 - Brother or sister, petition for, above this group
 - Eligibility, § 7:206
 - Child or son or daughter, petition for, above this group
 - Filing of petition, above this group
 - Parent, petition for, above this group
 - Spouses, below this group
 - Validity of approved petition, below this group
 - Widow or widower of United States citizen, petition for, below this group
 - Priority dates. Abusive citizens or lawful permanent residents, above
 - Siblings. Brother or sister, petition for, above this group
 - Spouses
 - Petition for spouse
 - Decision on disposition of petition, § 7:136
 - Derivative beneficiaries of immediate relative spouse
 - “Immediate relative” and “derivative” beneficiaries distinguished, § 7:137
 - Priority date, § 7:138
 - Eligibility
 - Exclusion, deportation, or removal proceedings, effect of marriage taking place during, § 7:133
 - Marriage within five years of petitioner’s obtaining lawful permanent resident status, § 7:128-7:130
 - Sham marriage, § 7:131, 7:132

RELATIVES OF CITIZENS OR PERMANENT RESIDENTS**—Cont'd**

- Immediate relative and family-sponsored petitions—Cont'd
- Spouses—Cont'd
 - Petition for spouse—Cont'd
 - Eligibility—Cont'd
 - Who may file petition, § 7:127
 - Evidence of marital relationship, § 7:134
 - additional scrutiny, § 7:135
 - Self-petitions by abused spouses. Abusive citizens or lawful permanent residents, self-petitions by spouses and children of, above
 - USCIS, where to file with, § 7:108
 - Validity of approved petition
 - Automatic revocation, § 7:219
 - Extension to preserve family, § 7:219
 - Indefinite validity rule, § 7:216
 - Preference priority date, § 7:218
 - Revalidation of petitions approved before October 1, 1991, § 7:217
 - Subsequent petition, § 7:216
 - Who may file
 - Generally, § 7:4, 7:110
 - Parent or guardian on behalf of minor or incompetent, § 7:111
 - Widow or widower of United States citizen, petition for
 - Automatic conversion, pending or approved I-130 petition, § 7:141
 - Decision on and disposition of petition, § 7:142
 - Derivative beneficiaries, § 7:143
 - Eligibility, § 7:140
 - Evidence of citizenship and marital relationship, § 7:139
 - I-130 petition, automatic conversion of pending or approved, § 7:141
 - Immediate relative eligibility
 - Children
 - Child Status Protection Act, definition of “immediate relative,” § 7:66

RELATIVES OF CITIZENS OR PERMANENT RESIDENTS**—Cont'd**

- Immediate relative eligibility—Cont'd
- Children—Cont'd
 - Private legislation according “child” status, effect of, § 7:68
- Child Status Protection Act, definition of “immediate relative,” § 7:66
- Definition, “immediate relative”
 - Generally, § 7:65
 - Child Status Protection Act, § 7:66
 - Parents of adult children, § 7:67
- Exemption from numerical quotas, § 7:64
- Humanitarian relief for surviving spouses and children, § 7:70
- Numerical quotas, exemption from, § 7:64
- Parents of adult children, definition of “immediate relative,” § 7:67
- Petitions. Immediate relative and family-sponsored petitions, above
- Preference classifications, automatic conversion of, § 7:69
- Private legislation according “child” status, effect of, § 7:68
- Surviving noncitizen spouses, § 7:5
- Surviving spouses and children, humanitarian relief for, § 7:70
- Immigrants. Family members as immigrants, above
- Immigration Marriage Fraud Amendments of 1986 (IMFA). Conditional permanent residence status, above
- K-1 nonimmigrant, continuing eligibility for K-1 nonimmigrant after divorce, § 6:273
- Legitimation. Family members as immigrants, above
- Marriage, what constitutes valid
 - Annulment, effect of annulment of first marriage on bigamous marriage, § 7:10
 - Bigamous marriages
 - Generally, § 7:9
 - Annulment, effect of annulment of first marriage, § 7:10
 - Blood relatives, marriage between, § 7:12
 - Cohabitation, § 7:7

**RELATIVES OF CITIZENS OR
PERMANENT RESIDENTS**

—Cont'd

- Marriage, what constitutes valid
 - Cont'd
 - Common-law marriage, § 7:7
 - Domestic marriage governed by state law, § 7:6
 - Domestic recognition of foreign marriages, § 7:13, 7:14
 - Foreign marriage, domestic recognition
 - Generally, § 7:13
 - Customary marriage, § 7:14
 - Homosexual marriage, § 7:11
 - Presumption of “sham marriage,” § 7:16
 - Proxy marriages, § 7:8
 - Separation, legal versus physical, § 7:19
 - Sham marriages
 - Generally, § 7:15
 - Presumption, § 7:16
 - Rebutting charge of sham marriage, § 7:17
 - State law, domestic marriage governed by, § 7:6
 - Test of validity, § 7:6
 - Transsexual marriage, § 7:11
 - U.S. v. Windsor, implications of, § 7:11
 - Viability of marriage
 - Generally, § 7:18
 - Separation, legal versus physical, § 7:19
- Name change
 - Abused children, self-petitions by, § 7:192
 - Brother or sister, petition for, § 7:215
 - Child or son or daughter, petition for, § 7:163
 - Parent, petition for, § 7:203
- Numerical quotas, exemption for immediate relative eligibility, § 7:64
- Orphan petitions and advanced processing applications
 - Generally, § 7:256-7:338
- Adjudication and decision
 - Advanced processing applications
 - Abandonment, application deemed abandoned, § 7:324

**RELATIVES OF CITIZENS OR
PERMANENT RESIDENTS**

—Cont'd

- Orphan petitions and advanced processing applications—Cont'd
- Adjudication and decision—Cont'd
 - Advanced processing applications
 - Cont'd
 - Approval
 - Generally, § 7:318
 - Telegraphic notification of approval, § 7:320
 - Denial
 - Failure to make required disclosures or failure to cooperate, § 7:321
 - Failure to submit home study, § 7:322
 - Otherwise denied, § 7:323
 - District Director’s responsibility to make independent decision in advanced processing application, § 7:317
 - Petitions
 - Approval
 - Consular officers, authority to approve petitions, § 7:329
 - Immigrant visa-issuing posts, petition approved at, § 7:328
 - Overseas USCIS office, approval by, § 7:327
 - Staggered approval process, regulatory requirements for adoptions from non-Hague Convention countries, § 7:338
 - Statewide USCIS office, approval by, below this group
 - USCIS (U.S. Citizenship and Immigration Services), below this group
 - Consular officers, authority to approve petitions, § 7:329
 - Denial
 - Child buying as ground for denial, § 7:336
 - Failure of petitioner to establish that child is orphan, § 7:334

**RELATIVES OF CITIZENS OR
PERMANENT RESIDENTS****—Cont'd**

- Orphan petitions and advanced processing applications—Cont'd
 - Adjudication and decision—Cont'd
 - Petitions—Cont'd
 - Denial—Cont'd
 - Petition filed more than eighteen months after approval of advanced processing application, § 7:335
 - Immigrant visa-issuing posts, petition approved at, § 7:328
 - “Not readily approvable,” petition found by consular officer to be, § 7:331
 - Notice about adverse information, § 7:332
 - Overseas investigation, § 7:330
 - Overseas USCIS office, approval by, § 7:327
 - Statewide USCIS office, approval by
 - Generally, § 7:325
 - Notification of approval, § 7:326
 - USCIS (U.S. Citizenship and Immigration Services)
 - Overseas USCIS office, approval by, § 7:327
 - Statewide USCIS office, approval by, above this group
 - Revocation of approved application or petition, § 7:337
 - Staggered approval process, regulatory requirements for adoptions from non-Hague Convention countries, § 7:338
 - USCIS (U.S. Citizenship and Immigration Services). Petitions, above this group
 - Advanced processing applications
 - Adjudication and decision, above this group
 - Decision. Adjudication and decision, above this group
 - Form of filing, § 7:265

**RELATIVES OF CITIZENS OR
PERMANENT RESIDENTS****—Cont'd**

- Orphan petitions and advanced processing applications—Cont'd
 - Advanced processing applications
 - Cont'd
 - Late filing or failure to file, effect of, § 7:273
 - Supporting documentation, below this group
 - When to file, § 7:273
 - Where to file, below this group
 - Agency adoption
 - Generally, § 7:260
 - Regulatory requirements for adoptions from non-Hague Convention countries, § 7:338
 - Consent / condition of child's legal custodian, regulatory requirements for adoptions from non-Hague Convention countries, § 7:338
 - Custodial consent/condition, regulatory requirements for adoptions from non-Hague Convention countries, § 7:338
 - Decision. Adjudication and decision, above this group
 - Disclosures, failure to make required disclosures, § 7:321
 - Eligibility for adoption
 - Generally, § 7:256
 - Child already in United States, § 7:257
 - Haitian children in the United States, § 7:258
 - Form of filing
 - Advanced processing applications, § 7:265
 - Petitions
 - Fees, § 7:264
 - Filed alone, § 7:262
 - Filed concurrently with advanced processing application, § 7:263
 - Who can file petition for alien relative, § 7:4
 - Forms
 - I-600, Petition To Classify Orphan As an Immediate Relative, § 7:312

**RELATIVES OF CITIZENS OR
PERMANENT RESIDENTS**

—Cont'd

- Orphan petitions and advanced processing applications—Cont'd
- Forms—Cont'd
 - I-600A, Application for Advance Processing of Orphan Petition, § **7:316**
 - I-604, Request For and Report of Overseas Adoption Investigation, § **7:310 et seq.**
- Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption, regulatory standards and non-Hague countries, § **7:338**
- Home study
 - Generally, § **7:285-7:288**
 - Abuse or violence, history of
 - Failure to disclose or cooperate, § **7:295**
 - Information concerning history of abuse and/or violence, § **7:293**
 - Rehabilitation evidence, § **7:294**
 - Screening for abuse and violence, checking available child abuse registers
 - Generally, § **7:291**
 - Inquiring about abuse and violence, § **7:292**
- Additional factors and considerations
 - Amendments, § **7:304**
- Counseling, summary of counseling given and plans for post-placement counseling, § **7:299**
- Home study preparer's certification and statement of authority to conduct home studies, § **7:301**
- Living accommodations, § **7:298**
- Review of home study, § **7:302**
- Special considerations for adoption by relatives, § **7:305**
- Specific approval of prospective adoptive parents for adoption, § **7:300**
- Updates, § **7:303**
- Amendments, § **7:304**

**RELATIVES OF CITIZENS OR
PERMANENT RESIDENTS**

—Cont'd

- Orphan petitions and advanced processing applications—Cont'd
- Home study—Cont'd
 - Assessment of capabilities of prospective adoptive parents to properly parent orphan
 - Abuse or violence, history of, above this group
 - Criminal history, § **7:297**
 - Finances, § **7:290**
 - Physical, mental, and emotional capabilities, § **7:289**
 - Previous rejection for adoption or prior unfavorable home study, § **7:296**
- Counseling, summary of counseling given and plans for post-placement counseling, § **7:299**
- Criminal history, § **7:297**
- Definitions
 - Adult member of prospective adoptive parents' household, § **7:287**
 - Home study preparer, § **7:288**
- Finances, § **7:290**
- Hague Convention, regulatory requirements for adoptions from non-Hague countries, § **7:338**
- Home study preparer's certification and statement of authority to conduct home studies, § **7:301**
- Living accommodations, § **7:298**
- Personal interviews and home visits, § **7:286**
- Physical, mental, and emotional capabilities, § **7:289**
- Previous rejection for adoption or prior unfavorable home study, § **7:296**
- Review of home study, § **7:302**
- Specific approval of prospective adoptive parents for adoption, § **7:300**
- Supporting documentation, advanced processing applications, § **7:278**
- Updates, § **7:303**

**RELATIVES OF CITIZENS OR
PERMANENT RESIDENTS****—Cont'd**

- Orphan petitions and advanced processing applications—Cont'd
 - Investigations, Form I-604
 - Form I-600, Petition To Classify Orphan As an Immediate Relative, § **7:312**
 - Medical conditions
 - Generally, § **7:313**
 - Knowledge and acceptance of conditions by both adoptive parents, § **7:315**
 - Notification of adoptive parents, § **7:314**
 - Special restrictions identified in approved Form I-604A, § **7:316**
 - Purpose and nature of investigation, § **7:311**
 - Request For and Report of Overseas Adoption Investigation, generally, § **7:310**
 - IR3 and IR4 classification and the Child Citizenship Act, § **7:333**
 - Medical conditions. Investigations, Form I-604, above this group
 - Medical records, regulatory requirements for adoptions from non-Hague Convention countries, § **7:338**
 - Parent education, regulatory requirements for adoptions from non-Hague Convention countries, § **7:338**
 - Parents. Home study, above
 - Petitions
 - Adjudication and decision, above this group
 - Supporting documentation, below this group
 - When to file, effect of late filing or failure to file, below this group
 - Where to file, below this group
 - Procedure for intercountry adoption, overview, § **7:261**
 - Staggered approval process, regulatory requirements for adoptions from non-Hague Convention countries, § **7:338**

**RELATIVES OF CITIZENS OR
PERMANENT RESIDENTS****—Cont'd**

- Orphan petitions and advanced processing applications—Cont'd
 - State preadoption requirements
 - Generally, § **7:306**
 - Child coming to be adopted in United States, § **7:307**
 - Evidence of compliance, § **7:309**
 - Special circumstances, § **7:308**
 - Supporting documentation
 - Advanced processing applications
 - Home study, § **7:278**
 - Relating public charge to orphan cases, § **7:279**
 - Required documentation
 - Generally, § **7:276**
 - Procedures at consular office abroad, § **7:277**
 - Petitions, identified orphan
 - Generally, § **7:280**
 - Approved advanced processing application
 - Generally, § **7:281**
 - Abandonment, § **7:282**
 - Concurrently filed advanced processing application, § **7:284**
 - Pending advanced processing application, § **7:283**
 - USCIS (U.S. Citizenship and Immigration Services). Adjudication and decision, above this group
 - When to file, effect of late filing or failure to file
 - Advanced processing applications, § **7:273**
 - Petitions
 - Not approved or pending advanced processing application, § **7:275**
 - With approved advanced processing application, § **7:274**
 - Where to file
 - Advanced processing applications
 - Generally, § **7:266**
 - Consular transfer of application, § **7:267**

**RELATIVES OF CITIZENS OR
PERMANENT RESIDENTS**

—Cont'd

- Orphan petitions and advanced processing applications—Cont'd
 - Where to file—Cont'd
 - Petitions
 - Advanced processing application approved, § 7:268
 - Concurrently filed advanced processing application
 - Generally, § 7:271
 - Proxy adoptions, § 7:272
 - Consular authority to approve orphan petition, § 7:269
 - Pending advanced processing application, § 7:270
 - Who may file petition, § 7:4, 7:259
 - Orphans
 - Family members as immigrants, above
 - Orphan petitions and advanced processing applications, above
 - Out-of-wedlock children
 - Family members as immigrants, above
 - Immediate relative and family-sponsored petitions, § 7:148
 - Parents
 - Family-sponsored eligibility, siblings to be children of common parents, § 7:86
 - Immediate relative eligibility, parents of adult children, § 7:67
 - Orphan petitions and advanced processing applications, above
 - Passports. Visa and passport requirements for relatives, below
 - Petitions
 - Action on preference petitions, above
 - Amerasian petitions, above
 - Immediate relative and family-sponsored petitions, above
 - Orphan petitions and advanced processing applications, above
 - Preference petitions. Action on preference petitions, above
 - Preferences
 - Action on preference petitions, above
 - Classifications, automatic conversion and immediate relative eligibility

**RELATIVES OF CITIZENS OR
PERMANENT RESIDENTS**

—Cont'd

- Preferences—Cont'd
 - of preference classifications, § 7:69
 - Family-sponsored eligibility, above
 - Preference System, generally, § 7:2
- Presumptions
 - Derivative status denied to spouse or children of immediate relatives of U.S. citizens, § 7:103
 - “Sham marriage,” § 7:16
- Priority date
 - Derivative status, above
 - Immediate relative and family-sponsored petitions, above
- Private legislation according “child” status, effect on immediate relative eligibility, § 7:68
- Proxy marriages, family members as immigrants, § 7:8
- Recognition of foreign marriages, § 7:13, 7:14
- Same sex marriage, implications of U.S. v. Windsor, § 7:11
- Second preference eligibility, spouses and unmarried sons and daughters of permanent resident aliens. Family-sponsored eligibility, above
- Separation, legal versus physical, § 7:19
- Sham divorce, family members as immigrants, § 7:25
- Sham marriages
 - Marriage, what constitutes valid, above
 - Stepchildren, § 7:31
- Siblings
 - Family-sponsored eligibility, above
 - Immediate relative and family-sponsored petitions, above
- Sisters. Siblings, above
- Son, derivative definition, § 7:28
- Spouses
 - Conditional permanent residence status, § 7:221
 - Family members as immigrants, above
 - Family-sponsored eligibility, above
 - Immediate relative and family-sponsored petitions, above

INDEX

RELATIVES OF CITIZENS OR PERMANENT RESIDENTS

—Cont'd

- Spouses—Cont'd
 - Immediate relative eligibility
 - Humanitarian relief for surviving spouses and children, § 7:70
 - Surviving noncitizen spouses, § 7:5
 - Surviving spouses and children, humanitarian relief for, § 7:70
 - Marriage, what constitutes valid, above
- State law, domestic marriage governed by, § 7:6
- Stepchildren. Children, above
- Surviving spouses and children, immediate relative eligibility and humanitarian relief for, § 7:70
- Third preference eligibility, married sons or daughters of citizens. Family-sponsored eligibility, above
- Time or date
 - Conditional permanent residence status, § 7:227, 7:241, 7:254
 - Visa application, missing deadline for, § 7:372
- Transsexual's marriage, implications of U.S. v. Windsor, § 7:11
- Unmarried status, what constitutes
 - Annulment, inadmissibility grounds not cured, § 7:21
 - Preference, when is alien "unmarried" for preference purposes, § 7:20
- USCIS (U.S. Citizenship and Immigration Services)
 - Action on preference petitions, check of USCIS records, § 7:363
 - Immediate relative and family-sponsored petitions, where to file with USCIS, § 7:108
 - Immigration Marriage Fraud Amendments of 1986 (IMFA), conditional permanent residence status under, above
 - Orphan petitions and advanced processing applications, above
- Viability of marriage
 - Generally, § 7:18
 - Separation, legal versus physical, § 7:19

RELATIVES OF CITIZENS OR PERMANENT RESIDENTS

—Cont'd

- Vietnamese child fathered by United States citizen. Amerasian petitions, above
 - Visa and passport requirements for relatives
 - Alien accompanying immigrant parent or spouse, visa waived for, § 7:384
 - Approval of petition, visa application after, § 7:383
 - Immigrant visa suspensions, public charge, § 7:389.50
 - Passport waived for relatives
 - Generally, § 7:385
 - Child born during temporary visit abroad, § 7:386
 - Return of petitions when action suspended, § 7:389
 - Suspension or termination of action on visa application, § 7:388
 - Where to apply for visa, § 7:389
 - Visas
 - Family members as immigrants, above
 - Vietnamese child fathered by United States citizen, issuance and validity of visas, § 7:361
 - Visa and passport requirements for relatives, above
 - Wedlock, birth in or out of. Family members as immigrants, above
 - Widow or widower of United States citizen, petition for. Immediate relative and family-sponsored petitions, above
- ### RELEASE
- Bail Reform Act, § 13:133
 - Child, release of unaccompanied child on own recognizance, § 10:46
 - Detention, this index
 - Removal, this index
- ### RELIGIOUS FREEDOM
- Foreign government official violators, inadmissibility, § 3:38
- ### RELIGIOUS ORGANIZATIONS
- Intracompany transferees, proposed employment in U.S. eligibility, § 4:544

RELIGIOUS ORGANIZATIONS**—Cont'd**

Refugees and Asylum, this index
 R nonimmigrants, religious workers,
 § 4:694, 4:700, 4:705-4:707

RELIGIOUS TRAINING AND BELIEF

Naturalization and acts based on,
 § 14:167

RELIGIOUS WORKERS

Admission, § 4:694, 4:709
 Affiliates, § 4:694, 4:701
 Amendment. Change, below
 Applications
 Evidence, submission with petition,
 § 4:705
 Extension of stay, § 4:68
 Nonimmigrant classification change,
 § 4:88
 Status change, § 4:694
 Visas, § 4:694
 Attestation, § 4:704
 Baccalaureate degree, working in
 professional capacity, § 4:702
 Background, § 4:694
 Bona fide organizations, § 4:694, 4:700,
 4:701
 Canadians, applications for visas,
 § 4:694
 Capacity, professional, § 4:694, 4:702
 Change
 Evidence, submission with petition,
 § 4:705
 Nonimmigrant classification, § 4:88
 Status, § 4:694, 4:708
 Children and spouses, § 4:694, 4:695
 Classification, § 4:694-4:709
 Definitions
 Attestation, § 4:704
 Bona fide nonprofit religious organi-
 zation, § 4:700
 Bona fide organization affiliated with
 religious denomination, § 4:701
 Minister, § 4:696, 4:697
 Nonminister religious worker, § 1:114
 Religious denomination, § 4:699
 Religious occupation, § 4:703
 Working in professional capacity,
 § 4:702
 Denial, revocation, and appeal of peti-
 tion, § 4:707

RELIGIOUS WORKERS—Cont'd

Denomination, religious, § 4:694, 4:698,
 4:699, 4:701
 Departure upon termination of status,
 intent, § 4:694
 Derivative status, § 4:694, 4:695
 Determinations, religious denomination,
 § 4:699
 Documentation, § 4:705-4:707
 Duration of stay, § 4:694, 4:695
 Eligibility, § 4:694
 Employment-Based Immigration, this
 index
 Entry, § 4:694
 Evidence, § 4:698, 4:705-4:707
 Extension of stay, § 4:68, 4:708
 Initial admission, § 4:708
 Initial matters, evidence, § 4:705-4:707
 Inspections, evaluations, verifications,
 and compliance reviews, § 4:706
 Intent to depart upon termination of
 status, § 4:694
 Limitation on readmission, § 4:709
 Ministers and Other Religious Persons,
 this index
 Modification. Change, above
 Nonprofit organizations, § 4:694, 4:700
 Occupation, religious, § 4:694, 4:702,
 4:703
 Organizations, § 4:694, 4:700, 4:701,
 4:705-4:707
 Permanent Residents, this index
 Professional capacity, § 4:694, 4:702
 Readmission, limitation on, § 4:709
 Regulations, § 4:694-4:709
 R nonimmigrants, generally, § 4:694-
 4:709
 Spouses and children, § 4:694, 4:695
 Status, R nonimmigrants, § 4:694-4:709
 Stay in U.S.
 Duration of stay, § 4:694, 4:695
 Extension of stay, § 4:68
 Termination of status, intent to depart
 upon, § 4:694
 United States Citizenship and Immigra-
 tion Services (USCIS), § 4:694
 Visas, § 4:694-4:709
 Vocation, religious, § 4:694, 4:702

RELIGIOUS WORKERS ACT OF 1997
 Generally, § 1:36

INDEX

RELIGIOUS WORKERS ACT OF 2000

Generally, § 1:50

RELOCATION ASSISTANCE FOR IMMIGRANTS

1997 legislation, § 1:38

REMAND

Board of Immigration Appeals (BIA), motions to remand, § 13:220

REMOVAL

Generally, § 13:1-13:518

ABC settlement

Generally, § 13:250, 13:260, 13:274

IIRIRA transition rules, § 13:507

Jurisdiction over applications, § 13:280

LIFE Act beneficiaries, below

Abduction for purposes of marriage, § 13:33

Actions by removed aliens, § 13:318, 13:439

Addicts. Drug offenses, below

Adjournment of hearings, § 13:186

Adjustment of status

Annual numerical limitations, § 13:243

Cancellation of removal applications, § 13:245

Good moral character requirement, § 13:236

LIFE Act beneficiaries, § 13:277

Relief from removal generally, § 13:223

Administrative closure of proceedings, § 13:187

Administrative review

Bond determinations, § 13:128

Continued detention, § 13:396, 13:401

In absentia proceedings, § 13:182

Voluntary departure denials, § 13:291, 13:305

Administrative stay of removal, § 13:358

Admissibility

Electronic records of convictions, § 13:195

Admission

See also Inadmissibility and inadmissible persons, below

REMOVAL—Cont'd

Admission—Cont'd

Costs of removal after, § 13:432-13:434

Definition, § 13:3

Grounds for removal, § 13:2

Withdrawal of application for, § 13:161

Admissions of criminal offenses, § 13:26

AEDPA

Generally, § 13:20

Aggravated felonies, § 13:38

Habeas corpus restrictions, § 13:106

Inadmissibility, comparable grounds of, § 13:226

Terrorist removal procedures, below

Aggravated felon bar, § 13:229

Aggravated felonies

Generally, § 13:38-13:44

AEDPA, § 13:38

Anti-Drug Abuse Act of 1988, § 13:38

Asylum claims, § 13:44

Auto theft, § 13:70

Bribery, § 13:69

Cancellation of removal, § 13:44

Child abuse, § 13:43, 13:44

Conviction, § 13:21

Criminal offense removals generally, § 13:20

Definition, § 13:39

Definitions

Generally, § 13:39-13:43

Attempt, § 13:41

Conspiracy, § 13:41

Solicitation, § 13:41

Detention, § 13:44

Determinations of deportability, § 13:447

Discretionary relief from removal, § 13:46

Drug related crimes

Generally, § 13:46

Multiple drug-possession convictions, § 13:47

State felony drug offenses, § 13:48

Embezzlement, § 13:68

Expedited removal of aggravated felons, below

Explosives offenses, § 13:72

REMOVAL—Cont'd

Aggravated felonies—Cont'd
 Firearms offenses, § 13:72
 Foreign convictions as, § 13:38
 Forgery, § 13:69
 Fraud and deceit, § 13:68
 Identification of noncitizens convicted persons, § 13:140
 IIRIRA, § 13:38
 IIRIRA definitions, § 13:39, 13:42
 Joy riding, § 13:70
 Misdemeanors as, § 13:38
 Misprision of felony, § 13:74
 Multiple drug-possession convictions, § 13:47
 Murder, § 13:45
 NACARA relief from removal, § 13:249
 Orders of removal, § 13:447
 Pardons, § 13:100
 Particularly serious crimes, § 13:417
 Postal law violations, § 13:70
 Sex offenses, § 13:43, 13:44
 Special removal of criminal aliens, below
 State convictions, § 13:38
 Term of imprisonment of “at least one year,” § 13:40, 13:43
 Theft, § 13:70
 Transporting, § 13:73
 Vehicle burglary, § 13:71
 Violent crimes, below
 Voluntary departure eligibility, § 13:281
 Aiding and abetting drug offenses, § 13:80
 Aiding unlawful entry, § 13:19
 Aircraft
 Bonds, § 13:489
 Clearances, § 13:489
 Orders of removal, § 13:430
 Penalties against, § 13:488
 Port of entry removal, below
 Removal responsibilities, § 13:428
 Aliens ordered removed, § 13:311-13:314
 Aliens subject to
 Generally, § 13:5
 Allegations, § 13:456
 American Indians, § 13:4

REMOVAL—Cont'd

Aliens subject to—Cont'd
 Burden of proof, § 13:5, 13:192
 Denaturalized persons, § 13:6
 Illegal presence, § 13:5
 National status, loss of, § 13:5
 Proof of, § 13:5
 Relation-back theory and national status, § 13:6
 Status determinations
 Allegations in criminal prosecutions, § 13:456
 Judicial removal, § 13:456
 American Indians born in Canada, § 13:4
 Amnesty, this index
 Annual numerical limitations
 Adjustments of status, § 13:243
 Cancellation of removal grants, § 13:243
 Anti-Drug Abuse Act of 1988
 Generally, § 13:38
 Aggravated felonies, above
 Antiterrorism and Effective Death Penalty Act (AEDPA). AEDPA, above
 Appeal
 Board of Immigration Appeals (BIA), below
 Judicial review, below
 Appearance of respondent
 Generally, § 13:146
 In absentia proceedings, below
 Representation and appearance before immigration court. Right to counsel, below
 Apprehension, generally, § 13:141-13:144
 Arrest
 Generally, § 13:121-13:144
 Detention, below
 Expedited removal of aggravated felons, § 13:452
 Judicial review, § 13:141-13:144
 Miranda warnings, § 13:122
 Removal of arrested aliens, § 13:315-13:318
 Arrival. Port of entry removal, below
 Arson, § 13:55
 Assassinations, § 13:115

INDEX

REMOVAL—Cont'd

- Assault and battery
 - Corporal injury, § 13:63
 - Moral turpitude crimes, § 13:32, 13:33
- Asylum. Refugees and Asylum, this index
- Asylum claims. Refugees and asylum, below
- Attempted assault, § 13:64
- Attorneys. Right to counsel, below
- Audita querela
 - Generally, § 13:107
 - Coram nobis distinguished, § 13:107
 - Drug offenses, § 13:90
 - Relief from convictions generally, § 13:98
- Auto theft as aggravated felony, § 13:70
- Bad check offenses, § 13:32
- Bankruptcy fraud as moral turpitude crimes, § 13:32
- Bars to reopening and reconsideration, § 13:202
- Battered spouses and children
 - Cancellation of removal
 - Generally, § 13:235
 - Confidentiality requirements, § 13:492-13:495
 - Defenses generally, § 13:95
 - LIFE Act beneficiaries, below
- Blackmail, moral turpitude crimes, § 13:32
- Board of Immigration Appeals (BIA)
 - Generally, § 13:209-13:222
 - Appeal procedures and decisions
 - Appeal and briefing process, § 13:199, 13:211
 - Board decisions, § 13:215
 - Briefing process, § 13:211
 - Filing procedures, § 13:209
 - Motions to rescind and reissue decision, § 13:210
 - Summary affirmance or affirmance without opinion, § 13:213, 13:214
 - Summary dismissals, § 13:212
 - Briefing process, § 13:211
 - Decisions of board, § 13:215
 - Departure, effect on appeal of, § 13:216
 - Filing procedures, § 13:209

REMOVAL—Cont'd

- Board of Immigration Appeals (BIA)
 - Cont'd
 - Judicial review, federal court review of BIA decisions, § 13:222
 - Motions
 - Generally, § 13:217
 - Reconsideration, motions to reconsider, § 13:219
 - Remand, motions to remand, § 13:220
 - Reopening, motions to reopen, § 13:218
 - Rescission and reissuance of decision, § 13:210
 - Stay, motions to stay deportation, removal or exclusion, § 13:221
 - Reconsideration, motions to reconsider, § 13:219
 - Remand, motions to remand, § 13:220
 - Reopening, motions to reopen, § 13:218
 - Stay, motions to stay deportation, removal or exclusion, § 13:221
 - Summary dispositions
 - Affirmance, generally, § 13:213
 - Challenges to affirmance, § 13:214
 - Dismissals, § 13:212
 - Withdrawal of appeal, § 13:216
- ### Bond
- Aircraft, § 13:489
 - Release from detention, below
 - Vessels, § 13:489
 - Voluntary departures, § 13:285, 13:287, 13:295, 13:300
- ### Borders
- Enhanced Border Security and Visa Entry Reform Act information sharing requirements, § 13:9
 - High speed flight offenses, below
- ### Bribery
- Aggravated felonies, § 13:69
 - As moral turpitude crime, § 13:32
- ### Burden of proof
- Generally, § 13:192-13:196
 - Alienage status, § 13:5
 - Alien status, § 13:192
 - Clear and convincing evidence standard, § 13:192

REMOVAL—Cont'd

- Burden of proof—Cont'd
 - Conviction of crime, § **13:194, 13:195**
 - Government's burden, § **13:192**
 - Illegal presence, § **13:5**
 - NACARA applications, § **13:257**
 - Noncitizen's burden, § **13:193**
 - Parole revocation, § **13:193**
 - Persecution, torture, or danger, removal limitations and, § **13:418**
 - Relief from removal, § **13:196**
 - Terrorist removal procedures, § **13:471**
- Burglary
 - Aggravated felonies, § **13:71**
 - Moral turpitude crimes, § **13:32**
 - Tools, possession of, § **13:33**
 - Vehicle burglary, § **13:71**
 - Violent crimes, § **13:57**
- Canada, American Indians born in, § **13:4**
- Cancellation of removal
 - Generally, § **13:224-13:280**
 - Adjustments of status, § **13:245**
 - Aggravated felon bar, § **13:229**
 - Aggravated felonies, § **13:44**
 - Annual numerical limitations, § **13:243**
 - Application requirements, § **13:238**
 - Asylum grants, § **13:245**
 - Battered spouses and children
 - Generally, § **13:235**
 - Confidentiality requirements, § **13:492-13:495**
 - Class action challenge to limitations, § **13:244**
 - Discretion to grant, § **13:237**
 - Due process rights, § **13:237**
 - Eligibility, § **13:239**
 - Extreme hardship cases, § **13:233**
 - Form, § **13:238**
 - Good moral character requirement, § **13:236**
 - Hardship cases, § **13:233**
 - Ineligible aliens, § **13:239**
 - Judicial review of denials, § **13:242**
 - Lawful permanent residence (LPR) requirement, § **13:224, 13:228**
 - Moral turpitude crimes, § **13:232**

REMOVAL—Cont'd

- Cancellation of removal—Cont'd
 - Motions to reopen, § **13:227**
 - NACARA beneficiaries, § **13:262, 13:271**
 - Nonpermanent residents, eligibility, § **13:231**
 - Presence requirements, § **13:228, 13:240, 13:241**
 - Relief from removal generally, § **13:223**
 - Requirements for relief, § **13:224**
 - Residence requirement, § **13:224, 13:230**
 - Special rule cancellation of removal, § **13:262**
 - Suspension of deportation, § **13:224**
 - Travel permissions, § **13:246**
 - Unusual hardship cases, § **13:233**
- Charges, § **13:158**
- Child abuse
 - Generally, § **13:93**
 - See also Children and minors, below
 - Aggravated felonies, § **13:43, 13:44**
 - Battered spouses and children, cancellation of removal grants
 - Generally, § **13:235**
 - Confidentiality requirements, § **13:492-13:495**
 - Moral turpitude crimes, § **13:32**
 - Statutory rape, § **13:54**
 - Violent crimes, § **13:53**
- Children
 - See also Child abuse, above
 - Battered spouses and children, cancellation of removal
 - Generally, § **13:235**
 - Confidentiality requirements, § **13:492-13:495**
 - Delinquency adjudications as criminal grounds for removal, § **13:21**
 - Flores settlement, § **13:176**
 - Juvenile detainees, § **13:126**
 - LIFE Act beneficiaries, below
 - NACARA beneficiaries, § **13:252**
 - Notice to Appear (NTA), service on, § **13:147**
 - Proceedings, treatment in, § **13:176**
 - Right to counsel, § **13:176**
- Citizenship, false claims of, § **13:111**

INDEX

REMOVAL—Cont'd

- Civil nature of removal proceedings, § 13:76
- Civil penalties, § 13:491
- Civil remedies of removed aliens, § 13:318, 13:439
- Closed hearings, circumstances requiring, § 13:167
- Collateral estoppel effect of judicial removal determinations, § 13:458
- Concealed weapons offenses, moral turpitude crimes, § 13:32, 13:33
- Conditions of status, failure to observe, § 13:17
- Confessions, § 13:26
- Confidentiality requirements
 - Battered spouses and children, § 13:492-13:495
 - Penalties for disclosures, § 13:492-13:495
- Conspiracy drug offenses, § 13:83, 13:86
- Constitutional law
 - Addicts, removal of, § 13:77
 - Cancellation of removal, due process rights, § 13:237
 - Detention, due process challenges, § 13:134
 - Ex post facto legislation, below
 - Indefinite detention, § 13:320
 - Open and public hearings requirement, § 13:167
 - Right to counsel, below
- Consular nonreviewability doctrine, § 15:5
- Consuls or diplomatic officers, right to communicate with
 - Generally, § 13:188
 - Terrorist removal proceedings, § 13:480
- Contagious diseases and continued detention, § 13:375-13:377
- Contempt, criminal, § 13:65
- Contiguous territories, removal to
 - Generally, § 13:408
 - Selection by alien, § 13:411
- Continuances, § 13:169
- Continuous presence. Presence in US, below
- Controlled substance violations
 - Conviction, § 13:21

REMOVAL—Cont'd

- Controlled substance violations—Cont'd
 - Criminal offense removals generally, § 13:20
 - Drug offenses, below
 - Possession, § 13:21
 - Special removal of criminal aliens, below
- Conviction of weapons offense
 - Deportability of particular noncitizens, § 13:92
- Convictions
 - Aggravated felony characterization, § 13:38
 - Audita querela, above
 - Burden of proving, § 13:194
 - Conspiracy, drug offenses, § 13:86
 - Coram nobis, below
 - Drug offenses, § 13:84
 - Electronic records of convictions, § 13:195
 - Expungements, § 13:22, 13:89
 - Foreign convictions, § 13:38, 13:82
 - Guilty pleas and withdrawals, § 13:103
 - Habeas corpus, below
 - Identification of noncitizens convicted persons, § 13:140
 - Multiple convictions, § 13:36, 13:37
 - New trial motions, § 13:104
 - Pardons, below
 - Probation, deportation as condition of, § 13:460
 - Relief from convictions, below
 - Removal orders. Judicial removal, below
 - Vacatur, § 13:24
- Coram nobis
 - Generally, § 13:107
 - Audita querela distinguished, § 13:107
 - Relief from convictions generally, § 13:98
- Corporal injury, assault, § 13:63
- Costs of removal
 - Generally, § 13:431-13:435
 - Admission, costs of removal after, § 13:432-13:434
 - Aircraft, charges against, § 13:428
 - Arrival removals, § 13:428

REMOVAL—Cont'd

- Costs of removal—Cont'd
 - Permitted to land, costs of removal after, § **13:432-13:434**
 - Personal care requirements during removal, § **13:436**
 - Port of entry removal, § **13:428**
 - Stowaways, § **13:429**
 - Vessels, charges against, § **13:428**
 - Voluntary departures, § **13:435**
- Counsel. Right to counsel, below
- Counterfeiting as crime of moral turpitude, § **13:32**
- Countries to which aliens may be removed
 - Generally, § **13:406-13:421**
 - Additional removal countries, § **13:414**
 - Alternative destinations, § **13:413**
 - Alternatives, § **13:409**
 - Contiguous territories
 - Generally, § **13:408**
 - Selection by alien, § **13:411**
 - Persecution, torture, or danger, removal limitations and, below
 - Priorities, § **13:409**
 - Regulations, § **13:407**
 - Selection by alien
 - Generally, § **13:410-13:415**
 - Additional removal countries, § **13:414**
 - Alternative destinations, § **13:413**
 - Contiguous territories, § **13:411**
 - Limitations, § **13:411**
 - Rejections of selection by Secretary, § **13:412**
 - Terrorist removal proceedings, § **13:482**
 - War time conditions, § **13:415**
 - Terrorist removal proceedings, § **13:482**
 - Travel authorizations, below
 - War time conditions, § **13:415**
- Court of Appeals, review by, § **15:14**
- Court ordered. Judicial removal, below
- Coyotes. Smugglers, below
- Crewmembers
 - Inadmissibility, § **13:11**
 - Removal responsibilities, § **13:428**
- Criminal grounds
 - Generally, § **13:20**

REMOVAL—Cont'd

- Criminal grounds—Cont'd
 - See also Special removal of criminal aliens, below
 - Abduction for purposes of marriage, § **13:33**
 - Admissions, § **13:26**
 - Aggravated felonies, above
 - Antiterrorism and Effective Death Penalty Act (AEDPA) provisions, § **13:20**
 - Assassination, § **13:115**
 - Assault and battery, § **13:32, 13:33, 13:63**
 - Auto theft, § **13:70**
 - Bad check offenses, § **13:32**
 - Bankruptcy fraud, § **13:32**
 - Bigamy, § **13:32**
 - Blackmail, § **13:32**
 - Bribery, § **13:32**
 - Burglary, § **13:32**
 - Burglary tools, possession of, § **13:33**
 - Child abuse, § **13:32, 13:93**
 - Citizenship, false claims of, § **13:111**
 - Concealed weapons offenses, § **13:32, 13:33**
 - Controlled substance violations, above
 - Conviction, burden of proving, § **13:194**
 - Conviction defined, § **13:21-13:25**
 - Counterfeiting, § **13:32**
 - Delinquency of juvenile, § **13:21**
 - Detention, below
 - Distributing drugs, § **13:80**
 - Domestic violence
 - Generally, § **13:93**
 - Effective date, § **13:96**
 - Protective order violations, § **13:94**
 - Self-defense, § **13:95**
 - Victims of, waivers, § **13:95**
 - Draft law violations, § **13:97**
 - Driving under the influence, § **13:33**
 - Drug offenses, below
 - Embezzlement, § **13:68**
 - Escape, § **13:33**
 - Espionage, § **13:97**
 - Expunged convictions, § **13:22**
 - False pretenses, § **13:32**
 - False representations, § **13:33**

INDEX

REMOVAL—Cont'd

Criminal grounds—Cont'd
Firearms offenses, below
First-time offenders, § 13:25
Forgery, § 13:32
Fraud and deceit, § 13:68
Furnishing drugs, § 13:80
Genocide law violations, above
Grounds for removal generally,
§ 13:10
Harboring a fugitive, § 13:33
High speed flight, below
HIRIRA provisions, § 13:20
Illegal reentry, § 13:33
Incest, § 13:32
Income tax evasion, § 13:32
Indecent assault, § 13:32
Joy riding, § 13:70
Judicial review in criminal cases,
§ 15:10
Larceny, § 13:32
Lewd and lascivious conduct, § 13:32
Lewd conduct, § 13:33
Mail and wire fraud, § 13:32
Manslaughter, § 13:32, 13:33
Mayhem, § 13:32
Moral turpitude crimes, below
Multiple convictions, § 13:36, 13:37
Murder, § 13:32
National security, § 13:379
Nazi war criminals, below
Pardons, below
Passport fraud, § 13:32
Petit larceny, below
Possession of controlled substance,
§ 13:88
Postal law violations, § 13:32, 13:70
President, threats against, § 13:97
Pretrial release or detention, § 13:133
Probation, deportation as condition of,
§ 13:460
Prompt initiation of proceedings,
§ 13:152
Prostitution offenses, § 13:32
Rape, § 13:32
Receiving stolen property, § 13:32
Robbery, § 13:32
Sabotage, § 13:97
Selective Service Act violations,
§ 13:97

REMOVAL—Cont'd

Criminal grounds—Cont'd
Selling drugs, § 13:80
Sentence of deportation. Judicial
removal, below
Sentence vacation and revision,
§ 13:23
Smuggling of aliens, § 13:33
Smuggling of liquor, § 13:32
Sodomy, consensual, § 13:32
Special removal of criminal aliens,
below
Stalking, § 13:93
Stowing away, § 13:33
Student loan fraud, § 13:32
Terrorist removal proceedings, deferral
until completion of sentence,
§ 13:484
Theft, § 13:70
Travel document violations, § 13:97
Two convictions, § 13:36, 13:37
Use of controlled substance, § 13:88
Vacatur, § 13:24
Vehicle burglary, § 13:71
Violent crimes, below
Voting law violations, below
Cubans, NACARA beneficiaries,
§ 13:247
Custody
Review procedures, § 13:336-13:340
Custody determinations
Generally, § 13:323-13:329
Detention
Showing by noncitizen, § 13:327
Significant likelihood of removal
Generally, § 13:360-13:371
Negative determinations, § 13:345
Terrorist removal proceedings,
§ 13:478
Custody Review procedures
Notice to noncitizen, of pending
records review, § 13:338
Danger. Persecution, torture, or danger,
removal limitations and, below
Dangerous aliens, § 13:20
Dangerousness determinations,
§ 13:388, 13:389
Decisions, motions and appeal
Generally, § 13:197-13:205
Finality of decision, § 13:199
Motion practice, below

REMOVAL—Cont'd

- Decisions, motions and appeal—Cont'd
 - Reopening or reconsidering, § 13:200-13:202
 - Stay, § 13:205
 - Written or oral decisions, § 13:198
- Deferred actions
 - Good moral character requirement, § 13:236
 - Relief from removal generally, § 13:223
- Definitions. Words and Phrases, below
- Delinquency of juvenile, § 13:21
- Denaturalization, § 13:6
- Denying or delaying accepting noncitizen
 - discontinuing granting visas to nationals of country, § 13:490
- Departure
 - Judicial review after departure, § 15:15
 - Voluntary departure, below
- Dependents of juvenile court, § 13:7
- Deportability of particular noncitizens, § 13:92
- Deportation
 - IIRIRA changes in immigration law procedures, § 13:1
 - Suspension of deportation, below
- Derivative beneficiaries, NACARA, § 13:252
- Destinations. Countries to which aliens may be removed, above
- Detainers and custody status, § 13:131
- Detention
 - Custody determinations
 - Noncitizens representative, § 13:329
- Disclosures by government, unlawful, § 13:492-13:495
- Discretionary relief from removal, § 13:46
- Dismissal, § 13:162, 13:273
- Distributing drugs, § 13:80
- Docket control, § 13:330, 13:331
- Document falsifications, grounds for removal, generally, § 13:10
- Domestic violence
 - Generally, § 13:93
 - Pardons, § 13:99

REMOVAL—Cont'd

- Domestic violence—Cont'd
 - Protective order violations, § 13:94
 - Self-defense, § 13:95
 - Victims of, waivers, § 13:95
- Driving under the influence. Drunk driving offenses, below
- Drug offenses
 - Generally, § 13:76-13:90
 - Addicts, § 13:77
 - Admissions establishing criminal behavior, § 13:26
 - Admission to prior conviction, § 13:87
 - Aggravated felonies
 - Generally, § 13:46
 - State felony drug offenses, § 13:48
 - Aiding and abetting, § 13:80
 - Anti-Drug Abuse Act of 1988, § 13:38
 - Audita querela, § 13:90
 - Conspiracy, § 13:83, 13:86
 - conviction, § 13:76
 - Convictions, § 13:21, 13:84, 13:86
 - Criminal offense removals generally, § 13:20
 - Distributing, § 13:80
 - Expungement of conviction, § 13:89
 - Foreign convictions, § 13:82
 - Furnishing, § 13:80
 - Importation, § 13:83
 - Look-alike paraphernalia, § 13:81
 - Look-alike substances, § 13:81
 - Marijuana offenses, § 13:78
 - Paraphernalia possession, § 13:79
 - Pardons, § 13:89, 13:99
 - Particularly serious crimes, § 13:417
 - Possession, § 13:21, 13:88
 - Selling, § 13:80
 - Smuggling, § 13:83
 - Solicitation, § 13:86
 - Special removal of criminal aliens, below
 - State law narcotics offenses, § 13:85
 - Travel Act, § 13:76
 - Use, § 13:88
- Drunk driving offenses
 - Moral turpitude crimes, § 13:33
 - Violent crimes, § 13:58-13:60

INDEX

REMOVAL—Cont'd

- Due process challenges
 - Cancellation of removal, § 13:237
 - Persecution, torture, or danger, removal limitations and, § 13:421
- El Salvador nationals, transition rules, IIRIRA, § 13:507
- Embezzlement as aggravated felony, § 13:68
- Employment authorizations
 - Generally, § 13:314
 - Failure to obtain, § 13:17
- Employment by foreign government, removal after termination, § 13:14
- Enhanced Border Security and Visa Entry Reform Act, information sharing requirements, § 13:9
- Entry
 - Aiding unlawful entry, § 13:19
 - Definition, § 13:3
 - Enhanced Border Security and Visa Entry Reform Act, § 13:9
 - High speed flight, below
 - Illegal entry, below
 - Marriage, fraudulent entry based on, § 13:15
 - Reentry, below
 - Registration offenses, entry subsequent, § 13:110
 - Seeking to enter, § 13:3
 - Voluntary departure, below
- Escape as moral turpitude crime, § 13:33
- Espionage
 - Generally, § 13:97, 13:112
 - Continued detention on grounds of national security, § 13:379
 - Grounds for removal generally, § 13:10
 - Special removal of criminal aliens, below
 - Terrorist removal procedures, below
- Estoppel
 - Alien present in violation of law, § 13:13
 - Asserting inadmissibility, § 13:12
 - Judicial removal determinations, collateral estoppel effect of, § 13:458

REMOVAL—Cont'd

- Evidence
 - Generally, § 13:189
 - Admissibility, § 13:189
 - Alien status, § 13:5
 - American Indian status, § 13:4
 - Burden of proof, above
 - Classified information in terrorist removal proceedings
 - Generally, § 13:468
 - Special attorneys, use of, § 13:463, 13:470
 - Clear and convincing evidence standard, § 13:192
 - Continuation of detention, § 13:398
 - Conviction of crime
 - Burden of proving, § 13:194
 - Electronic records, § 13:195
 - Depositions, § 13:190
 - Expedited removal of aggravated felons, § 13:450
 - Federal Rules, applicability in terrorist removal procedures, § 13:466
 - Genocide law violations, proof, § 13:118
 - Governments application for removal of noncitizen, § 13:464
 - Hearings, evidentiary, § 13:166
 - Judicial removal, § 13:456
 - NACARA applications, § 13:250, 13:267
 - National security information, § 13:175
 - Nazi war criminals, proof, § 13:118
 - Proceedings, evidentiary requirements, § 13:175
 - Public charge removals, proof, § 13:119
 - Right to examine, § 13:175
 - Rules of, § 13:189
 - Subpoenas, § 13:165
 - Translators and translation, below
- Exclusion proceedings, detention and release on bond, § 13:125
- Exclusivity rule, § 13:159
- Expatriation, § 13:6
- Expedited removal of aggravated felons
 - Generally, § 13:446-13:454
 - Arrest, § 13:452
 - Decisions, § 13:450
 - Detention, § 13:452

REMOVAL—Cont'd

- Expedited removal of aggravated felons
 - Cont'd
 - Determinations of deportability, § 13:447
 - Evidentiary standard, § 13:450
 - Judicial review, § 13:447
 - Notice of intent, § 13:448
 - Orders of removal
 - Generally, § 13:446
 - Execution, § 13:453
 - Records of proceedings, § 13:454
 - Relief from removal, § 13:449
 - Response to Notice of Intent, § 13:449
 - Right to counsel, § 13:447
 - Termination of general removal proceeding, § 13:451
 - Terrorist removal procedures, below
 - Warrant of removal, § 13:453
- Expedition removal of criminal noncitizens, § 13:443
- Expenses. Costs of removal, above
- Ex post facto legislation
 - Generally, § 13:8
 - Moral turpitude crimes, § 13:28
 - Nazi association and genocide grounds for removals, § 13:117
- Extreme hardship
 - Generally, § 13:233
 - Cancellation of removal, § 13:233
 - NACARA beneficiaries, § 13:259
 - Unusual hardship, § 13:233
- Failure to appear
 - In absentia proceedings, below
 - Reports on, § 13:148
- Failure to depart penalties
 - Generally, § 13:485
 - Civil penalties, § 13:491
- False pretenses as moral turpitude crime, § 13:32
- False representations as moral turpitude crime, § 13:33
- Families
 - Children, above
 - Family unity aliens, IIRIRA transition rules, § 13:508
 - Legal Immigration Family Equity Act (LIFE) beneficiaries, § 13:277
 - Spouses, below

REMOVAL—Cont'd

- Families—Cont'd
 - Terrorist removal procedures, family member visits, § 13:480
- Fees, waiver of, § 13:156
- Felonies. Aggravated felonies, above
- Filing requirements, § 13:204
- Finality of decision, § 13:199
- Finality of order of removal, § 15:8
- Fingerprinting requirements, terrorist removal proceedings, § 13:483
- Firearms offenses
 - Generally, § 13:91
 - Aggravated felonies, § 13:72
 - Conviction, § 13:21
 - Criminal offense removals generally, § 13:20
 - Explosives offenses, § 13:72
 - Moral turpitude crimes, § 13:33
 - Pardons, § 13:99
 - Special removal of criminal aliens, below
 - State firearms offenses, § 13:72
 - Trafficking, § 13:72
- FISA evidence restrictions, § 13:462
- Foreign convictions
 - Aggravated felonies, § 13:38
 - Drug offenses, § 13:82
 - Pardons, § 13:100
- Foreign government employees, terminated, § 13:14
- Forgery
 - Aggravated felonies, § 13:69
 - Moral turpitude crimes, § 13:32
- Fraud
 - Generally, § 13:32
 - Aggravated felonies, § 13:68
 - Citizenship, false claims of, § 13:111
 - Registration offenses, below
- Freedom restrictions. Persecution, torture, or danger, removal limitations and, below
- Funding of removal activities, § 13:512
- Furnishing drugs, § 13:80
- Genocide law violations
 - Generally, § 13:116
 - Constitutional challenges, § 13:117
 - Grounds for removal generally, § 13:10
 - Persecution claims by alien resisting removal, § 13:416

INDEX

REMOVAL—Cont'd

- Genocide law violations—Cont'd
 - Proof, § 13:118
 - Special removal of criminal aliens, below
- Good moral character
 - Cancellation of removal, § 13:236
 - Eligibility, § 13:282
 - Voluntary departure permissions, § 13:281, 13:298
- Grounds
 - Generally, § 13:1-13:119
 - Aggravated felonies, above
 - Assassination, § 13:115
 - Citizenship, false claims of, § 13:111
 - Controlled substance violations, above
 - Criminal grounds, above
 - Document falsifications, above
 - Drug offenses, above
 - Espionage, above
 - Firearms offenses, above
 - Genocide law violations, above
 - High speed flight, below
 - Illegal entry, below
 - Immigrant status violations, below
 - Inadmissibility and inadmissible persons, below
 - Moral turpitude crimes, below
 - Multiple convictions, § 13:36, 13:37
 - National security, § 13:115, 13:379
 - Nazi war criminals, below
 - Public charge removals, below
 - Registration offenses, below
 - Sabotage, below
 - Secretary of State, below
 - Smugglers, below
 - Status violations, below
 - Students, below
 - Subversion, below
 - Terrorism, below
 - Violent crimes, below
 - Voting law violations, below
 - Wartime removals, § 13:114
- Guatemala nationals, transition rules, IIRIRA, § 13:507
- Guilty pleas and withdrawals, § 13:103
- Habeas corpus
 - Generally, § 13:106
 - AEDPA restrictions, § 13:106

REMOVAL—Cont'd

- Habeas corpus—Cont'd
 - Continued or indefinite detention, § 13:319
 - Custody, § 13:131
 - Mandatory detentions of terrorists, § 13:442
 - Relief from convictions generally, § 13:98
- Harboring a fugitive, moral turpitude crimes, § 13:33
- Hardship. Extreme hardship, above
- Hearings
 - See also Proceedings, below
 - Adjournment, § 13:186
 - Closed hearings, circumstances requiring, § 13:167
 - Continued detention
 - Merits hearings, § 13:397-13:401
 - Reasonable cause hearings, § 13:394
 - Evidentiary, § 13:166
 - Joseph hearings, § 13:138
 - Notice of hearing, § 13:146
 - Open and public hearings requirement, § 13:167
 - Port of entry removal, § 13:422-13:427
 - Postponement, § 13:186
 - Removal at port of entry, § 13:422
 - Terrorist removal procedures, § 13:465
- High speed flight
 - Generally, § 13:75
 - Conviction, § 13:21
 - Criminal offense removals generally, § 13:20
 - Pardons, § 13:100
 - Special removal of criminal aliens, below
 - Waiver of removal, § 13:75
- Hijacking and terrorism, § 13:115
- IIRIRA
 - Generally, § 13:1
 - Aggravated felonies, § 13:38
 - Class action challenge to limitations imposed by, § 13:244
 - Criminal grounds removal provisions, § 13:20
 - Deportation procedures, elimination of, § 13:1

REMOVAL—Cont'd**IIRIRA—Cont'd**

- Effective dates, § **13:496**
- Exclusion procedures, elimination of, § **13:1**
- Expedited removal of aggravated felons, above
- Family unity aliens, § **13:508**
- Guatemala nationals, transition rules, § **13:507**
- Habeas corpus, § **13:496**
- Inadmissibility, persons subject to, § **13:1**
- Judicial review
 - Generally, § **13:141-13:144**
 - Transition rules, § **13:500-13:505**
- NACARA beneficiaries, below
- Physical presence rules, § **13:507**
- Reentry sanctions, § **13:173**
- Regulations, § **13:497**
- Removal procedures, creation of, § **13:1**
- Soviet Union nationals, transition rules, § **13:507**
- Special removal of criminal aliens, below
- Suspension of deportation, § **13:506, 13:509**
- Terrorist removal procedures, below
- Transition rules
 - Generally, § **13:496-13:511**
 - ABC settlement, § **13:507**
 - Effective dates, § **13:496**
 - El Salvador nationals, § **13:507**
 - Family unity aliens, § **13:508**
 - Guatemala nationals, § **13:507**
 - Judicial review, § **13:500-13:505**
 - noncitizens in proceedings, new rules do not apply, § **13:498**
 - Options to elect to apply new procedures, § **13:499**
 - Option to terminate and reinstate proceedings, § **13:500**
 - Period of transition, calculating, § **13:511**
 - Physical presence, § **13:507**
 - References, transitional, § **13:510**
 - Regulations, § **13:497**
 - Soviet Union nationals, § **13:507**
 - Suspension of deportation, § **13:506, 13:509**

REMOVAL—Cont'd**IIRIRA—Cont'd**

- Transition rules—Cont'd
 - Termination options, § **13:500**
 - Voluntary departure, noncompliance penalties, § **13:307-13:309**
- Illegal alien defined, § **13:3**
- Illegal entry
 - American Indians born in Canada, § **13:4**
 - Grounds for removal generally, § **13:10**
 - Special removal of criminal aliens, below
 - Status violations generally, § **13:10**
- Illegal presence. Presence in US, below
- Illegal reentry. Reentry, below
- Immigrant status violations
 - Grounds for removal generally, § **13:10**
 - Special removal of criminal aliens, below
 - Status violations generally, § **13:10**
- Immigration judges
 - Authority of, § **13:153, 13:165**
 - Custody determinations, § **13:138**
 - Dangerousness determinations, § **13:388, 13:389**
 - Joseph hearings, § **13:138**
 - NACARA applications, Immigration Court jurisdiction, § **13:255**
 - Orders of removal, § **13:153**
 - Pre-IIRAIRA in absentia hearings, § **13:179**
 - Proceedings, conduct of, § **13:153**
 - Right to counsel, below
 - Substitution, § **13:157**
 - Voluntary departure grants
 - After removal proceedings, § **13:298-13:301**
 - Prior to removal proceedings, § **13:293-13:297**
 - Withdrawal, § **13:157**
- Imprisoned aliens, removal of, § **13:315-13:318**
- INA § 242, review under
 - Court of Appeals, scope and standard of review in, § **15:14**
 - Criminal cases, § **15:10**
 - Discretionary matters, bar to review in, § **15:9**

INDEX

REMOVAL—Cont'd

- INA § 242, review under—Cont'd
 - Final order of removal, generally, § 15:8
 - Post-departure review, § 15:15
 - Reopen, motions to, § 15:13
 - Visa Waiver Program, § 15:12
- In absentia proceedings
 - Generally, § 13:166
 - Administrative review, § 13:182
 - Competency of alien, § 13:177
 - Failure to appear at noticed proceeding, § 13:180-13:188
 - Judicial review, § 13:182
 - Mental competency of alien, § 13:177
 - Motion to reopen in absentia order, § 13:181
 - Pre-IRAIRA in absentia hearings, § 13:179
 - Right to counsel, § 13:174
- Inadmissibility and inadmissible persons
 - Generally, § 13:11
 - Crewmembers, § 13:11
 - Estoppel of government to assert, § 13:12
 - Expedited removal of aggravated felons, above
 - Foreign government employees, terminated, § 13:14
 - Grounds for removal generally, § 13:10
 - Hearing, failure to attend, § 3:88
 - IRAIRA changes, § 13:1
 - Marriage fraud, § 13:15
 - Overstays, § 13:14
 - Previously removed aliens, § 3:109
 - Public charge grounds, § 13:119
 - Reentry, unlawful, § 13:11
 - Special removal of criminal aliens, below
 - Status violations generally, § 13:10
 - Voluntary departure, below
- Inapplicability of certain removal grounds to noncitizens
 - declared dependent of juvenile court, § 13:7
- Incest as moral turpitude crime, § 13:32
- Income tax evasion as moral turpitude crime, § 13:32
- Indecent assault as moral turpitude crime, § 13:32

REMOVAL—Cont'd

- Indeterminate sentences and moral turpitude crimes, § 13:35
- Information re detainees, restrictions on disclosures of, § 13:139
- Initiation of removal proceedings
 - Generally, § 13:145-13:152
 - Minors, proceedings against, § 13:147
 - Notice to Appear (NTA), below
 - Promptness, § 13:152
- Interior repatriation program report, § 13:520
- Interpreters. Translators and translation, below
- Involuntary manslaughter as violent crime, § 13:62
- Joseph hearings, § 13:138
- Joy riding as aggravated felony, § 13:70
- Judicial removal
 - Generally, § 13:455-13:460
 - Alienage allegations, § 13:456
 - Collateral estoppel, § 13:458
 - Denial of request for, § 13:458
 - Evidentiary requirements, § 13:456
 - Execution of orders, § 13:457
 - Notice of intent to request, § 13:456
 - Orders of removal, § 13:457
 - Probation, deportation as condition of, § 13:460
 - Procedure, § 13:456
 - Relief from removal, § 13:456
 - Review of, § 13:457
 - Stipulated deportation orders, § 13:459
 - Terrorist removal procedures, below
- Judicial review
 - Apprehension decisions, § 13:141-13:144
 - Cancellation of removal denials, § 13:242
 - Continuous or indefinite detention, § 13:319
 - Court of Appeals review, voluntary departure pending, § 13:307
 - Detention decisions, § 13:141-13:144
 - District Court removal orders, § 13:457
 - Expedited removal of aggravated felons, § 13:447
 - IRAIRA transition rules, § 13:500-13:505

REMOVAL—Cont'd

- Judicial review—Cont'd
 - INA § 242, review under, above
 - In absentia proceedings, § **13:182**
 - Judicial removal orders, § **13:457**
 - Mandatory detentions of terrorists, § **13:442**
 - Removal orders. Judicial removal, above
 - Stay of removal, § **15:21**
 - Supreme Court review, § **13:477**
 - Terrorist removal proceedings, § **13:474-13:477**
 - Voluntary departure, § **13:307-13:310**
- Juvenile courts, dependents of
 - Inapplicability of certain removal grounds to noncitizens, § **13:7**
- Juvenile detainees, release provisions, § **13:126**
- Kidnapping, § **13:115**
- Larceny, § **13:32, 13:33**
- Lawful permanent residence (LPR)
 - Cancellation of removal, § **13:224, 13:228**
 - Continuous presence, termination of, § **13:234**
 - Termination of continuous presence, § **13:234**
- Legal Immigration Family Equity Act (LIFE), § **13:277**
- Legislation, ex post facto
 - Generally, § **13:8**
 - Moral turpitude crimes, § **13:28**
 - Nazi association and genocide grounds for removals, § **13:117**
- Lewd and lascivious conduct
 - Generally, § **13:32**
 - Moral turpitude crimes, § **13:32, 13:33**
- LIFE Act beneficiaries
 - Generally, § **13:277-13:280**
 - Adjustment of status, § **13:277**
 - Applications, § **13:278**
 - Confidentiality requirements, § **13:492-13:495**
 - Eligibility, § **13:279**
 - IIRIRA transition rules, § **13:496-13:511**
 - Legal Immigration Family Equity Act (LIFE), enactment, § **13:277**

REMOVAL—Cont'd

- LIFE Act beneficiaries—Cont'd
 - Relief from removal generally, § **13:223**
 - Reopen motions, § **13:278**
- Limitations and restrictions, generally, § **15:4**
- Mail and wire fraud as moral turpitude crimes, § **13:32**
- Mandatory detentions of terrorists, § **13:442**
- Manslaughter, § **13:61, 13:62**
 - Generally, § **13:32**
 - Moral turpitude crimes, § **13:32, 13:33**
 - Violent crimes, § **13:61**
- Marriage
 - Abduction for purposes of, § **13:33**
 - Bigamy as moral turpitude crimes, § **13:32**
 - Fraudulent entry based on, § **13:15**
- Marriage, abduction for purposes of, § **13:33**
- Mayhem, § **13:32, 13:67**
- Mental health examinations of detainees, § **13:389**
- Military service and continuous presence requirements, § **13:241**
- Minors. Children and minors, above
- Miranda warnings, § **13:122**
- Misdemeanors as aggravated felonies, § **13:38**
- Misprision of felony, § **13:74**
- Mootness, § **15:2**
- Moral turpitude crimes
 - Generally, § **13:26-13:37**
 - Abduction for purposes of marriage, § **13:33**
 - Admissions establishing criminal behavior, § **13:26**
 - Assault and battery, § **13:32, 13:33**
 - Bad check offenses, § **13:32**
 - Bankruptcy fraud, § **13:32**
 - Bigamy, § **13:32**
 - Blackmail, § **13:32**
 - Bribery, § **13:32**
 - Burglary, § **13:32**
 - Burglary tools, possession of, § **13:33**
 - Cancellation of removal, eligibility for, § **13:232**
 - Child abuse, § **13:32**

INDEX

REMOVAL—Cont'd

Moral turpitude crimes—Cont'd
Concealed weapons offenses, § 13:32, 13:33
Conviction, § 13:21
Counterfeiting, § 13:32
Criminal offense removals generally, § 13:20
Definition, § 13:31
Detention, above
Driving under the influence, § 13:33
Escape, § 13:33
False pretenses, § 13:32
False representations, § 13:33
Five-year period, § 13:29, 13:34
Forgery, § 13:32
Harboring a fugitive, § 13:33
Illegal reentry, § 13:33
Incest, § 13:32
Income tax evasion, § 13:32
Indecent assault, § 13:32
Indeterminate sentences, § 13:35
Larceny, § 13:32
Lewd and lascivious conduct, § 13:32
Lewd conduct, § 13:33
Mail and wire fraud, § 13:32
Manslaughter, § 13:32, 13:33
Mayhem, § 13:32
Multiple crimes, § 13:36, 13:37
Murder, § 13:32
Pardons, § 13:100
Passport fraud, § 13:32
Petty larceny, § 13:33
Postal law violations, § 13:32
Prostitution offenses, § 13:32
Rape, § 13:32
Receiving stolen property, § 13:32
Retrospective application of provision, § 13:28
Robbery, § 13:32
Sentence requirements, § 13:34
Single scheme and multiple crimes, § 13:36, 13:37
Smuggling, liquor, § 13:32
Smuggling of aliens, § 13:33
Sodomy, consensual, § 13:32
Special removal of criminal aliens, below
Stowing away, § 13:33
Student loan fraud, § 13:32

REMOVAL—Cont'd

Moral turpitude crimes—Cont'd
Ten-year period, § 13:30
Two crimes, § 13:36, 13:37
Motion practice
Bars to reopening and reconsideration, § 13:202
Board of Immigration Appeals (BIA), above
Departure from United States, effect of, § 13:201
Dismissal motion, § 13:162
Filing and service requirements, § 13:204
Form and content of motions, § 13:203
In absentia order, motion to reopen, § 13:181
Pre-decision motions, § 13:197
Remand motion, § 13:163
Reopen
Generally, § 13:200
Bars to reopening and reconsideration, § 13:202
Cancellation of removal, § 13:227
Departure from U.S., effect of, § 13:201
In absentia order, § 13:181
Judicial review, § 15:13
LIFE Act applications, § 13:278
NACARA Act applications, § 13:249
Multiple convictions
Conviction, § 13:21
Criminal offense removals generally, § 13:20
Drug-possession convictions, § 13:47
Moral turpitude crimes, § 13:36
Pardons, § 13:99
Special removal of criminal aliens, below
Multiple crimes and moral turpitude, § 13:36, 13:37
Murder
Aggravated felonies, § 13:45
Moral turpitude crimes, § 13:32
NACARA beneficiaries
Generally, § 13:247-13:253
ABC settlement, § 13:250, 13:260, 13:274
Aggravated felonies, § 13:249

REMOVAL—Cont'd

NACARA beneficiaries—Cont'd
 Applications, § 13:256
 Asylum applications, § 13:245
 Asylum officers, authority of, § 13:266
 Background checks, § 13:263
 Burden of proof of eligibility, § 13:257
 Cancellation of removal, § 13:271
 Decisions on applications, § 13:269-13:276
 Derivative beneficiaries, § 13:252
 Dismissals of applications, § 13:273
 Eligibility, § 13:248
 Evidence
 Generally, § 13:267
 Right to present, § 13:265
 Evidentiary requirements, § 13:250
 Extreme hardship, § 13:259
 Failure to appear for interview, § 13:268
 Filings, § 13:251
 Fingerprinting, § 13:263
 Good character requirements, § 13:236
 Grant of cancellation of removal, § 13:271
 Grant of parole while in deportation proceedings, § 13:276
 Grant of suspension of deportation, § 13:270
 IIRIRA rules, protection from, § 13:247
 IIRIRA transition rules, § 13:496-13:511
 Immigration Court jurisdiction, § 13:255
 Interpreter services, § 13:265
 Interviews, § 13:264-13:266
 Office of International Affairs, jurisdiction of, § 13:254
 Presence calculations, § 13:258
 Proceedings before EOIR
 administratively closed, dependents, § 13:275
 Referrals of cases, § 13:272
 Relief from removal generally, § 13:223
 Reopen motions, § 13:249
 Right to counsel, § 13:265

REMOVAL—Cont'd

NACARA beneficiaries—Cont'd
 Special provisions, § 13:274-13:276
 Special rule cancellation of removal, § 13:262
 Suspension of deportation, § 13:261, 13:270
 Time for filings, § 13:251
 Where to file, § 13:253
 Narcotics. Drug offenses, above
 Nationality. Countries to which aliens may be removed, above
 National security
 Generally, § 13:112-13:118
 Arrest, detention, custody and release on bond, § 13:121
 Continued detention on grounds of, § 13:379
 Espionage, above
 Foreign policy consequences of activities, § 13:113
 Grounds for removal generally, § 13:10
 Sabotage, below
 Secretary of State, below
 Special removal of criminal aliens, below
 Subversion, below
 Terrorism, below
 Terrorist removal procedures, below
 Wartime removals, § 13:114
 Weapons of mass destruction, § 13:115
 National status
 Alien status distinguished, § 13:5
 Denaturalized persons, § 13:6
 Loss of, § 13:5
 Relation-back theory, § 13:6
 Naturalization
 Generally, § 14:125
 Personnel investigation and examination, § 14:348
 Reopening proceeding, § 14:382
 Nazi war criminals
 Generally, § 13:116
 Constitutional challenges, § 13:117
 Grounds for removal generally, § 13:10
 Persecution claims by alien resisting removal, § 13:416
 Proof, § 13:118

INDEX

REMOVAL—Cont'd

- Nazi war criminals—Cont'd
 - Special removal of criminal aliens, below
- Nicaraguan Adjustment and Central American Relief Act (NACARA)
 - Generally, § 13:247
 - NACARA beneficiaries, above
- 90-day period, supervision after, § 13:313
- Noncitizen, Governments application, § 13:464
- Noncitizens subject to
 - Definition, § 13:3
- Noncitizens subject to removal, § 13:3
- Nonimmigrant status, failure to maintain, § 13:16, 13:18
- Nonimmigrant Visas, this index
- Nonpermanent residents, eligibility for cancellation of removal, § 13:231
- Notice of hearing, § 13:146
- Notice of intent, expedited removal of aggravated felons, § 13:448
- Notice to Appear (NTA)
 - Generally, § 13:145-13:152
 - Cancellation, § 13:150
 - Evidence of alienage, § 13:192
 - Expedited removal of aggravated felons, Notice of Intent, § 13:448
 - Failure to respond to, § 13:180-13:188
 - In absentia proceedings, above
 - Judicial removal order, notice of intent to request, § 13:456
 - Jurisdictional requirement, § 13:206, 13:255
 - Minors, service on, § 13:147
- Nunc pro tunc permission to reapply for admission
 - Good moral character requirement, § 13:236
 - Relief from removal generally, § 13:223
- Office of International Affairs, NACARA applications to, § 13:254
- Open and public hearings requirement, § 13:167
- Orders of removal
 - Generally, § 13:125
 - Aggravated felonies, § 13:447
 - Aircraft subject to, § 13:430

REMOVAL—Cont'd

- Orders of removal—Cont'd
 - Alternate orders, § 13:301
 - Authority to issue, § 13:153
 - Expedited removal of aggravated felons, § 13:451
 - Finality of, § 14:7
 - Judicial orders, § 13:457
 - Judicial removal, above
 - Penalties for failure to depart
 - Generally, § 13:485
 - Civil penalties, § 13:491
 - Reentry, reinstatement on
 - Generally, § 13:206-13:208
 - Retroactive application, § 13:207, 13:208
 - Stipulated, § 13:164
 - Vessels subject to, § 13:430
 - Voluntary departure and alternate orders of removal, § 13:297, 13:301
- Overstays, § 13:14
- Overview, § 15:1
- Pardons
 - Generally, § 13:99
 - Aggravated felonies, § 13:100
 - Drug offenses, § 13:89
 - Federal convictions, § 13:101
 - Foreign, § 13:100
 - Full pardon, § 13:102
 - High speed flight, § 13:100
 - Moral turpitude crimes, § 13:100
 - Qualified pardons, § 13:102
 - Relief from convictions generally, § 13:98
 - State laws, § 13:101
 - Unconditional pardon, § 13:102
- Parole
 - Revocation
 - Generally, § 13:129
 - Burden of proof, § 13:193
 - Travel permissions, § 13:246
- Parole of Aliens Into United States, this index
- Particularly serious crimes. Persecution, torture, or danger, removal limitations and, below
- Passport
 - Confiscations, § 13:295
 - Fraud as moral turpitude crimes, § 13:32

REMOVAL—Cont'd

- Penalties
 - Aircraft, penalties against, § 13:488
 - Civil penalties, § 13:491
 - Disclosures by government, unlawful, § 13:492-13:495
 - Discontinuing granting visas to nationals of country denying or delaying accepting noncitizen, § 13:490
 - Failure to depart
 - Generally, § 13:485
 - Civil penalties, § 13:491
 - granting visas to nationals of country, discontinue, § 13:490
 - Release terms, failure to comply with, § 13:487
 - Vessels, penalties against, § 13:488
- Period of removal, generally, § 13:311
- Permanent Residents, this index
- Permitted to land, costs of removal after, § 13:432-13:434
- Persecution, torture, or danger, removal limitations and
 - Generally, § 13:411-13:413
 - Burden of proof, § 13:418
 - Due process claims, § 13:421
 - Genocide laws violators, § 13:416
 - Nazi war criminals, § 13:416
 - Particularly serious crimes, § 13:417
 - Torture claims, § 13:416, 13:419
 - Travel funding restrictions, § 13:416
 - UN Convention Against Torture, § 13:420
- Personal care requirements during removal, § 13:436
- Petty larceny, moral turpitude crimes, § 13:33
- Photograph requirements, terrorist removal proceedings, § 13:483
- Physical presence. Presence in US, below
- Political question doctrine, § 15:2
- Port of entry removal
 - Generally, § 13:422-13:427
 - Aircraft, responsibilities of, § 13:428
 - Costs of removal, above
 - Detention costs, § 13:426, 13:427
 - Hearings, § 13:422
 - Orders of removal, § 13:430

REMOVAL—Cont'd

- Port of entry removal—Cont'd
 - Release during stay of removal, § 13:425
 - Stay of removal, § 13:423, 13:424, 13:425
 - Stowaways, § 13:422
 - Vessels, responsibilities of, § 13:428
- Possession of controlled substance, § 13:88
- Postal law violations
 - Aggravated felonies, § 13:70
 - Moral turpitude crimes, § 13:32
- Postponement of hearings, § 13:186, 13:187
- Presence in US
 - Breaks in presence, § 13:240
 - Cancellation of removal, § 13:228, 13:240, 13:241
 - Continuous presence, termination of, § 13:234
 - IRIRA transition rules, § 13:507
 - Illegal presence, burden of proving, § 13:5
 - Lawful permanent residence (LPR), termination of continuous presence, § 13:234
 - Military service, § 13:241
 - NACARA beneficiaries, presence calculations, § 13:258
 - Termination of continuous presence, § 13:234
- President
 - Pardons and relief from conviction, § 13:101
 - Reports to Congress, § 13:3
 - Threats against, § 13:97
- Presumption favoring, § 10:181
- Pretrial release of criminal aliens, § 13:133
- Private legislation
 - Good moral character requirement, § 13:236
 - Relief from removal generally, § 13:223
- Probation, deportation as condition of, § 13:460
- Proceedings
 - See also Special removal of criminal aliens, below
 - Adjournment of hearings, § 13:186

INDEX

REMOVAL—Cont'd

Proceedings—Cont'd
Administrative closure of proceedings, § **13:187**
Burden of proof, above
Changes in time or place, § **13:149**
Charges, § **13:158**
Children, treatment of, § **13:176**
Civil nature of, § **13:76**
Clear and convincing evidence standard, § **13:192**
Closed hearings, circumstances requiring, § **13:167**
Competency of alien, § **13:177**
Conferences prior to hearing, § **13:168**
Consuls or diplomatic officers, right to communicate with
Generally, § **13:188**
Terrorist removal proceedings, § **13:480**
Continuances, § **13:169**
Continued detention during procedural delays, § **13:322**
Criminal aliens. Special removal of criminal aliens, below
Delays and continued detention, § **13:322**
Depositions, § **13:189**
Detention, above
Dismissal motion, § **13:162**
Documents, generally, § **13:154, 13:155**
Evidentiary hearings, § **13:166**
Exclusive procedures, § **13:159, 13:160**
Exclusivity rule, § **13:159**
Expedited removal of aggravated felons, above
Failures to appear, reports on, § **13:148**
Failure to appear, § **13:180-13:188**
Fees, waiver of, § **13:156**
Filing requirements, § **13:154**
Form of, § **13:166**
Immigration Judges, above
In absentia proceedings, above
Initiation of removal proceedings, above
Joseph hearings, § **13:138**
Judicial removal, above

REMOVAL—Cont'd

Proceedings—Cont'd
Mental competency of alien, § **13:177**
Minors, proceedings against, § **13:147**
Motion to dismiss, § **13:162, 13:163**
Motion to remand, § **13:163**
Notice to Appear (NTA), above
Open and public hearings, § **13:167**
Orders of removal, above
Place changes, § **13:149**
Postponement of hearings, § **13:186, 13:187**
Prehearing conferences, § **13:168**
Prompt initiation, § **13:152**
Pro se appearances, below
Recording equipment in hearings, § **13:170**
Remand motion, § **13:163**
Retroactive application, § **13:207, 13:208**
Right to counsel, below
Service and size of documents, § **13:155**
Special removal of criminal aliens, below
Stipulated removal, § **13:164**
Subpoenas, § **13:165**
Suppression of evidence, generally, § **16:27**
Telephone conferences, § **13:166**
Terrorist removal procedures, below
Time changes, § **13:149**
Translators and translation, below
Venue, § **13:145, 13:160**
Video conferences, § **13:166**
Voluntary departure, below
Waiver of fees, § **13:156**
Warrant of removal, § **13:453**
Process. Notice to Appear (NTA), above
Pro se aliens
Administrative judges' special duties, § **13:165**
Right to counsel claims, § **13:174**
Prostitution offenses as moral turpitude crimes, § **13:32**
Protective order violations, § **13:94**
Public charge removals
Generally, § **13:119**
Grounds for removal generally, § **13:10**
Proof, § **13:119**

REMOVAL—Cont'd

Public charge removals—Cont'd
 Special removal of criminal aliens,
 below
 Rape as moral turpitude crime, § **13:32**
 REAL ID Act of 2005, § **1:88**
 Receiving stolen property as moral
 turpitude crime, § **13:32**
 Records of proceedings
 Expedited removal of aggravated
 felons, § **13:454**
 Pro se appearances, § **13:165**
 Reentry
 Generally, § **13:11**
 After deportation, § **17:20**
 American Indians born in Canada,
 § **13:4**
 Moral turpitude crimes, § **13:33**
 Orders of removal, reinstatement of
 Generally, § **13:206-13:208**
 Retroactive application, § **13:207,**
13:208
 Reinstatement. Orders of removal,
 reinstatement on, above this
 group
 Terrorist removal proceedings, reentry
 warnings, § **13:483**
 Warning requirements, terrorist
 removal proceedings, § **13:483**
 Refugees and Asylum, this index
 Registration offenses
 Generally, § **13:108**
 Address change reporting require-
 ments, § **13:109**
 Entry subsequent, § **13:110**
 Excusable failures, § **13:108**
 Fraud, § **13:108**
 Grounds for removal generally,
 § **13:10**
 Special removal of criminal aliens,
 below
 Reinstatement. Reentry, above
 Reinstatement of voluntary departure,
 § **13:304**
 Relatives of Citizens or Permanent
 Residents, this index
 Release
 Bond, detainee released on
 arriving aliens, § **13:127**
 Detention, this index
 Juvenile detainees, § **13:126**

REMOVAL—Cont'd

Release—Cont'd
 Penalties for failure to comply with
 terms of release, § **13:487**
 Pretrial release of criminal aliens,
 § **13:133**
 Reports on numbers of released
 aliens, § **13:514-13:517**
 Revocation of conditional release,
 § **13:355-13:357**
 Stay of removal, release during,
 § **13:425**
 Relief from conviction
 Generally, § **13:98**
 Aggravated felonies, § **13:100**
 Audita querela, above
 Coram nobis, above
 Guilty pleas and withdrawals,
 § **13:103**
 Habeas corpus, above
 High speed flight, § **13:100**
 Moral turpitude crimes, § **13:100**
 New trial motions, § **13:104**
 Pardons, above
 Sentence modifications, § **13:105**
 Relief from removal
 Generally, § **13:224 et seq.**
 ABC settlement, § **13:250, 13:260,**
13:274
 Adjustment of status, above
 Administrative stay of removal,
 § **13:358**
 Battered spouses and children
 Generally, § **13:235**
 Confidentiality requirements,
 § **13:492-13:495**
 Burden of proof, § **13:196**
 Cancellation of removal, above
 Comparable grounds of inadmissibil-
 ity, § **13:226**
 Deferred actions, Nunc pro tunc
 permission to reapply for admis-
 sion, above
 Discretion to grant, § **13:237**
 Expedited removal of aggravated
 felons, § **13:449**
 Good moral character requirements,
 § **13:236**
 INA § 212(c), relief under, § **13:225**
 Judicial removal orders, § **13:456**
 LIFE Act beneficiaries, above

INDEX

REMOVAL—Cont'd

- Relief from removal—Cont'd
 - NACARA beneficiaries, above
 - Nunc pro tunc permission to reapply for admission, above
 - Persecution, torture, or danger, removal limitations and, above
 - Private legislation, above
 - Reentry violators, § 13:206
 - Refugees and asylum, above
 - Self-removal, § 13:359
 - Stay of removal, § 13:358
 - Suspension of deportation, below
- Remand motion, § 13:163
- Remedies of removed aliens, § 13:318, 13:439
- Removal, this index
- Removal Court. Terrorist removal procedures, below
- Reopening
 - INA § 242, review under, § 15:13
 - Naturalization, § 14:382
- Reopening or reconsidering, § 13:200-13:202
- Reopen motions. Motion practice, above
- Reports on numbers of released aliens, § 13:514-13:517
- Rescission, motion to rescind and reissue decision, § 13:210
- Restrictions and limitations
 - Generally, § 15:4
 - Asylum matters, § 10:181, 10:250
- Retroactive application, § 13:207, 13:208
- Retroactive legislation
 - Generally, § 13:8
 - Moral turpitude crimes, § 13:28
 - Nazi association and genocide grounds for removals, § 13:117
- Revocation of conditional release, § 13:355-13:357
- Right to counsel
 - Generally, § 13:171
 - Children, § 13:176
 - Classified information, access to, § 13:463
 - Consuls or diplomatic officers, right to communicate with
 - Generally, § 13:188
 - Terrorist removal proceedings, § 13:480

REMOVAL—Cont'd

- Right to counsel—Cont'd
 - Effectiveness, § 13:173
 - Expedited removal of aggravated felons, § 13:447
 - In absentia proceedings, § 13:174
 - NACARA beneficiaries, § 13:265
 - Pro se aliens, § 13:174
 - Special attorneys to review classified evidence, § 13:470
 - Terrorist removal proceedings, § 13:463, 13:465, 13:480
 - Time allowed to secure, § 13:151
- Ripeness, § 15:2
- Robbery as moral turpitude crime, § 13:32
- Sabotage
 - Generally, § 13:97, 13:112
 - Continued detention on grounds of national security, § 13:115, 13:379
 - Grounds for removal generally, § 13:10
 - Special removal of criminal aliens, below
 - Terrorism, § 13:115
 - Terrorist removal procedures, below
- Scheduling of case, § 13:146
- Scope of review. Employment-Based Immigration, this index
- Secretary of State
 - Detentions continued on foreign policy grounds, § 13:378
- Removal designations
 - Generally, § 13:113
 - Foreign policy consequences of activities, § 13:113
 - Grounds for removal generally, § 13:10
 - Nonimmigrant status, failure to maintain, § 13:18
 - Special removal of criminal aliens, below
 - Wartime removals, § 13:114
- Seeking to enter, § 13:3
- Selection of destination by alien, § 13:410-13:415
- Selective Service Act violations, § 13:97
- Self-defense, § 13:95
- Self-removal, § 13:359
- Selling drugs, § 13:80

REMOVAL—Cont'd

- Sentences
 - Modifications and relief from convictions, § **13:105**
 - Penalties for failure to depart, § **13:485, 13:491**
 - Probation, deportation as condition of, § **13:460**
 - Removal orders. Judicial removal, above
 - Suspension, § **13:486**
 - Terrorist removal proceedings, deferral until completion of sentence, § **13:484**
 - Vacating and revision, § **13:23**
- Sept. 11 2001 and Oct. 11, 2001, time extensions, voluntary departure, § **13:303**
- Serious crimes. Persecution, torture, or danger, removal limitations and, above
- Service of documents, § **13:155**
- Service of process. Notice to Appear (NTA), above
- Service requirements, motions, § **13:204**
- Seven-year residence requirement, cancellation of removal, § **13:224, 13:230**
- Sex offenses
 - Aggravated felonies, § **13:43, 13:44**
 - Moral turpitude crimes, § **13:32**
- Significant likelihood of removal
 - Generally, § **13:360-13:371**
 - Negative determinations, § **13:345**
- Smuggling
 - Aliens
 - Generally, § **13:19**
 - Aggravated felonies, § **13:39**
 - Aiding unlawful entry, § **13:19**
 - Moral turpitude crimes, § **13:33**
 - Drug offenses, § **13:83**
 - Liquor, moral turpitude crimes, § **13:32**
- Sodomy, consensual, as moral turpitude crimes, § **13:32**
- Solicitation, drug offenses, § **13:86**
- Soviet Union nationals, transition rules, IIRIRA, § **13:507**
- Special removal of criminal aliens
 - Generally, § **13:440-13:442**
 - Evaluation of proceedings, § **13:445**

REMOVAL—Cont'd

- Special removal of criminal aliens
 - Cont'd
 - Expedited removal of aggravated felons, above
 - IIRIRA provisions, § **13:1**
 - Judicial removal, above
 - Predicate offenses subjecting alien to, § **13:444**
 - Probation, deportation as condition of, § **13:460**
 - Reporting requirements, § **13:445**
 - Right to counsel, § **13:447**
 - Terrorist removal procedures, below
 - Warrant of removal, § **13:453**
- Special removal of criminal noncitizens
 - Expeditious removal, § **13:443**
- Spouses
 - Battered spouses and children, cancellation of removal grants
 - Generally, § **13:235**
 - Confidentiality requirements, § **13:492-13:495**
 - LIFE Act beneficiaries, above
 - NACARA beneficiaries, § **13:252**
- Stalking, § **13:93**
- Standing, § **15:2**
- Status. Aliens subject to, above
- Status violations
 - Generally, § **13:1-13:18**
 - Conditions of status, failure to observe, § **13:17**
 - Employment permission, failure to obtain, § **13:17**
 - Failure to observe conditions of status, § **13:17**
 - Grounds for removal generally, § **13:10**
 - Illegal entry, above
 - Inadmissibility and inadmissible persons, above
 - Nonimmigrant status, failure to maintain, § **13:18**
 - Special removal of criminal aliens, above
 - Students, § **13:17**
- Statutory rape, § **13:54**
- Stay of removal
 - Generally, § **13:205, 13:358**
 - Board of Immigration Appeals (BIA), § **13:221**

INDEX

REMOVAL—Cont'd

- Stay of removal—Cont'd
 - Detention costs, § 13:424, 13:426, 13:427
 - Judicial review, § 15:21
 - Port of entry removals, § 13:423
 - Release during stay of removal, § 13:425
- Stipulated removal
 - Generally, § 13:164
 - Judicial orders, § 13:459
 - Probation, deportation as condition of, § 13:460
- Stipulated voluntary departure, § 13:294
- Stowaways
 - Generally, § 13:33
 - Costs of removal, § 13:429
 - Detention responsibilities, vessel or aircraft, § 13:429
 - IIRIRA provisions, § 13:1
 - Moral turpitude crimes, § 13:33
 - Port of entry removal
 - Generally, § 13:422
 - Vessel responsibilities, § 13:429
 - Removal responsibilities, § 13:429
- Students
 - Loan fraud as moral turpitude crime, § 13:32
 - Status violations, § 13:17
- Subpoenas, § 13:165, 13:191
- Subversion
 - Generally, § 13:112
 - Grounds for removal generally, § 13:10
 - Special removal of criminal aliens, above
- Supervision after 90-day period, § 13:313
- Supreme Court review, terrorist removal procedures, § 13:477
- Suspension of deportation
 - Generally, § 13:224
 - Cancellation of removal, above
 - Grant of, § 13:270
 - IIRIRA transition rules, § 13:506, 13:509
 - NACARA beneficiaries, § 13:261
 - Telephone conference proceedings, § 13:166
 - Temporary visitors, overstays, § 13:14

REMOVAL—Cont'd

- Termination of continuous presence, § 13:234
- Terrorism
 - Generally, § 13:115
 - Arrest, detention, custody and release on bond, § 13:121
 - Assassination, § 13:115
 - Continued detention, § 13:379
 - Detention, above
 - Grounds for removal generally, § 13:10
 - Hijacking, § 13:115
 - IIRIRA provisions, § 13:1
 - Kidnapping, § 13:115
 - Mandatory detentions
 - Generally, § 13:440-13:442
 - Certifications, § 13:443
 - Detention continuations, § 13:379
 - Detention of terrorist noncitizens, § 13:440
 - Habeas corpus, § 13:442
 - Judicial review, § 13:442
 - Reporting requirements, § 13:441
 - Procedures. Terrorist removal procedures, below
 - Sabotage, § 13:115
 - Special removal of criminal aliens, above
 - Voluntary departure eligibility, § 13:281
 - Weapons of mass destruction, § 13:115
- Terrorist removal procedures
 - Generally, § 13:461-13:484
 - AEDPA requirements, § 13:461
 - Ancillary relief, § 13:472
 - Burden of proof, § 13:471
 - Classified information, access to
 - Generally, § 13:468
 - Special attorneys, use of, § 13:463, 13:470
 - Consuls or diplomatic officers, right to contacts with, § 13:480
 - Country to which alien will be removed, § 13:482
 - Criminal trials, deferral pending, § 13:484
 - Custody, § 13:478
 - Decisions, § 13:473

REMOVAL—Cont'd

Terrorist removal procedures—Cont'd
 Deferral pending criminal trials,
 § 13:484
 Definitions, § 13:461
 Detention, § 13:481-13:486
 Escape penalties, § 13:481
 Family member visits, § 13:480
 Federal Rules of Evidence, § 13:466
 Findings, § 13:469, 13:473
 Fingerprinting requirements, § 13:483
 FISA evidence restrictions, § 13:462
 Hearings, § 13:465
 IIRIRA requirements, § 13:461
 Interlocutory review of evidentiary
 findings, § 13:475
 Judicial review, § 13:474-13:477
 Jurisdiction, § 13:462
 Photograph requirements, § 13:483
 Reentry warnings, § 13:483
 Release from detention, § 13:478
 Right to counsel, § 13:463, 13:465,
 13:480
 Secret findings, § 13:469, 13:473
 Sentence, criminal, deferral pending,
 § 13:484
 Special attorneys to review evidence,
 § 13:470
 Subpoenas for witnesses, § 13:467
 Supreme Court, review, § 13:477
 Suspension of deportation applica-
 tions, § 13:472
 Voluntary departure, § 13:472
 Theft as aggravated felony, § 13:70
 Time for administrative review of bond
 determinations, § 13:128
 Torture. Persecution, torture, or danger,
 removal limitations and, above
 Translators and translation
 Generally, § 13:178
 Competency, § 13:178
 NACARA applications, § 13:265
 Transporting as aggravated felony,
 § 13:73
 Travel Act drug offenses, § 13:76
 Travel authorizations
 Continued detention, § 13:330-13:335
 Countries to which aliens may be
 removed, above
 Document violations, § 13:97
 Voluntary departure, § 13:299

REMOVAL—Cont'd

Travel expenses. Costs of removal,
 above
 Treaty traders and investors, § 4:201,
 4:202
 Trespass as violent crime, § 13:56
 Unusual hardship cases, § 13:233
 USA Patriot Act
 Information sharing requirements,
 § 13:9
 Use of controlled substance, § 13:88
 Vacatur of conviction, § 13:24
 Vehicle burglary as aggravated felony,
 § 13:71
 Venue, § 13:145
 Vessels
 Bonds, § 13:489
 Clearances, § 13:489
 Orders of removal, § 13:430
 Penalties against, § 13:488
 Port of entry removal, above
 Removal responsibilities, § 13:428
 Video conference proceedings, § 13:166
 Violent crimes
 Generally, § 13:46-13:50
 Aggravated felonies, treatment as,
 § 13:46-13:50
 Arson, § 13:55
 Burglary, § 13:57
 Contempt, criminal, § 13:65
 Definition, § 13:46
 Discretionary relief from removal,
 § 13:46
 Drunk driving offenses, § 13:58-
 13:60
 Involuntary manslaughter, § 13:62
 Manslaughter, § 13:61
 Minors, crimes against, § 13:53,
 13:54
 Risk of force, § 13:46
 Sentence requirements, § 13:46
 Statutory rape, § 13:54
 Trespass, § 13:56
 Vehicle related offenses, § 13:52
 Visa penalties for failure to accept
 deportees, § 13:490
 Visas
 Enhanced Border Security and Visa
 Entry Reform Act, § 13:9
 Visa Waiver Program, § 15:12

INDEX

REMOVAL—Cont'd

- Voluntary departure
 - Generally, § 13:281-13:285
 - Administrative appeals, § 13:305
 - Administrative review of denials, § 13:291
- Aggravated felons, § 13:281
- Alternate orders of removal, § 13:301
- Applications, § 13:289
- Authority to permit, § 13:286
- Bond, § 13:285, 13:287, 13:295, 13:300
- Conditions, grant subject to, § 13:295, 13:300
- Costs of removal, § 13:435
- Decisions, § 13:290
- DHS grants of, § 13:286-13:292
- Eligibility, § 13:281
- Eligibility, generally, § 13:281-13:285
- Enforcement, § 13:307-13:309
- Failure to depart, § 13:307-13:309
- Good moral character, § 13:281, 13:282, 13:298
- Grants and orders of removal, alternative, § 13:297
- Grants of, § 13:290
- Harassment, § 13:66
- IIRIRA requirements, § 13:307-13:309
- Immigration judges' grants of
 - After removal proceedings, § 13:298-13:301
 - Prior to removal proceedings, § 13:293-13:297
- Ineligible aliens, § 13:283
- Judicial review, § 13:307-13:310
- Length of, § 13:296
- Order granting, § 13:298
- Passport confiscations, § 13:295
- Penalties, § 13:307-13:309
- Pilot program waivers, § 13:284
- Post removal proceedings
 - Generally, § 13:298-13:301
 - Alternate orders of removal, § 13:301
 - Bond, § 13:300
 - Eligibility, § 13:298
 - Order granting, § 13:298
 - Time extensions, § 13:302, 13:303
 - Travel documentation, § 13:299

REMOVAL—Cont'd

- Voluntary departure—Cont'd
 - Reinstatement, § 13:304
 - Revocation of grants, § 13:292
 - Self-removal, § 13:359
 - Sept. 11 2001 and Oct. 11, 2001, time extensions, § 13:303
 - Stipulated, § 13:294
 - Terrorists, § 13:281, 13:472
 - Time extensions, § 13:302, 13:303
 - Time for, § 13:288
 - Travel documentation, § 13:299
 - Waivers, pilot program, § 13:284
- Voting law violations
 - Generally, § 13:120
 - Excluded offenses, § 13:120
 - Grounds for removal generally, § 13:10
 - Special removal of criminal aliens, above
- Waiver, § 15:3
- Waiver of fees, § 13:156
- Waiver of removal, § 13:75
- Warrants, § 13:121, 13:453
- Wartime removals, § 13:114, 13:415
- Weapons. Firearms offenses, above
- Weapons of mass destruction, § 13:115
- Withholding of removal
 - Refugees and Asylum, this index
 - Welfare and public benefits, eligibility for, § 16:59, 16:60
- Words and phrases
 - Admission, § 13:3
 - Aggravated felonies, § 13:39
 - Alien, § 13:3
 - Alien terrorist, § 13:463
 - Conviction, § 13:21-13:25
 - Entry, § 13:3
 - Illegal alien, § 13:3
 - Moral turpitude crime, § 13:31
 - Removal, § 13:1
 - Violent crime, § 13:46
- Written or oral decisions, § 13:198

RENEWAL

- Diplomatic visas, renewal of A visas, § 6:19
- H Nonimmigrants, this index
- International organization representatives, G nonimmigrant visas, § 6:62

RENEWAL—Cont'd

Permanent residents, adjustment of status under INA § 245, § **9:242**

REOPENING

Amnesty, this index

Judicial review

INA § 242, review under, § **15:13**

Naturalization, § **14:382**

Naturalization, this index

Permanent Residents, this index

Treaty traders and investors, denial of change of status or extension of stay, § **4:202**

REORGANIZATION OF CORPORATION

H-1B nonimmigrants, § **4:322**

REPAIRS AND MAINTENANCE

Temporary visitors for business, installing, servicing or repairing heavy machinery purchased abroad, § **4:126**

REPATRIATION

Cuba, repatriation agreement with, § **10:6**

Report on interior repatriation program, § **13:520**

War refugees, § **10:170**

Women losing citizenship by marrying alien

Generally, § **14:84-14:93**

Application, § **14:90**

Eligibility under INA, § **14:85, 14:86**

Oath

Before whom taken, § **14:89**

Certified copy, § **14:93**

Taking abroad, § **14:92**

Taking in U.S., § **14:91**

Prospective nature of repatriation, § **14:88**

Regaining citizenship without naturalization, § **14:87**

Termination of marriage, what constitutes, § **14:86**

REPLACEMENT OF VISAS

Nonimmigrant visas, mutilated or lost, § **4:30**

Permanent residents, visas, § **9:153**

REPLACEMENT WORKERS

H-2A nonimmigrants, petitions, § **4:433**

REPORTS AND REPORTING

H nonimmigrants, positive recruitment efforts for H-2A nonimmigrants, § **4:443**

Interior repatriation program, § **13:520**

Nonimmigrant visas, revocation, § **4:56**

Permanent Residents, this index

Pilot program on use of closed military bases for detention, § **13:519**

REPRESENTATIVES AND REPRESENTATION

Board of Immigration Appeals (BIA), this index

Department of State, this index

Foreign Information Media Representatives, this index

Immigration court, § **1:225**

Permanent Residents, this index

REPRODUCTIVE RIGHTS

Refugees and Asylum, this index

REPUBLIC OF THE UNION OF MYANMAR (BURMA)

Importation ban on gemstones, § **1:107**

REPUTABLE INDIVIDUALS

Board of Immigration Appeals (BIA), representation before, § **1:234**

REQUESTS

Employment-Based Immigration, this index

H Nonimmigrants, this index

Nonimmigrant Visas, this index

O Nonimmigrants, this index

Permanent Residents, this index

P Nonimmigrants, this index

Treaty Traders and Investors, this index

RESCISSION

Board of Immigration Appeals (BIA), motion to rescind and reissue decision, § **13:210**

Permanent resident status, § **9:280-9:303, 9:380**

RESEARCH

Employment-Based Immigration, this index

H Nonimmigrants, this index

INDEX

RESEARCH—Cont'd

- Student and Exchange Visitors, this index
- Temporary visitors for business, United Nations Institute for Training and Research (UNITAR) interns, § 4:124

RESETTLEMENT

- Firm resettlement and refugee status, § 10:11
- Refugees and Asylum, this index

RESIDENCE

- Citizenship, this index
- H Nonimmigrants, this index
- Naturalization, this index
- Permanent Residents, this index
- Student and Exchange Visitors, this index
- Temporary visitors for business, residence in foreign county that alien has no intention of abandoning, § 4:109-4:161
- Temporary Visitors for Business, this index
- TN nonimmigrants, temporary residence and in-state tuition, § 4:713

RES JUDICATA

- Crimes and related conduct, § 17:162
- Denaturalization, § 14:418

RESOURCES

- H nonimmigrants, credentialing organizations for nurses, § 4:355

RESUBMISSION

- H nonimmigrants, labor condition application for H-1B nonimmigrants, § 4:257

RETENTION

- Employment-based immigration, priority date for preference petitions, § 8:153
- Nonimmigrant Visas, this index
- Permanent Residents, this index

RETROACTIVITY OF PRIORITY DATE

- Permanent residents, applications for immigrant visas, § 9:74

RETURN

- Employment-based immigration, approved preference petition returned due to changed circumstances, § 8:196
- H nonimmigrants, liability for return transportation costs, § 4:241, 4:476
- Migrant protection protocols, southwest border, § 2:163
- Nonimmigrant Visas, this index
- O nonimmigrants, liability for cost of return transportation, § 4:605
- Permanent Residents, this index
- P nonimmigrants, return transportation, § 4:693
- TN nonimmigrants, intent to return to home country presumed, § 4:710

REVIEW

- Administrative appeal. Appeal, this index
- Judicial review, this index

REVOCAATION

- Employment-Based Immigration, this index
- H Nonimmigrants, this index
- Intracompany transferees, petition for visa, § 4:577, 4:578
- Nonimmigrant visas, § 4:47 et seq.
- O nonimmigrants, petition or approval of petition, § 4:636
- Permanent Residents, this index
- P nonimmigrants, petition or approval of petition, § 4:682, 4:683

RFID-ENABLED DOCUMENT HOLDERS

- Ready Lane Program, § 2:56

RIGHT TO BEAR ARMS

- Firearms and Ammunition, this index

RIGHT TO COUNSEL

- Alien's constitutional right, § 16:18
- Asylum applicants, § 10:192
- Inspection and admission of arriving aliens, § 2:25
- Refugees and Asylum, this index
- Removal, this index

RIOT

- Inadmissibility, this index, § 3:21

R NONIMMIGRANTS

Religious Workers, this index

ROBBERY

Inadmissibility, this index, § 3:16

Removal, § 13:32

ROMANIA

Refugees and Asylum, this index

RULES

Amnesty, Legal Immigration Family Equity (LIFE) Act, § 9:372, 9:384

Intracompany transferees, transferee is owner or major stockholder, § 4:535

Permanent Residents, this index

Temporary visitors for business, general rule of indefinite durational validity of visa, § 4:157, 4:158

RUSSIA

Soviet Union, Former, this index

RWANDA

Migration and Refugee Assistance Act (MRAA), § 10:36

SABOTAGE

Inadmissibility, this index

Naturalization, this index

Removal, this index

SALES

Property Rights of Aliens, this index

Temporary visitors for business, installing, servicing or repairing heavy machinery purchased abroad, § 4:126

SAME ENTITY

Intracompany transferees, proposed employment in U.S. eligibility, § 4:536-4:538

SAME SEX PARTNERS

J-1 nonimmigrant visas, partners of Department of State employees, § 6:295

Relatives of citizens or permanent residents, marriage and implications of U.S. v. Windsor, § 7:11

SATISFACTION OF WAGE OBLIGATION

H nonimmigrants, labor condition application for H-1B nonimmigrants, § 4:274

SAVINGS CLAUSE

Effect of INA, § 14:8

SB-1 VISA

Inspection and admission of arriving aliens, § 2:20

SCHEDULE A OCCUPATIONS

Employment-Based Immigration, this index

SCHEDULE B OCCUPATIONS

Employment-Based Immigration, this index

SCHEDULING INTERVIEWS

Permanent residents, applicants for adjustment of status under INA § 245, § 9:228

SCHOOL LUNCH AND BREAKFAST PROGRAMS

Eligibility of aliens for, § 16:74

SCHOOLS AND EDUCATION

Eligibility of aliens for education benefits

Generally, § 16:84

School lunch and breakfast programs, § 16:74

Employment-Based Immigration, this index

Higher education employees, labor condition application for H-1B nonimmigrants, § 4:268

H Nonimmigrants, this index

Naturalization, this index

O Nonimmigrants, this index

Orphan petitions and advanced processing applications, parental education, regulatory requirements for adoptions from non-Hague Convention countries, § 7:338

Parental education, regulatory requirements for adoptions from non-Hague Convention countries, § 7:338

Permanent Residents, this index

Student and Exchange Visitors, this index

TN Nonimmigrants, this index

SCIENCES

Employment-Based Immigration, this index

INDEX

SCIENCES—Cont'd

O Nonimmigrants, this index

SCIENTIFIC TECHNICIANS AND TECHNOLOGISTS

TN nonimmigrants, qualifications for particular professions or occupations, § 4:724

SCOPE OF REVIEW

Board of Immigration Appeals (BIA), § 1:229

Employment-Based Immigration, this index

H nonimmigrants, attestations for H-1C nonimmigrants, § 4:388

SEAFOOD INDUSTRY WORKERS

H-2B nonimmigrants working until end of fiscal year 2014, special admission rules, § 4:498

SEAMEN

Naturalization, eligibility for, § 14:291-14:294

SEARCH AND SEIZURE

Detention and Warrantless Interrogation, Arrest, Search and Custody of Arriving Aliens, this index

Fourth Amendment, this index

SEASONAL WORK

H Nonimmigrants, this index

SEC. 287(G) AGREEMENTS

Crimes and related conduct, § 17:232

SECONDARY REFERRALS

Expedited removal, § 2:30

Inspection and admission of arriving aliens, § 2:30

SECONDARY SCHOOL EXCHANGE VISITOR PROGRAM

Student and Exchange Visitors, this index

SECOND PREFERENCE

Employment-Based Immigration, this index

Permanent Residents, this index

SECRETARY OF HEALTH AND HUMAN SERVICES

H nonimmigrants, nurses, § 4:350, 4:372

SECRETARY OF HOMELAND SECURITY

Generally, § 1:196

Databases, § 1:201

Employment-Based Immigration, this index

H Nonimmigrants, this index

Nonimmigrant visas, special registration, § 4:95-4:97

O nonimmigrants, § 4:605

Parole of noncitizens into United States, § 2:172

Permanent Residents, this index

Powers and duties, generally, § 1:196

POW/MIA assistance, grants of refugee status to, § 10:11

Refugees and asylum

Discretion to admit certain refugees, § 10:6

Humanitarian concern admissions, § 10:9

TN nonimmigrants, international electronic data system, § 4:729, 4:731

Tracking system, establishment, § 1:200

Visa issuance

Generally, § 1:197

Assignment of Homeland Security employees to diplomatic and consular posts, § 1:197

Foreign nationals, role of, § 1:199

SECRETARY OF LABOR

H Nonimmigrants, this index

Intracompany transferees, labor disputes, § 4:512

O nonimmigrants, labor disputes, § 4:604

P nonimmigrants, certification of labor dispute, § 4:648

SECRETARY OF STATE

Department of State, this index

Employment-Based Immigration, this index

H-1B1 nonimmigrants, § 4:335, 4:337, 4:343, 4:347

Noncitizen national status, application for certificate of, § 14:61

Nonimmigrant Visas, this index

Permanent Residents, this index

SECRETARY OF STATE—Cont'd

- Powers and duties
 - Generally, § **1:248**
 - Visa issuance, § **1:249**
- Removal designations. Removal, this index
- S nonimmigrant visas, submission of request to Secretary of State, § **6:313**
- TN nonimmigrants, international electronic data system, § **4:729, 4:731**
- Treaty traders and investors, eligibility for E classification, § **4:164**

SECURITY

- National Security and Defense, this index

SEDITION

- Expatriation, this index

SELECTIVE SERVICE

- Inadmissibility, denial of admission or visa, § **3:108**
- Naturalization, this index
- Permanent residents, adjustment of status to nonimmigrant, § **9:280**
- Removal for draft law violations, § **13:97**
- Violations, removal, § **13:97**

SELF-EMPLOYED PERSONS

- Employment-based immigration, consular proceedings for obtaining permanent resident status, § **8:208**
- Intracompany transferees, § **4:509**
- Permanent residents, eligibility for adjustment of status under INA § 245, § **9:173**
- Treaty traders and investors, § **4:163-4:208**

SELF-INCRIMINATION

- Alien's privilege against, § **16:37**

SENSITIVE INFORMATION

- Prohibited transfer of sensitive information, inadmissibility, § **3:44**

SEPTEMBER 11, 2001

- Diversity immigrants, quota immigrants, § **9:12**
- Immediate relatives of U.S. citizens, nonquota immigrants, § **9:20**

SEPTEMBER 11, 2001—Cont'd

- Implementing Recommendations of the 9/11 Commission Act of 2007, § **1:100**
- Inadmissibility, aftermath of 9-11 attacks, § **3:54**
- Nonimmigrant visas, automatic extension of stay for aliens disabled as result of 9/11/01 terrorist activity, § **4:75-4:77**
- Permanent Residents, this index
- Removal, voluntary departure time extensions, periods expired between 9/11/2001 and 10/11/2001, § **13:303**

SEQUENCE OR ORDER

- Employment-based immigration, order of issuance of visas based on priority date, § **8:193**
- Permanent residents, order of issuance of visas, § **9:130**

SERBIA

- Refugees and Asylum, this index

SERIOUS MEDICAL CONDITIONS

- Parole of noncitizens subject to expedited removal and arriving aliens placed in removal proceedings, § **2:174**

SEROLOGIC TESTS

- Blood Tests, this index

SERVANTS

- Diplomatic Visas, this index
- Domestic or Personal Employees or Servants, this index

SERVICE CENTERS

- Citizenship and Immigration Services (USCIS), § **1:213**
- Employment-based immigration, filing preference petitions, § **8:144**

SERVICE OF PAPERS

- Amnesty, this index
- H Nonimmigrants, this index
- Permanent Residents, this index

SERVICE OF PROCESS

- Declaratory judgment of U.S. nationality, action for, § **14:77**

INDEX

SERVICES

- Employment-Based Immigration, this index
- H Nonimmigrants, this index
- Intracompany transferees, § 4:509-4:599
- Nonimmigrant Visas, this index
- O nonimmigrants, services in more than one location, § 4:610
- Permanent Residents, this index
- P nonimmigrants, services in more than one location or for more than one employer, § 4:653
- Temporary Visitors for Business, this index

SETTLEMENTS

- Employer sanctions and unfair immigration related employment practices, § 12:124

SEVP/SEVIS/CIPRIS PROGRAM

- Student and Exchange Visitors, this index

SEX

- Equal protection and classifications based on gender, § 16:43
- Naturalization
 - Gender and eligibility for, § 14:106
 - Impact on good moral character requirement for, § 14:158-14:160
- Removal, this index

SHADOW WOLVES ENHANCEMENT ACT

- Legislation to control immigration, § 1:152

SHAM DIVORCES

- Family members as immigrants, § 7:25

SHAM MARRIAGE

- Permanent residents, rescission of status, § 9:281
- Relatives of Citizens or Permanent Residents, this index

SHEARING, ITINERANT ANIMAL SHEARING

- H-2A nonimmigrants, requests for, § 4:436

SHEEPHERDERS

- Employment-based immigration, labor certification, § 8:115, 8:181
- H-2A nonimmigrants, requests for, § 4:436
- H-2B nonimmigrants, § 4:471

SHORT TERM PLACEMENT OUTSIDE AREA OF INTENDED EMPLOYMENT

- H-1B nonimmigrants, amendment of labor condition application, § 4:253

SHOW CAUSE ORDERS

- Amnesty, this index
- Permanent residents, application for record of lawful admission, § 9:267

SIBLINGS

- Relatives of Citizens or Permanent Residents, this index

SIERRA LEONE

- Refugees and Asylum, this index

SIGNATURES

- Employment-based immigration, preference petitions, § 8:152
- Employment-Based Immigration, this index
- Naturalization, this index
- Nonimmigrant Visas, this index
- Permanent Residents, this index

“SIGNIFICANT PUBLIC BENEFIT”

- Parole of noncitizens subject to expedited removal and arriving aliens placed in removal proceedings, § 2:175

SIKHS

- Refugees and asylum, religious persecution claims, § 10:132

SINGAPORE

- United States-Singapore Free Trade Agreement, H-1B1 nonimmigrants, § 4:334-4:347

SIZE OF COMPANY

- Intracompany transferees, proposed employment in U.S. eligibility, § 4:541

SKILLED LABOR

- Employment-Based Immigration, this index
- Temporary visitors for business, ineligibility for B-1 classification, § 4:116

SKILLS

- Exchange visitors, foreign residence requirements, § 5:128
- Treaty traders, availability of status to employees of trader, § 4:180

SMALL VESSEL REPORTING SYSTEM (SVRS) PROGRAM

- Inspection and admission of arriving aliens, § 2:63

SMITH ACT

- Generally, § 1:4

SMUGGLING AND SMUGGLERS

- Illegal Entry Crimes, this index
- Inadmissibility, this index
- Removal, this index
- Waivers of Inadmissibility, this index

S NONIMMIGRANTS

- Change of nonimmigrant classification to S classification at request of law enforcement agency, § 4:83
- Permanent residents, adjustment of status under INA § 245, § 9:243-9:250
- Visas. S Nonimmigrant Visas, this index

S NONIMMIGRANT VISAS

- Generally, § 6:296
- Assistant Attorney General, Criminal Division, review by. Request for classification, below
- Basic criteria, § 6:297
- Change of classification, § 6:317
- Conditions
 - Admission and continued stay, conditions for, § 6:299
 - Status, conditions of, § 6:314
- Decision on application, § 6:311
- Eligibility, § 6:297
- Employment, § 6:315
- Failure to maintain status, effect of, § 6:316
- Filing request. Request for classification, below

S NONIMMIGRANT VISAS—Cont'd

- Judicial review, refusal disfavored, § 6:312
- Length of stay, § 6:298
- 1999 extension, § 1:44
- Permanent extension, 2001 legislation, § 1:60
- Refusal disfavored, judicial review, § 6:312
- Report on program, § 6:300
- Request for classification
 - Generally, § 6:302
 - Assistant Attorney General, Criminal Division, review by
 - Generally, § 6:307
 - Advisory panel, § 6:308
 - Certification, § 6:309
 - Filing request
 - Generally, § 6:303
 - District Director referral, § 6:304
 - Law enforcement agency (LEA) certification, § 6:306
 - United States Attorney certification, § 6:305
- S-7, derivative status for family members, § 6:301
- Secretary of State, submission of request for visa classification to, § 6:313
- Submission of request for visa classification to Secretary of State, § 6:313
- Submission of request to USCIS, § 6:310
- USCIS, submission of request to, § 6:310

SOCIAL MEDIA

- Identifiers and “public” setting requirements, § 4:18

SOCIAL SECURITY

- Eligibility of aliens for Social Security number, § 16:71
- Fraudulent procurement or misuse of documents relating to naturalization, citizenship or registry of aliens, § 17:168
- SSI Extension for Elderly and Disabled Refugees Act of 2008, § 1:109
- Title II benefits for aliens who are not “qualified,” § 16:65

INDEX

SOCIAL SECURITY—Cont'd

Unemployed aliens' right to benefits,
§ **16:104**

SODOMY

Inadmissibility, denial of admission or
visa, § **3:20**
Removal, § **13:32**

SOLICITATION

O-1 nonimmigrants, labor organization's
opinion, § **4:622**
Removal, drug offenses, § **13:86**

SOLIDARITY

Refugees and asylum, persecution on
account of political opinion,
§ **10:123**

SOMALIA

Refugees and Asylum, this index

SONS

Derivative definition, § **7:28**

SOURCES OF CITIZENSHIP

Generally, § **14:7**

SOURCES OF LAW

Generally, § **1:162-1:183**
Adjudications Field Manual, § **1:177**
Administrative Appeals Office (AAO)
decisions, § **1:168**
Administrative decisions, § **1:164**
Generally, § **1:23**
Administrative Appeals Office (AAO)
decisions, § **1:168**
Board of Alien Labor Certification
Appeals (BALCA) decisions,
§ **1:170**
Board of Appellate Review decisions,
§ **1:171**
Board of Immigration Appeals (BIA)
decisions, § **1:166**
Immigration judge decisions, § **1:167**
Office of the Chief Administrative
Hearing Officer (OCAHO) deci-
sions, § **1:169**
Agency policy and procedure
memoranda, § **1:174**
Asylum Officer Basic Training Course
Workbook, § **1:179**
Basic Law Manual, § **1:179**
BIA Appeals Practice Manual, § **1:182**

SOURCES OF LAW—Cont'd

Board of Alien Labor Certification
Appeals (BALCA) decisions,
§ **1:170**
Board of Appellate Review decisions,
§ **1:171**
Board of Immigration Appeals (BIA)
decisions, § **1:166**
Case law, federal court, § **1:164**
Code of Federal Regulations (C.F.R.),
§ **1:164**
Customary international law.
International instruments, below
Deportation and Detention Field Man-
ual, § **1:177**
Executive Office for Immigration
Review (EOIR) directives, § **1:180**
Executive Orders, § **1:186**
Federal court case law, § **1:164**
Field manuals, § **1:177**
Foreign Affairs Manual (FAM), § **1:185**
General Counsel of INS, memoranda
and policy guidelines, § **1:173**
Handbooks and manuals, § **1:178**
Immigration and Nationality Act,
§ **1:162**
Immigration and Nationality Act and
amendments, § **1:162**
Immigration Court Practice Manual,
§ **1:183**
Immigration Judge Benchbook, § **1:184**
Immigration judge decisions, § **1:167**
INS Basic Law Manual, U.S. Law and
INS Refugee/Asylum Procedures,
§ **1:179**
Inspector's Field Manual, § **1:177**
International instruments
Generally, § **1:187**
Customary international law, § **1:190**
Office of United Nations High
Commissioner for Refugees
(UNHCR), below this group
1951 United Nations Convention
Relating to the Status of
Refugees (Refugee Convention),
§ **1:188**
1967 United Nations Protocol Relat-
ing to the Status of Refugees
(Protocol), § **1:188**
Office of United Nations High Com-

SOURCES OF LAW—Cont'd

- International instruments—Cont'd
 - missioner for Refugees (UNHCR)
 - Executive committee conclusions, § **1:192**
 - Handbook on Procedures and Criteria for Determining Refugee Status, § **1:191**
 - United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) (Torture Convention), § **1:189**
 - Interpretations, INS, § **1:175**
 - Investigations Field Manual, § **1:177**
 - 1951 United Nations Convention Relating to the Status of Refugees (Refugee Convention), § **1:188**
 - 1967 United Nations Protocol Relating to the Status of Refugees (Protocol), § **1:188**
 - Office of the Chief Administrative Hearing Officer (OCAHO) decisions, § **1:169**
 - Office of United Nations High Commissioner for Refugees (UNHCR). International instruments, above Operations Instructions (OI), § **1:176**
 - Presidential proclamations, § **1:186**
 - Refugees and asylees, generally, § **10:4, 10:5, 10:140**

SOVIET UNION, FORMER

- Permanent residents, eligibility for adjustment of status under INA § 245, § **9:164**
- POW/MIA location assistance and grants of refugee status, § **10:11**
- Refugees and Asylum, this index
- Removal, IIRIRA, transition rules, § **13:507**
- Soviet Scientists Immigration Act of 1992, § **1:21**

SPANISH SHIPS OF WAR

- Deserting crew members, § **6:125-6:127**

SPECIAL EDUCATION PROGRAMS

- H-3 nonimmigrants, § **4:506**

SPECIAL IMMIGRANT

NONMINISTER RELIGIOUS WORKER PROGRAM ACT OF 2008

- Generally, § **1:114**
- Extension of, 2003 legislation, § **1:75**
- Extension of, 2008 legislation, § **1:114**
- Extension of, 2009 legislation, § **1:117**

SPECIAL IMMIGRANTS

- Permanent Residents, this index
- Religious worker program extension, 2003 legislation, § **1:75**
- Religious worker program extension, 2008 legislation, § **1:114**
- Religious worker program extension, 2009 legislation, § **1:118**

SPECIALISTS

- Permanent residents, medical examination of applicants for immigrant visas, § **9:104**

SPECIALIZED KNOWLEDGE

- Intracompany transferees, § **4:509-4:599**

SPECIAL QUALIFICATIONS

- Treaty traders and investors, availability of status to employees, § **4:180, 4:192**

SPECIAL REGISTRATION

- Nonimmigrant visas, § **4:94-4:101**

SPECIAL REMOVAL

- Removal, this index

SPECIAL RULES AND PROCEDURES

- H-2A nonimmigrants, § **4:453-4:459**
- Permanent residents, per country quota levels, § **9:36, 9:37**
- Seafood industry workers, H-2B nonimmigrants working until end of fiscal year 2014, § **4:498**

SPECIALTY OCCUPATIONS

- H Nonimmigrants, this index

SPEECH AFFECTING

DISCRETIONARY APPROVAL

- Change of status, § **5:49.50**
- Extension of stay and transfers, § **5:60.50**

INDEX

SPEECH AFFECTING

DISCRETIONARY APPROVAL —Cont'd

Reinstatement

Employment authorization, Application for employment authorization, § **11:25**

Requests for reinstatement, § **5:81.50**

SPONSOR OR SPONSORS

Nonimmigrant visas, restrictions on issuance to nonimmigrants from state sponsors of international terrorism, § **4:31**

P nonimmigrants, § **4:646**

Refugees and Asylum, this index

Student and Exchange Visitors, this index

Temporary visitors for business, requirements for B-1 classification, § **4:111**

SPORTS

Athletes, this index

SPOUSES

Amnesty, this index

Battered Spouses and Children, this index

Derivative Status, this index

Employment-Based Immigration, this index

H Nonimmigrants, this index

Intracompany Transferees, this index

Legal Immigration Family Equity Act (LIFE). Removal, this index

Naturalization, this index

Nonimmigrant visas

Derivative status, § **4:102-4:104**

Spouses and children of permanent residents awaiting immigrant visa. V Nonimmigrant Visas, this index

O nonimmigrants, § **4:600, 4:601, 4:633**

Permanent Residents, this index

P nonimmigrants, § **4:643-4:645**

Property rights of aliens, dower and curtesy, § **16:130**

Refugees and Asylum, this index

Relatives of Citizens or Permanent Residents, this index

Religious workers, § **4:694, 4:695**

Removal, this index

SPOUSES—Cont'd

Repatriation of women losing citizenship by marrying alien, this index

TN nonimmigrants, § **4:711, 4:715, 4:728**

Treaty Traders and Investors, this index
VISAS 92, § **10:270 et seq.**

V nonimmigrants (spouses and children of permanent residents awaiting availability of immigrant visa). V Nonimmigrant Visas, this index

SSI EXTENSION FOR ELDERLY AND DISABLED REFUGEES ACT OF 2008

Generally, § **1:109**

STAFFING LEVELS

Employment-based immigration, multinational executives and managers, § **8:19**

Intracompany transferees, eligibility, § **4:523, 4:528**

STALKING

Removal, § **13:93**

STANDARDIZED INSTRUCTION PACKAGES

Permanent residents, applications for immigrant visas, § **9:50**

STANDARD OF REVIEW

Board of Immigration Appeals, § **1:229**

Employment-Based Immigration, this index

STANDARDS

Employment-based immigration, labor certification determinations, § **8:101-8:107**

H nonimmigrants, positive recruitment efforts for H-2A nonimmigrants, § **4:448**

STATE DEPARTMENT

Department of State, this index

STATE EMPLOYMENT SECURITY AGENCIES (SWA)

Generally, § **1:244**

STATELESS PERSONS

Refugees and Asylum, this index

STATEMENTS

- Employment-based immigration, ability of prospective employer to pay wage, § **8:173**
- H Nonimmigrants, this index
- Nonimmigrant visas, applications for extension of stay, § **4:66, 4:67**

STATE WORKFORCE AGENCY (SWA)

- H nonimmigrants, labor condition application for H-1B nonimmigrants, § **4:265**

STATUS

- Adjustment of Status, this index
- Amnesty, § **9:305-9:387**
- Derivative Status, this index
- Employment-Based Immigration, this index
- H nonimmigrants, § **4:209-4:506**
- Intracompany Transferees, this index
- Nonimmigrant Visas, this index
- O Nonimmigrants, this index
- Permanent Residents, this index
- P Nonimmigrants, this index
- Religious workers, R nonimmigrants, § **4:694-4:709**
- Removal, this index
- Temporary Visitors for Business, this index
- TN nonimmigrants, § **4:710-4:730**
- Treaty Traders and Investors, this index

STATUTE OF LIMITATIONS

- Administrative Procedures Act, actions under, § **15:29**
- Fraud or false statements in naturalization, citizenship or alien registry proceedings, § **17:160**
- Fraudulent procurement or misuse of documents relating to naturalization, citizenship or registry of aliens, § **17:178**
- Illegal entry crimes, § **17:29**
- Passports, crimes related to, § **17:124**
- Permanent resident status, rescission of, § **9:284**

STATUTES

- Legislation to Control Immigration, this index

STATUTORY RAPE

- Removal, § **13:54**

STAY IN U.S.

- Amnesty, Family Unity Program, § **9:384**
- Extension of stay, this index
- Intracompany Transferees, this index
- Nonimmigrant visas, extension of stay, § **4:64-4:76**
- O Nonimmigrants, this index
- Overstays
 - Diplomatic visas, § **6:3**
 - Removal, § **13:14**
- P Nonimmigrants, this index
- Religious Workers, this index
- TN nonimmigrants, § **4:710-4:730**
- Treaty Traders and Investors, this index

STAY OF PROCEEDINGS

- Amnesty, Legal Immigration Family Equity (LIFE) Act, § **9:347, 9:360**
- Board of Immigration Appeals (BIA), motions to stay deportation, removal or exclusion, § **13:221**
- Denaturalization proceedings, § **14:419, 14:429**
- H nonimmigrants, appeals involving attestations for H-1C nonimmigrants, § **4:392**
- Removal or refugees. Refugees and asylum, this index

STEPCHILDREN

- Relatives of Citizens or Permanent Residents, this index

STERILIZATION

- Foreign nationals involved in forced sterilization, inadmissibility, § **3:121**

STIPULATIONS

- Employer sanctions and unfair immigration related employment practices, administrative hearings, § **12:121**

STOCKHOLDERS

- Intracompany transferees, major stockholders, § **4:535, 4:558**

STOWAWAYS

- Amnesty, temporary resident status eligibility, § **9:305**
- Illegal entry crimes, § **17:5**

INDEX

STOWAWAYS—Cont'd

- Inadmissibility, denial of admission or visa, § **3:98**
- Refugees and Asylum, this index
- Removal, this index

STREAMLINING

- Certification process for H nonimmigrants, nurses, § **4:352**
- Summary dispositions by Board of Immigration Appeals (BIA), § **13:212-13:215**

STRIKES

- H-1B nonimmigrants, § **4:247, 4:283, 4:284, 4:329**
- Intracompany transferees, eligibility, § **4:512**
- O nonimmigrants, effect, § **4:604**
- P nonimmigrants, effect, § **4:648**

STUDENT AND EXCHANGE VISITOR PROGRAM (SEVP)

- Student and Exchange Visitors, this index

STUDENT AND EXCHANGE VISITORS

- Generally, § **5:1-5:234**
- Academic and nonacademic students, eligibility criteria. Foreign student classifications and programs, below
- Applications. Foreign student classifications and programs, below this group
- Au pairs. Exchange visitors and exchange visitor programs, below this group
- B-2 visitors. Foreign student classifications and programs, below
- Bond requirements. Foreign student classifications and programs, below
- Camp counselors, exchange visitors and exchange visitor programs, § **5:196**
- Change of name and address, notice requirements, § **5:111**
- Change of status
 - Exchange visitors and exchange visitor programs, below
 - Foreign student classifications and programs, below
- CIPRIS. Educational institutions and approval by ICE, below

STUDENT AND EXCHANGE

VISITORS—Cont'd

- College and university students.
 - Exchange visitors and exchange visitor programs, below
- Coordinated Interagency Partnership for Reporting on International Students (CIPRIS). Educational institutions and approval by ICE, below this group
- Country-specific USCIS benefit “holds” for “travel ban” countries, § **5:2.50**
- Cultural exchanges. Exchange visitors and exchange visitor programs, below
- Department of Education, listing in DOE publications, § **5:220**
- Duration and maintenance of status.
 - Foreign student classifications and programs, below
- Educational institutions, approval by ICE
 - Generally, § **5:216-5:234**
 - Authorized representative interview investigation, § **5:222**
- CIPRIS. Reporting requirements, SEVP/SEVIS/CIPRIS Program, below this group
- Coordinated Interagency Partnership for Reporting on International Students (CIPRIS). Reporting requirements, SEVP/SEVIS/CIPRIS Program, below this group
- Department of Education, listing in DOE publications, § **5:220**
- Designated school officials, § **5:221**
- Documents to submit in support of petition
 - Generally, § **5:218**
 - Additional evidence required by certain institutions, § **5:219**
 - Department of Education, listing in DOE publications, § **5:220**
- Interview investigation, authorized representative, § **5:222**
- Notice of decision and review, § **5:223**
- Notice of intent to withdraw. Reporting requirements, SEVP/SEVIS/CIPRIS Program, below this group

STUDENT AND EXCHANGE VISITORS—Cont'd

- Educational institutions, approval by ICE—Cont'd
 - Obligations of approved schools, § 5:224
 - Officials, school
 - Designated school officials, § 5:221
 - Principal designated school officials, § 5:221
 - Petition process for approval, § 5:217
 - Principal designated school officials, § 5:221
 - Reporting requirements, SEVP/SEVIS/CIPRIS Program
 - Automatic withdrawal of ICE approval, § 5:231
 - Fee, § 5:2, 5:11
 - History of student reporting, § 5:225
 - Notice of intent to withdraw
 - Appeal, § 5:234
 - Decision, § 5:234
 - Procedures, § 5:233
 - Record keeping, § 5:229
 - Reporting requirements, § 5:229
 - Review of approved schools, § 5:230
 - Student and Exchange Visitor Information System (SEVIS)
 - Fee, § 5:2, 5:11, 5:93
 - Regulations regarding implementation, § 5:227
 - School enrollment, § 5:228
 - Student and Exchange Visitor Program (SEVP), § 5:226
 - Summary terminations, certification and ongoing litigation, § 5:234.50
 - Withdrawal of approval, § 5:231, 5:232
 - SEVP/SEVIS/CIPRIS Program.
 - Reporting requirements, SEVP/SEVIS/CIPRIS Program, above this group
 - Student and Exchange Visitor Information System (SEVIS). Reporting requirements, SEVP/SEVIS/CIPRIS Program, above this group

STUDENT AND EXCHANGE VISITORS—Cont'd

- Educational institutions, approval by ICE—Cont'd
 - Student and Exchange Visitor Program (SEVP). Reporting requirements, SEVP/SEVIS/CIPRIS Program, above this group
- Eligibility criteria. Foreign student classifications and programs, below
- Employment
 - Exchange visitors and exchange visitor programs, below
 - Foreign student classifications and programs, below
- Entry into United States. Exchange visitors and exchange visitor programs, below
- Exchange visitors and exchange visitor programs
 - Generally, § 5:84-5:215
 - Adjustments in status. Application and issuance of visas, below this group
 - Agencies administering programs, § 5:85
 - Application and issuance of visas
 - Adjustments in status. Changes or adjustments in status, below this group
 - Basic visa requirements
 - Generally, § 5:92
 - Automatic extension of visa, § 5:101
 - J-1 visas
 - Servants, personal or domestic servants of J-1 exchange visitors, § 5:99
 - Spouses and children, § 5:95
 - Supporting evidence, § 5:94
 - Residence abroad, § 5:96
 - Restrictions on issuance of visas, § 5:100
 - Servants, personal or domestic servants of J-1 exchange visitors, § 5:99
 - SEVIS fee, § 5:93
 - Spouses and children of J-1 nonimmigrants, § 5:95
 - Temporary admission without Form DS-2019, § 5:102

**STUDENT AND EXCHANGE
VISITORS—Cont'd**

- Exchange visitors and exchange visitor programs—Cont'd
- Application and issuance of visas—Cont'd
 - Basic visa requirements—Cont'd
 - Two-year foreign residence requirement, § 5:97, 5:98
 - Category changes. Program or category changes, below this group
 - Change of name and address, notice requirements, § 5:111
 - Changes or adjustments in status
 - Generally, § 5:115
 - Decision on application for change of status, § 5:117
 - Exchange visitor to other nonimmigrant status, § 5:120
 - Extension of stay pending change to H-1 B nonimmigrant status, § 5:119
 - J-1 to J-2 or from J-2 to J-1, change of status from, § 5:118
 - Private bill, § 5:121
 - Reinstatement of status, § 5:123
 - Rescission of adjustment of status, § 5:122
 - Spouse and children, § 5:116
 - Employment
 - J-1 nonimmigrants and J-2 family members, § 5:109
 - Social Security taxes liability, § 5:110
 - Entry into United States
 - Generally, § 5:103
 - CHINEX participants, § 5:105
 - Extension of program participation, § 5:107
 - J-2 visas, spouse and children of J-1 visa holders, § 5:104
 - Period of admission, § 5:106
 - Readmission with automatic extension of visa, § 5:108
 - Extensions
 - Automatic extension of visa, § 5:101
 - Entry into United States, extension of program participation, § 5:107

**STUDENT AND EXCHANGE
VISITORS—Cont'd**

- Exchange visitors and exchange visitor programs—Cont'd
- Application and issuance of visas—Cont'd
- Extensions—Cont'd
 - F-2 and J-1 students in H-1B “cap gap,” § 5:54
 - Readmission with automatic extension of visa, § 5:108
- J-1 visas
 - Basic visa requirements, above
 - Employment, § 5:109
 - Entry into United States, above this group
 - H-1B “cap gap,” § 5:54
- J-2 visas, spouse and children of J-1 visa holders
 - Changes or adjustments in status, § 5:116
 - Employment, § 5:109
 - Entry into United States, § 5:104
- Program or category changes
 - Change of exchange visitor category, § 5:113
 - Termination of program participation, § 5:114
 - Transfer of program, § 5:112
- Residence abroad, § 5:96
- Restrictions on issuance of visas, § 5:100
- Servants, personal or domestic servants of J-1 exchange visitors, § 5:99
- Temporary admission without Form DS-2019, § 5:102
- Two-year foreign residence requirement, § 5:97, 5:98
- Au pairs
 - Educational component of program, § 5:202
 - Eligibility requirements, § 5:198
 - Exchange visitor program
 - Generally, § 5:197
 - Eligibility requirements, § 5:198
 - Host family selection and orientation, § 5:200
 - Orientation, § 5:199
 - Placement of participants, § 5:198

**STUDENT AND EXCHANGE
VISITORS—Cont'd**

- Exchange visitors and exchange visitor programs—Cont'd
- Au pairs—Cont'd
 - Exchange visitor program—Cont'd
 - Training, § 5:199
 - Host family selection and orientation, § 5:200
 - Monitoring of exchange visitors, § 5:203
 - Orientation, § 5:199
 - Placement of participants, § 5:198
 - Reporting requirements, § 5:204
 - Sanctions, § 5:204
 - Stipend and hours, § 5:201
 - Training, § 5:199
- Basic visa requirements. Application and issuance of visas, below this group
- Camp counselors, § 5:196
- Category changes. Application and issuance of visas, above this group
- Change of name and address, notice requirements, § 5:111
- Changes or adjustments in status. Application and issuance of visas, above this group
- College and university students
 - Generally, § 5:154
 - Academic training programs, § 5:157
 - Duration of participation, § 5:159
 - Employment, § 5:158
 - Full course of study requirement and exceptions, § 5:156
 - Sponsors, duties and obligations in selecting participants, § 5:155
- Country specific J-1 programs, training and internship exchange visitor programs, § 5:179
- Cultural exchange. International cultural exchange programs and participants, below this group
- Employment
 - Application and issuance of visas, above this group
 - College and university students, § 5:158
 - International cultural exchange programs and participants,

**STUDENT AND EXCHANGE
VISITORS—Cont'd**

- Exchange visitors and exchange visitor programs—Cont'd
- Employment—Cont'd
 - above this group
- Entry into United States. Application and issuance of visas, above this group
- Exchange student programs, § 5:89
- Extensions. Application and issuance of visas, above this group
- Flight training program and participants, § 5:180
- Foreign medical graduates
 - Foreign residence requirements, § 5:125
 - Teacher exchange visitor programs, below this group
- Foreign residence requirements
 - Generally, § 5:124
 - Foreign medical graduates, § 5:125
 - Fraud or mistake regarding foreign residency requirement, effect of, § 5:126
 - Government-financed programs, exchange visitor participation in, § 5:127
 - Grants, § 5:130
 - J-1 visas, § 5:124
 - Skills list, § 5:128
 - Spouse and children, § 5:129
- Fraud or mistake regarding foreign residency requirement, effect of, § 5:126
- Government-financed programs, exchange visitor participation in, § 5:127
- Government visitors. International and government visitors, below this group
- Grants, foreign residence requirements, § 5:130
- International and government visitors
 - Generally, § 5:194, 5:195
 - Au pairs, above this group
 - Camp counselors, § 5:196
 - Government visitors, § 5:195
 - International visitors, § 5:194
- International cultural exchange programs and participants
 - Generally, § 5:205

**STUDENT AND EXCHANGE
VISITORS—Cont'd**

- Exchange visitors and exchange visitor programs—Cont'd
- International cultural exchange programs and participants—Cont'd
 - Approval of International Cultural Exchange Program, § 5:206
 - Employers, qualified, § 5:208
 - Petition for visitor. Programs, generally, below this group
 - Petition process for employers, § 5:207
 - Programs, generally
 - Approval of International Cultural Exchange Program, § 5:206
 - Employers, qualified, § 5:208
 - Petition for visitor
 - Approval or denial, § 5:209
 - Revocation of approval or denial, § 5:210
 - Petition process for employers, § 5:207
 - Qualified employers, § 5:22
 - Replacement of program participants, § 5:211
 - Substitution of program participants, § 5:211
- Q-1 visas
 - Duration and extension of status, § 5:213
 - Evidence, supporting, § 5:213
 - Extension of stay, § 5:214
 - Limitation on readmission of Q-1 nonimmigrants, § 5:214
 - Period of admission, § 5:214
 - Status and visa issuance, § 5:212
- Q-2 visas, Irish Peace Process Cultural and Training Program Act of 1998 (IPPCTP), § 5:215
- Qualified employers, § 5:208
- Replacement of program participants, § 5:211
- Substitution of program participants, § 5:211
- J-1 visas
 - Application and issuance of visas, above this group

**STUDENT AND EXCHANGE
VISITORS—Cont'd**

- Exchange visitors and exchange visitor programs—Cont'd
- J-1 visas—Cont'd
 - Categories, § 5:87
 - Criteria and eligibility, § 5:84
 - Foreign residence requirements, § 5:124
 - Spouse and children, § 5:88
 - Training and internship exchange visitor program, country specific J-1 programs, § 5:179
- J-2 visas, spouse and children of J-1 visa holders
 - Generally, § 5:88
 - Application and issuance of visas, above this group
 - Foreign residence requirements, § 5:129
- Particular exchange visitors programs and participants
 - Generally, § 5:153
 - Cultural exchange. International cultural exchange programs and participants, above this group
 - Government visitors. International and government visitors, above this group
 - International and government visitors, above this group
 - International cultural exchange programs and participants, above this group
 - Professors and research scholars, below this group
 - Research scholars. Professors and research scholars, below this group
 - Secondary school exchange visitor program, below this group
 - Summer work travel programs for foreign post-secondary students, below this group
 - Teacher exchange visitor programs, below this group
 - Trainee exchange visitor program, below this group
 - University students. College and university students, above this group

**STUDENT AND EXCHANGE
VISITORS—Cont'd**

- Exchange visitors and exchange visitor programs—Cont'd
 - Professors and research scholars
 - Generally, § 5:168
 - Activities permitted, § 5:169
 - CHINEX scholars, § 5:172
 - Duration and extension of stay, § 5:170
 - Short-term scholars, § 5:171
 - Program or category changes.
 - Application and issuance of visas, above this group
 - Q visas, § 5:91
 - Q-1 visas. International cultural exchange programs and participants, above this group
 - Q-2 visas, Irish Peace Process Cultural and Training Program Act of 1998 (IPPCTP), § 5:215
 - Q-3 visas. International cultural exchange programs and participants, above this group
 - Research scholars. Professors and research scholars, above this group
 - Residence requirements. Foreign residence requirements, above this group
 - Secondary school exchange visitor program
 - Department of State regulation updates, § 5:167
 - Duties and obligations of sponsors, § 5:163
 - Employment, § 5:166
 - Extracurricular activities, § 5:166
 - Host family selection, orientation and placement, § 5:165
 - Program development, generally, § 5:162
 - Student orientation, § 5:164
 - Secondary school students participating in exchange programs, § 5:90
 - Skills list, foreign residence requirements, § 5:128
 - Specialists. Teacher exchange visitor programs, below this group
 - Sponsors
 - Annual reports, § 5:140

**STUDENT AND EXCHANGE
VISITORS—Cont'd**

- Exchange visitors and exchange visitor programs—Cont'd
 - Sponsors—Cont'd
 - Appointment of responsible officer, § 5:142
 - Designation and redesignation of program sponsors
 - Generally, § 5:131
 - Denial of application for redesignation, § 5:134
 - Designation, § 5:132
 - Redesignation, § 5:133
 - Duties of responsible officer.
 - Obligations of program sponsors, below
 - Exchange program administration.
 - Obligations of program sponsors, below this group
 - Fees for participants in exchange visitors program, § 5:147
 - Insurance, § 5:139
 - Obligations of program sponsors
 - Generally, § 5:135
 - Annual reports, § 5:140
 - Appointment of responsible officer, § 5:142
 - Duties of responsible officer
 - Generally, § 5:143
 - Control of Form DS-2019, § 5:144
 - Information to be collected, § 5:146
 - Monitoring and verification of exchange visitor participants, § 5:145
 - Exchange program administration
 - Generally, § 5:136
 - Annual reports, § 5:140
 - Appointment of responsible officer, § 5:142
 - Fees for participants in exchange visitors program, § 5:147
 - General exchange program requirements, § 5:137
 - Insurance, § 5:139
 - Program notification requirements, § 5:138

**STUDENT AND EXCHANGE
VISITORS—Cont'd**

- Exchange visitors and exchange visitor programs—Cont'd
- Sponsors—Cont'd
 - Obligations of program sponsors—Cont'd
 - Exchange program administration—Cont'd
 - Responsible officers, below this group
 - Review of sponsors and record keeping and reporting requirements, § 5:141
 - Revocation of sponsor designation, § 5:149
 - Sanctions for violations, § 5:150
 - Suspension, § 5:151
 - Termination, denial, or redesignation of program, § 5:152
 - Termination of sponsor designation, § 5:148
 - Fees for participants in exchange visitors program, § 5:147
 - Insurance, § 5:139
 - Program notification requirements, § 5:138
 - Responsible officers
 - Appointment of responsible officer, § 5:142
 - Duties of responsible officer, above this group
 - Review of sponsors and record keeping and reporting requirements, § 5:141
 - Revocation of sponsor designation, § 5:149
 - Sanctions for violations, § 5:150
 - Suspension, § 5:151
 - Termination of sponsor designation, § 5:148
 - Program notification requirements, § 5:138
 - Redesignation. Designation and redesignation of program sponsors, above this group
 - Responsible officers
 - Obligations of program sponsors, above this group

**STUDENT AND EXCHANGE
VISITORS—Cont'd**

- Exchange visitors and exchange visitor programs—Cont'd
- Sponsors—Cont'd
 - Review of sponsors and record keeping and reporting requirements, § 5:141
 - Revocation of sponsor designation, § 5:149
 - Sponsorship requirement, § 5:86
 - Suspension or significant program limitation, § 5:151
 - Termination, denial, or redesignation of program, § 5:152
 - Termination of sponsor designation, § 5:148
 - Sponsorship requirement, § 5:86
 - Summer work travel programs for foreign post-secondary students
 - Generally, § 5:160
 - Duties and obligations of sponsors, § 5:161
 - Teacher exchange visitor programs
 - Generally, § 5:182
 - Eligibility of participants, § 5:184, 5:191
 - Foreign medical graduates
 - Generally, § 5:187
 - Clinical exchange programs, § 5:188
 - Duration and extension of participation, § 5:192
 - Eligibility, § 5:191
 - INA § 212(e) requirements and waiver, § 5:193
 - Nonclinical exchange programs, § 5:189, 5:190
 - Specialists
 - Generally, § 5:185
 - Sponsors, duties and obligations, § 5:186
 - Sponsors, duties and obligations, § 5:183, 5:186
 - Training and internship exchange visitor program
 - Generally, § 5:173
 - Country specific J-1 programs, § 5:179
 - Duration of program, § 5:181
 - Evaluation of program, § 5:178

**STUDENT AND EXCHANGE
VISITORS—Cont'd**

- Exchange visitors and exchange visitor programs—Cont'd
 - Training and internship exchange visitor program—Cont'd
 - Flight training program and participants, § 5:180
 - Form DS-2019, issuance of, § 5:176
 - J-1 programs, country specific, § 5:179
 - Placement plan (Form DS-7002), § 5:176
 - Program exclusions, § 5:177
 - Records, § 5:178
 - Sponsor obligations, § 5:174
 - Third parties, use as designated trainers, § 5:175
 - University students. College and university students, above
- Extension of stay and transfers. Foreign student classifications and programs, below
- F-1 students. Foreign student classifications and programs, below
- F-2, spouses and children of academic students. Foreign student classifications and programs, below
- F-2 and J-1 students in H-1B “cap gap,” § 5:54
- Fee for SEVIS system, § 5:2, 5:11, 5:93
- Flight training program and participants, § 5:180
- Foreign medical graduates. Exchange visitors and exchange visitor programs, above
- Foreign residence requirements.
 - Exchange visitors and exchange visitor programs, above
- Foreign student classifications and programs
 - Academic and nonacademic students, eligibility criteria
 - B-2 visitors
 - Incidental students, § 5:8
 - Prospective students, § 5:8
 - Certified SEVP schools, § 5:10
 - F-1 students
 - Certified SEVP schools, § 5:10
 - Eligibility and general criteria, § 5:3

**STUDENT AND EXCHANGE
VISITORS—Cont'd**

- Foreign student classifications and programs—Cont'd
 - Academic and nonacademic students, eligibility criteria—Cont'd
 - F-1 students—Cont'd
 - Nonimmigrant border commuter students, § 5:9, 5:10
 - Secondary school students, § 5:4
 - SEVIS fee, § 5:11
 - M-1 students
 - Certified SEVP schools, § 5:10
 - Eligibility and general criteria, § 5:5
 - Nonimmigrant border commuter students, § 5:9, 5:10
 - Nonimmigrant border commuter students, § 5:9, 5:10
 - SEVIS fee, § 5:11
 - Spouse and children of academic and nonacademic students, § 5:6
 - Unapproved, avocational, or recreational schools, students seeking to attend, § 5:7
 - Applications. Visa application requirements and procedures, below this group
 - B-2 visitors
 - Academic and nonacademic students, eligibility criteria, above this group
 - Prospective students, application procedures and issuance of visas, § 5:29
 - Bond requirements
 - Generally, § 5:36
 - Acceptance of bond, § 5:39
 - Cancellation of bond, § 5:39
 - Student, posting of bond by, § 5:37
 - Terms of bond, § 5:39
 - Third party, posting of bond by, § 5:38
 - Change of status
 - Application procedures, § 5:44
 - B to F or M nonimmigrant status, change of status from, § 5:46
 - Decision on application for change of status, § 5:50
 - Evidence in support of application for change of status, § 5:49

INDEX

**STUDENT AND EXCHANGE
VISITORS—Cont'd**

- Foreign student classifications and programs—Cont'd
- Change of status—Cont'd
 - Restrictions on ability to apply for change of status, § 5:47
 - Review of denials, § 5:51
 - SEVIS fee, § 5:45
 - Speech affecting discretionary approval of, § 5:49.50
 - Spouses and children, change of status for, § 5:48
- Duration and maintenance of status
 - F-1 nonimmigrant students, § 5:40
 - M-1 nonimmigrant students, § 5:41
 - New visa application after trip abroad, § 5:43
 - Readmission to United States, § 5:42
- Eligibility criteria. Academic and nonacademic students, eligibility criteria, above this group
- Employment
 - F-1 students
 - Generally, § 5:61
 - Off-campus employment, § 5:63-5:65
 - On-campus employment, § 5:62
 - Severe economic hardship, § 5:65, 5:66
 - F-2 spouse and children, § 5:61
 - M-1 students, § 5:67
- Extension of stay and transfers
 - F-1 students
 - Application procedures for extensions, § 5:55
 - Extensions, generally, § 5:52
 - H-1B “cap gap,” § 5:54
 - Spouses and children, § 5:56
 - Transfers, § 5:57
 - M-1 students
 - Application procedures for extensions, § 5:55
 - Decisions on applications, § 5:60
 - Evidence supporting transfers applications, § 5:59
 - Extensions, § 5:53, 5:56
 - Transfers, § 5:58
 - Speech affecting discretionary approval of, § 5:60.50

**STUDENT AND EXCHANGE
VISITORS—Cont'd**

- Foreign student classifications and programs—Cont'd
- F-1 students
 - Academic and nonacademic students, eligibility criteria, above
 - Duration and maintenance of status, § 5:40
 - Employment, above this group
 - Extension of stay and transfers, above this group
 - Practical training and internships, below this group
 - Visa application requirements and procedures, below this group
- F-2, spouses and children of academic students
 - Employment, § 5:61
- Failure to maintain reinstatement status
 - Speech affecting discretionary approval of requests, § 5:81.50
- Internships. Practical training and internships, below this group
- M-1 students
 - Academic and nonacademic students, eligibility criteria, above this group
 - Duration and maintenance of status, § 5:41
 - Employment, § 5:67
 - Extension of stay and transfers, above this group
 - Full course of study requirement, § 5:20
 - Practical training, § 5:72
- Maintenance of status. Duration and maintenance of status, above this group
- Practical training and internships
 - Change of address reporting, § 5:83
 - Decisions on application, § 5:73
- F-1 students
 - Internship with international organization, § 5:71
 - Practical training
 - Curriculum training, § 5:69
 - Optional training, § 5:70

STUDENT AND EXCHANGE

VISITORS—Cont'd

- Foreign student classifications and programs—Cont'd
- Practical training and internships—Cont'd
 - Failure to maintain status as ground of removal, § 5:78
 - Internship with international organization, F-1 students, § 5:71
 - M-1 students, practical training, § 5:72
 - Overstays, § 5:80
 - Practical training
 - Generally, § 5:68
 - M-1 students, § 5:72
 - Reinstatement of status, § 5:81, 5:82
 - Social Security taxes, exemption from, § 5:76
 - Strikes, employment authorization suspended during strike, § 5:75
 - Temporary absence from U.S. on employment authorization, effect of, § 5:77
 - Unauthorized employment, § 5:74
 - Unauthorized transfers, § 5:79
- Procedures. Visa application requirements and procedures, below this group
- Transfers. Extension of stay and transfers, above this group
- Visa application requirements and procedures
 - F-1 students. Requirements, below this group
 - Fraud in application, § 5:26
 - M-1 students, full course of study requirement, § 5:20
 - Procedures and issuance
 - Automatic extension of visa, § 5:34
 - B-2 visitors, prospective students, § 5:29
 - Inspection of student at port of entry, § 5:35
 - Restrictions on visa issuance, § 5:33
 - Spouses and children of F-1 and M-1 nonimmigrants, § 5:30
 - Visa issuance procedures, § 5:31

STUDENT AND EXCHANGE

VISITORS—Cont'd

- Foreign student classifications and programs—Cont'd
- Visa application requirements and procedures—Cont'd
- Requirements
 - Burden on alien, § 5:25
 - English proficiency, § 5:17
 - Evidence in support of application, § 5:13
 - F-1 students
 - Full course of study, § 5:19
 - Passport requirements exception, § 5:14
 - Financial resources, § 5:16
 - Fraud in application, § 5:26
 - Full course of study
 - Generally, § 5:18
 - F-1 nonimmigrants, § 5:19
 - M-1 nonimmigrants, § 5:20
 - Less than full course of study, when permissible, § 5:21
 - M-1 nonimmigrants, full course of study, § 5:20
 - No more than one Form I-20, § 5:27
 - Other required information, § 5:23
 - Passport requirements exception, F-1 students, § 5:14
 - Public education restrictions, § 5:22
 - Residence abroad, § 5:15
 - SEVIS Form I-20, § 5:12
 - Students without I-20, visas for, § 5:28
 - Suspension of action on application, § 5:24
 - waiver, interview requirement, F, M, and J applicants, § 5:32
- Government-financed programs, exchange visitor participation in, § 5:127
- Government scrutiny of applicants' social media activity, § 5:11.50
- Government visitors. Exchange visitors and exchange visitor programs, above
- Grants, foreign residence requirements, § 5:130

STUDENT AND EXCHANGE VISITORS—Cont'd

- Institutions. Educational institutions and approval by ICE, above
- International and government visitors. Exchange visitors and exchange visitor programs, above
- International cultural exchange programs and participants. Exchange visitors and exchange visitor programs, above
- Internships. Foreign student classifications and programs, above
- Issuance. Exchange visitors and exchange visitor programs, above
- J-1 visas. Exchange visitors and exchange visitor programs, above
- J-2 visas. Exchange visitors and exchange visitor programs, above
- M-1 students. Foreign student classifications and programs, above
- Maintenance of status. Foreign student classifications and programs, above
- Officials, school. Educational institutions and approval by ICE, above
- Practical training and internships. Foreign student classifications and programs, above
- Procedures. Foreign student classifications and programs, above
- Professors and research scholars. Exchange visitors and exchange visitor programs, above
- Q-1 visas. Exchange visitors and exchange visitor programs, above
- Q-2 visas, Irish Peace Process Cultural and Training Program Act of 1998 (IPPCTP), § 5:215
- Q-3 visas. Exchange visitors and exchange visitor programs, above
- Reporting requirements, SEVP/SEVIS/CIPRIS Program. Educational institutions and approval by ICE, above
- Research scholars. Exchange visitors and exchange visitor programs, above
- Residence requirements. Exchange visitors and exchange visitor programs, above
- Schools. Educational institutions and approval by ICE, above

STUDENT AND EXCHANGE VISITORS—Cont'd

- Secondary school exchange visitor program. Exchange visitors and exchange visitor programs, above
 - SEVIS fee, § 5:2, 5:11, 5:93
 - SEVP/SEVIS/CIPRIS Program. Educational institutions and approval by ICE, above
 - Skills list, foreign residence requirements, § 5:128
 - Specialists. Exchange visitors and exchange visitor programs, above
 - Sponsors. Exchange visitors and exchange visitor programs, above
 - Student and Exchange Visitor Program (SEVP). Educational institutions and approval by ICE, above
 - Student Exchange Visitor Information System (SEVIS). Educational institutions and approval by ICE, above
 - Summer work travel programs for foreign post-secondary students. Exchange visitors and exchange visitor programs, above
 - Teacher exchange visitor programs. Exchange visitors and exchange visitor programs, above
 - Trainee exchange visitor program. Exchange visitors and exchange visitor programs, above
 - Transfers. Foreign student classifications and programs, above
 - Types of visas and programs available, § 5:1
 - University students. Exchange visitors and exchange visitor programs, above
 - Visa application requirements and procedures. Foreign student classifications and programs, above
- STUDENT EXCHANGE VISITOR INFORMATION SYSTEM (SEVIS)**
- Student and Exchange Visitors, this index
- STUDENT LOAN FRAUD**
- Removal, § 13:32
- STUDENTS**
- H Nonimmigrants, this index

STUDENTS—Cont'd

- Permanent residents returning from temporary stay abroad, § 9:22
- Removal, this index
- Status violations, § 13:17
- Student and Exchange Visitors, this index
- Temporary Visitors for Business, this index
- Visa abusers, denial of admission or visa, § 3:104

STUDIES

- Expedited removal studies by governmental and non-governmental agencies, § 2:246

SUBPOENAS

- Crimes and related conduct, § 17:157
- Denaturalization, § 14:402
- Employer Sanctions and Unfair Immigration Related Employment Practices, this index
- Fraud or false statements in naturalization, citizenship or alien registry proceedings, § 17:157
- Permanent residents, rescission of status, § 9:298
- Removal, § 13:191

SUBSIDIARIES OF PRIMARY EMPLOYER

- Intracompany transferees, § 4:509-4:599

SUBSTANTIAL MATTERS

- H-2A nonimmigrants, substantial violations, § 4:463
- P nonimmigrants, substantial relationship requirement, § 4:643 et seq.
- Treaty traders and investors, substantial trade or investment, § 4:177, 4:186, 4:187

SUBSTITUTION

- Employment-Based Immigration, this index
- H nonimmigrants, beneficiaries, § 4:218
- O nonimmigrants, beneficiary, § 4:612
- Permanent Residents, this index
- P nonimmigrants, beneficiaries, § 4:657

SUBVERSION

- Removal, this index

SUDAN

- Female genital mutilation, § 10:154
- Peace Act, § 1:70
- Refugees and Asylum, this index

SUICIDE, ATTEMPTED

- Inadmissibility, denial of admission or visa, § 3:21

SUMMARY DISPOSITIONS OR DECISIONS

- Employer sanctions and unfair immigration related employment practices, motion for summary decision, § 12:126

SUMMARY JUDGMENT

- Denaturalization, § 14:422

SUMMER WORK TRAVEL PROGRAMS FOR FOREIGN POST-SECONDARY STUDENTS

- Student and Exchange Visitors, this index

SUPERVISORY DUTIES

- Treaty traders, availability of status to employees of trader, § 4:179

SUPERVISORY REVIEW

- Expedited removal, supervisory review of expedited removal orders, § 2:245

SUPPORT

- Affidavit of Support, this index
- Employment-Based Immigration, this index
- Inspections, evaluations, verifications, and compliance reviews, § 4:706
- Permanent Residents, this index

SURCHARGE

- Nonimmigrant visas, machine readable visa, § 4:38

SURRENDER OF CITIZENSHIP

- Expatriation, this index

SURRENDER OF DOCUMENTS

- Permanent Residents, this index

SURVIVING SPOUSES AND CHILDREN

- Employment-based immigration, adjustment of status to permanent resident, § 8:214

INDEX

SURVIVING SPOUSES AND CHILDREN—Cont'd

- Immediate relative eligibility and humanitarian relief, § **7:70**
- Naturalization, surviving spouse of member of armed forces, § **14:206**

SUSPECTED TERRORISTS

- Mandatory detentions noncitizens, § **13:440**

SUSPENSION

- H Nonimmigrants, this index
- Intracompany transferees, action on application, § **4:583**
- Permanent Residents, this index
- P nonimmigrants, consular action on visa application, § **4:688**
- Student and exchange visitors, § **5:151**

SUSTAINED RELATIONSHIP REQUIREMENT

- P nonimmigrants, § **4:643 et seq.**

SWA (STATE WORKFORCE AGENCY)

- H nonimmigrants, labor condition application for H-1B nonimmigrants, § **4:265**

SYMBOLS FOR CLASSIFICATION

- Permanent residents, § **9:5**

SYPHILIS

- Inadmissibility, denial of admission or visa, § **3:3**

SYRIA

- Adjustment of status, 2000 legislation, § **1:52**
- Refugees and Asylum, this index

TAIPEI ECONOMIC AND CULTURAL REPRESENTATIVE OFFICE (TECRO)

- Diplomatic Visas, this index
- Treaty traders and investors, § **4:170**

TAIWAN

- Diplomatic visas, officials of Taiwan, § **6:22**
- Taipei Economic and Cultural Representative Office (TECRO), this index

TAXES

- Crimes relating to failure to provide information, § **17:202**
- Employment Related Rights of Aliens, this index
- Inadmissibility, this index
- Internal Revenue Service, Department of State records, § **1:301**
- Permanent residents, supporting documentation for applications for immigrant visas, § **9:82**

TEACHERS

- Employment-Based Immigration, this index
- Student and Exchange Visitors, this index

TECHNOLOGY

- Prohibited transfer of technology, inadmissibility, § **3:44**

TECRO

- Taipei Economic and Cultural Representative Office (TECRO), this index

TELEVISION

- Media, this index

TEMPORARY MATTERS

- Amnesty, adjustment of status to that of alien lawfully admitted for temporary residence, § **9:305-9:320, 9:338-9:344**
- H Nonimmigrants, this index
- Intracompany Transferees, this index
- Nonimmigrant Visas, this index
- Permanent Residents, this index
- Temporary protected status (TPS). Refugees and Asylum, this index
- TN nonimmigrants, entry and stay, § **4:710-4:730**
- Visitors. Temporary Visitors, this index
- Welfare and public benefits, eligibility of temporary residents for, § **16:75**
- Workers. H Nonimmigrants, this index

TEMPORARY PROTECTED STATUS (TPS)

- Refugees and Asylum, this index

TEMPORARY VISITORS

- Business. Temporary Visitors for Business, this index
- Overstays, removal, § **13:14**

TEMPORARY VISITORS—Cont'd

Pleasure. Temporary Visitors for Pleasure, this index

TEMPORARY VISITORS FOR BUSINESS

Generally, § 4:109-4:161

Abroad

Installing, servicing or repairing heavy machinery purchased abroad, § 4:126

Residence abroad that alien has no intention of abandoning, § 4:109-4:161

Acceptance or rejection, bond, § 4:151

Accrual of profits, § 4:113

Activities

Furthering international trade or commerce, eligibility for B-1 classification, § 4:119

Legitimate activities, requirements for B-1 classification, § 4:111

Permissible business activities, § 4:112

Adjustment of status, forfeiture of bond, § 4:153

Admission

Generally, § 4:155-4:158

Asylum denied to alien in another country, § 4:109

Requirements for B-1 classification, § 4:111

Advisory opinions of State Department, eligibility for B-1 classification, § 4:147

Airline employees, eligibility for B-1 classification, § 4:127

Alternatives under C-2 visa, eligibility for B-1 classification, § 4:137

Amount of bond, § 4:152

Applications

Employment authorization, personal/domestic servants, § 4:131

Visas, § 4:148-4:154

Artists, H-1 classifiable aliens eligible for B-1 classification, § 4:120

Asylum denied to alien in another country, § 4:109

Athletes, eligibility for B-1 classification, § 4:135

B-1 classification, generally, § 4:65, 4:109-4:161

TEMPORARY VISITORS FOR BUSINESS—Cont'd

Bond requirements, applications for visas, § 4:150-4:155

Border crossing documents, § 2:134 et seq.

Both B-1 and B-2 classifiable aliens, § 4:114

Burden of proof, thirty/sixty day rule, § 4:111

C-2 visa alternatives, eligibility for B-1 classification, § 4:137

Canada

Applications for visas, § 4:148, 4:149

Exceptions for Canadian landed immigrant with border crossing card, general rule of indefinite durational validity

Admission to U.S., § 4:158

Residents of Canada, eligibility for B-1 classification, § 4:139, 4:140

Cancellation

Bond, § 4:153, 4:154

Visa, § 4:154

Change of status, § 4:111, 4:153, 4:160

Charitable volunteers, eligibility for B-1 classification, § 4:136

Citizen's personal/domestic employees, eligibility for B-1 classification, § 4:131

Classification, § 4:65, 4:109-4:161

Coasting officers, eligibility for B-1 classification

Generally, § 4:129

Special credentials requirement, § 4:130

Commercial truck drivers, residents of Canada and Mexico, § 4:140

Construction workers, ineligibility for B-1 classification, § 4:145

Consular officers

Bond requirements, § 4:150, 4:154

Personal/domestic employees of U. S. citizen employers, eligibility for B-1 classification, § 4:131

Requirements for B-1 classification, § 4:111

Couriers of foreign governments, eligibility for B-1 classification, § 4:142

Crew members, eligibility for B-1 classification, § 4:128, 4:129, 4:130

TEMPORARY VISITORS FOR BUSINESS—Cont'd

- Definitions
 - Business, § **4:110**
 - Residence, § **4:110**
 - Temporary, § **4:110**
- Department of State
 - Advisory opinions, eligibility for B-1 classification, § **4:147**
 - Bond requirements, § **4:150**
 - Thirty/sixty day rule, § **4:111**
- Derivative status, spouse not entitled to, § **4:109**
- Directors, eligibility for B-1 classification, § **4:117**
- Documentation, applications for visas, § **4:149**
- Domestic/personal employees, eligibility for B-1 classification, § **4:131-4:134**
- Drivers of commercial trucks, residents of Canada and Mexico, § **4:140**
- Duration of validity of visa, admission to U.S., § **4:157, 4:158**
- Eligibility or ineligibility
 - Classification as B-1, § **4:116-4:147**
 - Extension of stay, § **4:65**
- Employment matters, § **4:109-4:161**
- E nonimmigrants. Treaty Traders and Investors, this index
- Entertainers, H-1 classifiable aliens eligible for B-1 classification, § **4:120**
- Exceptions for Canadian landed immigrant with border crossing card, general rule of indefinite durational validity, § **4:158**
- Extension of stay, § **4:65, 4:159**
- Financial ability, requirements for B-1 classification, § **4:111**
- Foreign governments, officials and couriers of, § **4:142**
- Forfeiture of bond, § **4:153**
- General rule of indefinite durational validity of visa, admission to U.S., § **4:157, 4:158**
- H-1 or H-3 classifiable aliens, eligibility for B-1 classification, § **4:121-4:126**
- Honoraria, § **4:114**
- Ineligibility. Eligibility or ineligibility, above

TEMPORARY VISITORS FOR BUSINESS—Cont'd

- Installing heavy machinery purchased abroad, H-1 or H-3 classifiable aliens eligible for B-1 classification, § **4:126**
- Intent, residence in foreign county that alien has no intention of abandoning, § **4:109-4:161**
- International matters
 - Activities furthering international trade or commerce, eligibility for B-1 classification, § **4:119**
 - Employed at international fairs or exhibitions, eligibility for B-1 classification, § **4:138**
 - Representatives of international organizations, § **6:92**
- Interns of United Nations Institute for Training and Research (UNITAR), H-1 or H-3 classifiable aliens eligible for B-1 classification, § **4:124**
- Iranian business persons, ineligibility for B-1 classification, § **4:146**
- Issuance of visas, § **4:115**
- Legitimate activities, requirements for B-1 classification, § **4:111**
- Managers, eligibility for B-1 classification, § **4:117**
- Marriage, thirty/sixty day rule, § **4:111**
- Medical doctors and students, H-1 classifiable aliens eligible for B-1 classification, § **4:122**
- Mexico residents, eligibility for B-1 classification, § **4:139, 4:140**
- Ministers, eligibility for B-1 classification, § **4:136**
- Missionary workers, eligibility for B-1 classification, § **4:136**
- NAFTA (North American Free Trade Agreement), residents of Canada and Mexico eligible for B-1 classification, § **4:139, 4:140**
- Nonimmigrant visas, § **4:65, 4:109-4:161**
- North American Free Trade Agreement (NAFTA), residents of Canada and Mexico eligible for B-1 classification, § **4:139, 4:140**
- Notice
 - Cancellation of visa, § **4:154**

**TEMPORARY VISITORS FOR
BUSINESS—Cont'd**

- Notice—Cont'd
 - Forfeiture of bond, § **4:153**
- Officers
 - Coasting officers, eligibility for B-1 classification
 - Generally, § **4:129**
 - Special credentials requirement, § **4:130**
 - Consular officers, above
- Officials of foreign governments, eligibility for B-1 classification, § **4:142**
- Outer continental shelf destined persons, eligibility for B-1 classification, § **4:129, 4:130**
- Peace Corps, H-1 or H-3 classifiable aliens eligible for B-1 classification, § **4:125**
- Performing work of continuing nature at fixed and permanent place of employment, ineligibility for B-1 classification, § **4:144**
- Permanent residents' personal/domestic employees, eligibility for B-1 classification, § **4:133**
- Permissible business activities, § **4:112**
- Personal/domestic employees, eligibility for B-1 classification, § **4:131-4:134**
- Physicians, H-1 classifiable aliens eligible for B-1 classification, § **4:122**
- Pilot bond program, applicants from high refusal countries, § **4:156**
- Posting of bond, § **4:150, 4:151**
- Presumptions, thirty/sixty day rule, § **4:111**
- Profits, accrual of, § **4:113**
- Puerto Rico residents, eligibility for B-1 classification, § **4:141**
- Reciprocity, general rule of indefinite durational validity of visa, § **4:157**
- Regulations, § **4:109-4:161**
- Rejection. Acceptance or rejection, above
- Residence in foreign county that alien has no intention of abandoning, § **4:109-4:161**
- Residents
 - Canada and Mexico, eligibility for B-1 classification, § **4:139, 4:140**

**TEMPORARY VISITORS FOR
BUSINESS—Cont'd**

- Residents—Cont'd
 - Personal/domestic employees of legal permanent residents, eligibility for B-1 classification, § **4:133**
 - Puerto Rico, eligibility for B-1 classification, § **4:141**
- Services
 - Installing, servicing or repairing heavy machinery purchased abroad, H-1 or H-3 classifiable aliens eligible for B-1 classification, § **4:126**
 - Peace Corps Act, H-1 or H-3 classifiable aliens eligible for B-1 classification, § **4:125**
 - United States Citizenship and Immigration Services (USCIS), § **4:148, 4:151, 4:154, 4:155**
- Skilled labor, ineligibility for B-1 classification, § **4:116**
- Sponsor, requirements for B-1 classification, § **4:111**
- Spouse not entitled to derivative nonimmigrant classification, § **4:109**
- State Department. Department of State, above
- Status
 - Generally, § **4:159-4:161**
 - Adjustment of status, forfeiture of bond, § **4:153**
 - Change of status, § **4:111, 4:153, 4:160**
 - Violation of status, § **4:111, 4:153, 4:161**
- Students
 - Medical students, H-1 classifiable aliens eligible for B-1 classification, § **4:122**
 - Thirty/sixty day rule, requirements for B-1 classification, § **4:111**
 - Violation of status, § **4:161**
- Thirty/sixty day rule, requirements for B-1 classification, § **4:111**
- Training, H-1 or H-3 classifiable aliens eligible for B-1 classification, § **4:121, 4:123-4:125**
- Treaty Traders and Investors, this index
- UNITAR (United Nations Institute for Training and Research) interns, H-1 or H-3 classifiable aliens eligible

INDEX

TEMPORARY VISITORS FOR BUSINESS—Cont'd

- for B-1 classification, § 4:124
- United States Citizenship and Immigration Services (USCIS), § 4:148, 4:151, 4:154, 4:155
- Unskilled labor, ineligibility for B-1 classification, § 4:116
- Validity
 - Bond, § 4:151
 - Visas, § 4:134, 4:157, 4:158
- Violation of status, § 4:111, 4:153, 4:161
- Volunteers
 - Charitable volunteers, eligibility for B-1 classification, § 4:136
 - Peace Corps Act, H-1 or H-3 classifiable aliens eligible for B-1 classification, § 4:125
- Withdrawal of bond, § 4:154
- Yacht crew members, eligibility for B-1 classification, § 4:128

TEMPORARY VISITORS FOR PLEASURE

- Border crossing documents, § 2:134 et seq.
- Extension of stay ineligibility, visas, § 4:65
- Student and Exchange Visitors, this index
- Temporary visitors for business, both B-1 and B-2 classifiable aliens, § 4:115
- Tourists, this index
- Visas, ineligibility for extension of stay, § 4:65

TEMPORARY WORKERS AND TRAINEES

- H Nonimmigrants, this index

TERMINATION OR CANCELLATION

- Amnesty, this index
- Employment-Based Immigration, this index
- H Nonimmigrants, this index
- Nonimmigrant visas
 - Revocation of visa, § 4:47-4:57
 - Status, § 4:55, 4:93
- Permanent Residents, this index
- Refugees and Asylum, this index

TERMINATION OR CANCELLATION—Cont'd

- Religious workers, intent to depart upon termination of status, § 4:694
- Student and exchange visitors Program, § 5:152
- Sponsor designation, § 5:148
- Temporary Visitors for Business, this index
- Treaty traders and investors, intent to depart upon termination of status, § 4:164, 4:168, 4:193

TERMS AND CONDITIONS

- Employment, this index
- H Nonimmigrants, this index
- Treaty traders and investors, status, § 4:204, 4:205

TERRITORIES OF U.S.

- Aliens' rights as to land in, § 16:135
- Citizenship
 - By birth, § 14:1
 - United States and its outlying possessions, what included in, § 14:12
- Noncitizen national status lost upon independence of territory of birth, § 14:62

TERRORISM

- African National Congress, Act removing status as terrorist organizations, § 1:106
- Alien witnesses or informants. S Nonimmigrant Visas, this index
- Detention. Mandatory detention of terrorists, below
- Fingerprinting requirements in terrorist removal proceedings, § 13:483
- Inadmissibility, this index
- Judicial review, mandatory detention of terrorists, § 13:442
- Mandatory detention of terrorists
 - Generally, § 13:440-13:442
 - Detention continuations, § 13:379
 - Habeas corpus, § 13:442
 - Judicial review, § 13:442
 - Reporting requirements, § 13:441
- Mandatory detention of terrorists, suspected noncitizens, § 13:440

TERRORISM—Cont'd

- Naturalization
 - Expedited naturalization of military personnel in active-duty status during war on, § **14:257**
 - Opponents of government or law, above
- Nonimmigrant Visas, this index
- Permanent Residents, this index
- Photograph requirements in terrorist removal proceedings, § **13:483**
- Property rights of aliens, § **16:138**
- Reentry warning requirements in terrorist removal proceedings, § **13:483**
- Removal, this index
- Right to counsel in terrorist removal proceedings, § **13:480**
- Secure Travel and Counterterrorism Partnership Act of 2007, § **1:98**
- September 11, 2001, this index
- Terrorist organizations. Inadmissibility, this index
- Witnesses, alien witnesses with information regarding crimes or terrorism. S Nonimmigrant Visas, this index

TERRORIST ORGANIZATIONS

- Act removing African National Congress status of, § **1:106**
- Inadmissibility, this index

TESTAMENTARY DISPOSITION

- Property Rights of Aliens, this index

TESTS

- Blood tests. Relatives of Citizens or Permanent Residents, this index
- Genetic testing. Relatives of Citizens or Permanent Residents, this index
- H nonimmigrants, credentialing organizations for nurses, § **4:356**
- Naturalization, tests for literacy and educational requirements, § **14:177-14:179**
- Serologic tests, medical examination of applicants for immigrant visas, § **9:95, 9:106, 9:107**

THEFT

- Inadmissibility, denial of admission or visa, § **3:16**

THIRD COUNTRY

- Permanent residents, acceptance of applications for immigrant visas by consular post, § **9:71-9:73**

THIRD PREFERENCE

- Employment-Based Immigration, this index
- Permanent Residents, this index

THIRTY/SIXTY DAY RULE

- Temporary visitors for business, requirements for B-1 classification, § **4:111**

THREATS

- Employment related rights of aliens under NLRA, § **16:89**

TIME OR DATE

- Amnesty, this index
- Attorneys' fee application under EAJA, § **15:37**
- Denaturalization action, time to commence, § **14:407**
- Duration, this index
- Employment-Based Immigration, this index
- Full-Time Employment, this index
- H Nonimmigrants, this index
- Illegal entry crimes, § **17:33**
- Intracompany Transferees, this index
- Late Filing, this index
- Naturalization applications, deadline for filing, § **14:314**
- Naturalization applications by members of armed forces, deadline for processing, § **1:112**
- Nonimmigrant Visas, this index
- O Nonimmigrants, this index
- Permanent Residents, this index
- P Nonimmigrants, this index
- Priority Date, this index
- Relatives of citizens or permanent residents, this index
- Removal, administrative review of bond determinations, § **13:128**
- Review, filing of petition for, § **15:17**

TIMOR

- Refugees and asylum, Migration and Refugee Assistance Act (MRAA), § **10:36**

INDEX

TITLE IRRELEVANT

Intracompany transferees, eligibility,
§ 4:524, 4:529

TITLE OR ORDER OF NOBILITY

Renunciation, naturalization, § 14:191

TITLE VI

42 USCA § 2000d, aliens' rights under,
§ 16:56

TN NONIMMIGRANTS

Generally, § 4:710-4:730

Activity or activities, § 4:710-4:730

Addition of employer, § 4:720

Admission, § 4:710-4:730

Admission in the United States, gener-
ally, § 4:727

Amendment or change

Employer change, § 4:720

Nonimmigrant classification change,
§ 4:88

Applications

Change of nonimmigrant classifica-
tion, § 4:88

Classification of Canadians as TN
professionals, § 4:715, 4:716

Filing visa application, § 4:5

Attorney General, international
electronic data system, § 4:729,
4:731

Baccalaureate degree, § 4:719

Beneficiaries, § 4:710-4:730

Change. Amendment or change, above

Change of status to TN while in United
States, § 4:727.50

Children and spouses, § 4:711, 4:715,
4:728

Classification, § 4:710-4:730

Consular officers, § 4:712, 4:714, 4:715

Definitions

Business activities at a professional
level, § 4:712

Engage in business activities at a
professional level, § 4:712

Temporary entry, § 4:712

Derivative status, § 4:711, 4:715

Disaster relief insurance claims adjust-
ers, qualifications, § 4:721

Documents and documentation

Change or addition of employer,
§ 4:720

TN NONIMMIGRANTS—Cont'd

Documents and documentation—Cont'd

Classification as TN professionals,
§ 4:714, 4:716

Dual intent, § 4:710

Education and schools

Baccalaureate degree, § 4:719

Foreign medical graduates, qualifica-
tions for particular professions or
occupations, § 4:725, 4:726

Qualifications for particular profes-
sions or occupations, § 4:719

Temporary residence and in-state
tuition, § 4:713

Electronic data system, international,
§ 4:729, 4:731

Eligibility, § 4:711

Employment, § 4:710-4:730

Engineers, qualifications for particular
professions or occupations, § 4:722

Entry, § 4:710-4:730

Evidence

Classification as TN professionals,
§ 4:715, 4:716

Presumptions, § 4:710

Extension of stay, § 4:730

Filing

Application for visa, § 4:5

Petitions, § 4:714, 4:720

Foreign medical graduates, qualifica-
tions for particular professions or
occupations, § 4:725, 4:726

Immigration officers, § 4:712, 4:715

In-state tuition, temporary residence,
§ 4:713

Intent to return to home country, § 4:710

International electronic data system,
§ 4:729, 4:731

Licenses, qualifications for particular
professions or occupations, § 4:719

List of professions or occupations in
which business activity must be
demonstrated, § 4:718

Management consultants, qualifications
for particular professions or
occupations, § 4:723

Modification. Amendment or change,
above

NAFTA (North American Free Trade
Agreement), generally, § 4:710-
4:730

TN NONIMMIGRANTS—Cont'd

Numerical limit on visas, § 4:710

Nurses. Registered nurses, below

Occupations and professions, § 4:710-4:730

Offer of employment, classification of Canadians as TN professionals, § 4:715

Petitions

Change or addition of employer, § 4:720

Classification of Mexicans as TN professionals, § 4:714

Presumptions, § 4:710

Professionals, § 4:710-4:730

Proof. Evidence, above

Qualifications for particular professions or occupations, § 4:719, 4:721-4:726

Registered nurses

Generally, § 4:370

Qualifications, § 4:726

Schools. Education and schools, above

Scientific technicians and technologists, qualifications for particular professions or occupations, § 4:724

Secretary of Homeland Security, international electronic data system, § 4:729, 4:731

Secretary of State, international electronic data system, § 4:729, 4:731

Spouses and children, § 4:711, 4:715, 4:728

Status, § 4:710-4:730

Stay in U.S., § 4:710-4:730

Temporary entry and stay, § 4:710-4:730

Trade NAFTA nonimmigrants, generally, § 4:710-4:730

United States admission, generally, § 4:727

United States Citizenship and Immigration Services (USCIS), § 4:714, 4:716

Visas, § 4:710-4:730

T NONIMMIGRANTS

Victims of Trafficking, this index

TOLLING OF STATUTE OF LIMITATIONS

Permanent residents, rescission of status, § 9:284

TOLLING OF STATUTE OF LIMITATIONS—Cont'd

Removal of conditions for active duty service personnel abroad, § 1:122

TOM LANTOS AND HENRY J. HYDE UNITED STATES GLOBAL LEADERSHIP AGAINST HIV/AIDS, TUBERCULOSIS, AND MALARIA REAUTHORIZATION ACT OF 2008

Generally, § 1:108

TOM LANTOS BLOCK BURMESE JADE ACT OF 2008

Generally, § 1:107

TORTURE

Refugees and Asylum, this index

TORTURE CONVENTIONConvention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)
United Nations, this index**TORTURE VICTIMS RELIEF ACT OF 1998**

Generally, § 1:40

TORTURE VICTIMS RELIEF REAUTHORIZATION ACT OF 1999

Generally, § 1:41

TORTURE VICTIMS RELIEF REAUTHORIZATION ACT OF 2003

Generally, § 1:78

TOTALITARIAN PARTY MEMBERSHIP

Inadmissibility, this index

Waiver for nonimmigrant visa holders, § 3:194

TOURISTS

Generally, § 6:241-6:264

Adopted children, B-2 visitors for pleasure for prospective adoptees, § 6:250

Avocational schools, B-2 visitors for pleasure for prospective students, § 6:255

INDEX

TOURISTS—Cont'd

- B-2 nonimmigrant visas. Visitors for pleasure, B-2 nonimmigrant visas, below this group
- Basic criteria and eligibility, B-2 visitors for pleasure, § 6:242
- Children
 - Adopted children, B-2 visitors for pleasure for prospective adoptees, § 6:250
 - Child of U.S. citizen residing abroad seeking naturalization, B-2 visitors for pleasure, § 6:249
 - Temporary visit, spouse of child of citizen or permanent resident on, § 6:247
- Cohabiting partners, B-2 visitors for pleasure, § 6:248
- Extended family members, B-2 visitors for pleasure, § 6:248
- Factors in determining entitlement to temporary visitor B-2 classification, § 6:243
- Fianc0233es and fianc0233s, B-2 visitors for pleasure, § 6:245
- Household members not eligible for derivative status, B-2 visitors for pleasure, § 6:248
- Length of stay. Validity of B visas and length of stay, below
- List of eligible aliens, B-2 visitors for pleasure, § 6:244
- Military service, B-2 visitors for pleasure for aliens entitled to naturalization based on, § 6:246
- Nonimmigrant visas
 - Adoptees, B-2 visitors for pleasure for prospective adoptees, § 6:250
 - Avocational schools, B-2 visitors for pleasure for prospective students, § 6:255
 - B-2 nonimmigrant visas. Visitors for pleasure, B-2 nonimmigrant visas, below this group
 - Basic criteria and eligibility, B-2 visitors for pleasure, § 6:242
 - Child of U.S. citizen residing abroad seeking naturalization, B-2 visitors for pleasure, § 6:249
 - Cohabiting partners, B-2 visitors for pleasure, § 6:248

TOURISTS—Cont'd

- Nonimmigrant visas—Cont'd
 - Extended family members, B-2 visitors for pleasure, § 6:248
 - Factors in determining entitlement to temporary visitor B-2 classification, § 6:243
 - Fianc0233es and fianc0233s, B-2 visitors for pleasure, § 6:245
 - Household members not eligible for derivative status, B-2 visitors for pleasure, § 6:248
 - Length of stay. Validity of B visas and length of stay, below
 - List of eligible aliens, B-2 visitors for pleasure, § 6:244
 - medical treatment applicants, “birth tourism,” § 6:251
 - Military service, B-2 visitors for pleasure for aliens entitled to naturalization based on, § 6:246
 - Orphans, B-2 visitors for pleasure, § 6:250
 - Permanent residents, B-2 visitors for pleasure visas for emergency temporary visit to U.S., § 6:252
 - Proxy marriage, B-2 visas for spouses by proxy marriage, § 6:245
 - Recreational schools, B-2 visitors for pleasure visas for prospective students, § 6:255
 - Short-course of study incidental to visit, B-2 visitors for pleasure visas for prospective students, § 6:256
 - Students, prospective. B-2 visitors for pleasure, individuals classifiable as, above this group
 - Validity of B visas and length of stay, § 6:257
 - Indefinite durational validity, § 6:257
 - Personal employees, one-year visa, § 6:258
 - Visitors for pleasure, B-2 nonimmigrant visas
 - Generally, § 6:241-6:264
 - Adoptees, prospective, § 6:250
 - Avocational schools, prospective students, § 6:255
 - Basic criteria and eligibility, § 6:242

TOURISTS—Cont'd

- Nonimmigrant visas—Cont'd
 - Visitors for pleasure, B-2 nonimmigrant visas—Cont'd
 - Child of U.S. citizen residing abroad seeking naturalization, § **6:249**
 - Cohabiting partners, § **6:248**
 - Extended family members, § **6:248**
 - Factors in determining entitlement to temporary visitor classification, § **6:243**
 - Fianc0233es and fianc0233s, § **6:255**
 - Household members not eligible for derivative status, § **6:248**
 - List of eligible aliens, § **6:244**
 - Military service, aliens entitled to naturalization based on, § **6:246**
 - Orphans, § **6:250**
 - Permanent residents, emergency temporary visit to U.S., § **6:252**
 - Proxy marriage, spouses by, § **6:245**
 - Recreational schools, prospective students, § **6:255**
 - Short-course of study incidental to visit, prospective students, § **6:256**
 - Students, prospective
 - Generally, § **6:253**
 - Avocational schools, § **6:255**
 - Credible evidence of acceptance or admission, § **6:254**
 - Recreational schools, § **6:255**
 - Short-course of study incidental to visit, § **6:256**
 - Temporary visit, spouse of child of citizen or permanent resident on, § **6:247**
 - Orphans, B-2 visitors for pleasure, § **6:250**
 - Permanent residents, B-2 visitors for pleasure visas for emergency temporary visit to U.S., § **6:252**
 - Permanent residents, eligibility for adjustment of status under INA § 245, § **9:195**
 - Pilot bond program, B-2 visa applicants, high refusal countries, § **6:256.50**

TOURISTS—Cont'd

- Proxy marriage, B-2 visas for spouses by proxy marriage, § **6:245**
- Recreational schools, B-2 visitors for pleasure visas for prospective students, § **6:255**
- Short-course of study incidental to visit, B-2 visitors for pleasure visas for prospective students, § **6:256**
- Validity of B visas and length of stay. Nonimmigrant visas, above
- Visitors for pleasure, B-2 nonimmigrant visas. Nonimmigrant visas, above

TPS (TEMPORARY PROTECTED STATUS)

- Refugees and Asylum, this index

TRACKING SYSTEM

- Establishment by Secretary of Homeland Security, § **1:200**

TRADE, BUSINESS, OCCUPATION OR PROFESSION

- Aliens' rights, generally, § **16:47-16:52**
- Communications Act, federal restrictions on noncitizen licenses, § **16:52**
- Employment-Based Immigration, this index
- H-1B nonimmigrants, § **4:323-4:325**
- H Nonimmigrants, this index
- Inspections, evaluations, verifications, and compliance reviews, § **4:706**
- Intracompany transferees, specialized knowledge professionals, § **4:509-4:599**
- Law, alien's practice of, § **16:49, 16:111**
- Licenses, federal restrictions, § **16:52**
- Permanent residents, adjustment of status from permanent resident to nonimmigrant, § **9:272-9:277**
- Public office and employment, alien's eligibility for, § **16:50, 16:51, 16:111**
- Religious workers, § **4:694, 4:702, 4:703**
- Right to work, basic rule of, § **16:47**
- State laws denying aliens right to enter certain professions, § **16:48**
- Temporary entry of business persons, 2003 legislation, § **1:74**
- TN nonimmigrants, § **4:710-4:730**

INDEX

TRADE AND COMMERCE

- Free Trade Agreements, this index
- Temporary visitors for business, activities furthering international trade or commerce, § 4:119
- TN Nonimmigrants, this index
- Treaty Traders and Investors, this index

TRADE NAFTA PROFESSIONALS

- TN nonimmigrants, this index

TRAFFICKING

- Inadmissibility, traffickers in controlled substances, § 3:34
- Trafficking Victims Protection Reauthorization Act of 2003, § 1:79
- Trafficking Victims Protection Reauthorization Act of 2005, § 1:91
- Victims of Trafficking, this index
- Victims of Trafficking and Violence Prevention Act of 2000, § 1:47

TRAFFICKING VICTIMS PROTECTION ACT

- Fair Labor Standards Act, § 16:91

TRAINING AND TRAINEES

- Employment-Based Immigration, this index
- Exchange visitor program. Student and Exchange Visitors, this index
- H Nonimmigrants, this index
- Intracompany transferees, change of status after initial entry as trainee nonimmigrant, § 4:599
- Nurses (J exchange visitors), program transfer to obtain additional training, § 4:368
- Temporary visitors for business, H-1 or H-3 classifiable aliens eligible for B-1 classification, § 4:121, 4:123-4:125
- Treaty investors, availability of status to employees of investor, § 4:192

TRANSCRIPTS

- Employer sanctions and unfair immigration related employment practices, administrative hearings, § 12:163

TRANSFER OR TRANSFERS

- Intracompany Transferees, this index

TRANSFER OR TRANSFERS—Cont'd

- Nonimmigrant visas, transfer to other travel documents, § 4:33
- Nurses (J exchange visitors), program transfer to obtain additional training, § 4:368
- Permanent residents, applications for immigrant visas, § 9:73
- Student and Exchange Visitors, this index
- Transferability of priority date, employment-based immigration, preference petitions, § 8:156

TRANSIT

- Aliens in Transit, this index
- En route or In Transit, this index
- Inspection and admission of arriving aliens with visas, § 2:46
- Transits Without Visas (TWOV), suspension of program, § 2:45

TRANSITION

- H nonimmigrants, nurses, § 4:363

TRANSITS WITHOUT VISAS (TWOV)

- Permanent residents, eligibility for adjustment of status under INA § 245, § 9:194
- Suspension of program, § 2:45, 3:208

TRANSITS WITH VISAS

- Inspection and admission of arriving aliens, § 2:46

TRANSLATION AND TRANSLATORS

- Due process rights to, § 10:213
- Evidence discrepancies caused by language problems and, § 10:224
- Impartiality of translators, § 10:213
- Naturalization examination, § 14:337
- Permanent residents, hearing on rescission of status, § 9:295
- Refugees and Asylum, this index
- Removal, this index

TRANSPORTATION

- H nonimmigrants, liability for return transportation costs, § 4:241, 4:476
- O nonimmigrants, liability for cost of return transportation, § 4:605
- P nonimmigrants, return transportation, § 4:693

“TRANSPORTATION LETTER”

Parole of aliens into United States,
§ 2:212

TRANSPORTING AS OFFENSE

Removal, aggravated felony for
purposes of, § 13:73
Stolen goods, inadmissibility, denial of
admission or visa, § 3:16

TRANSSEXUAL’S MARRIAGE

Relatives of citizens or permanent
residents, implications of U.S. v.
Windsor, § 7:11

TRAVEL

Amnesty, this index
Documents. Refugees and Asylum, this
index
Secure Travel and Counterterrorism
Partnership Act of 2007, § 1:98

TRAVEL ACT

Drug offenses, removal for, § 13:76

TREASON

Generally, § 14:4
Crimes and related conduct, § 17:201
Expatriation, this index

**TREASURY ENFORCEMENT
COMMUNICATIONS SYSTEM
(TECS II)**

Inadmissibility, denial of admission or
visa, § 3:1

TREATIES

Aliens’ rights and duties under, § 16:4
Expatriation, effect on, § 14:431
Property rights of aliens
Inheritance or testamentary disposi-
tion, § 16:129
Real property rights, generally,
§ 16:122
Traders and investors. Treaty Traders
and Investors, this index

**TREATY TRADERS AND
INVESTORS**

Generally, § 4:163-4:208
Activities must constitute trade, § 4:175-
4:177
Adjustment of status, permanent
residents, § 4:206-4:208, 9:197,
9:272-9:277

**TREATY TRADERS AND
INVESTORS—Cont’d**

Administrative review, § 4:202
Admission, § 4:203, 4:204
Alternative business related visas for
aliens not eligible for E nonim-
migrant visas, § 4:166
Amendment. Change, below
Applications
Concurrent applications, change of
status, § 4:198
Employment change, § 4:205
Extension of stay, § 4:68
Nonimmigrant classification change,
§ 4:88
Reissuance of visa, § 4:30, 4:196
Status change, § 4:197, 4:198, 4:204,
4:205
Visas, § 4:196
Approval or denial, § 4:202, 4:205
Australian specialty occupation workers
and their spouses and children, E-3
visa, § 4:195
Authorization for employment, spouse
and children of E nonimmigrant,
§ 4:169
Availability of status to employees or
trader or investor, § 4:178-4:180,
4:191, 4:192
B-1 nonimmigrants. Temporary visitors
for business, below
Background, § 4:163
Bringing personal or domestic servant as
B-1 nonimmigrant, § 4:167
Burden of proof as to entitlement to E
status, § 4:199
Capacity, § 4:180, 4:189
Change
Adjustment of status, permanent
residents, § 4:206-4:208, 9:197,
9:272-9:277
Nonimmigrant classification, § 4:87,
4:88
Status, § 4:197, 4:198, 4:202, 4:204,
4:205
Terms and conditions of status or
employment, § 4:205
Children
Admission, § 4:203
Change of status, § 4:198
Derivative status, below

TREATY TRADERS AND INVESTORS—Cont'd

- Children—Cont'd
 - Employment, § **4:169**
- Classification, § **4:163-4:208**
- Commercial enterprise, investment requirement, § **4:188**
- Company or firm, treaty traders, § **4:171-4:180**
- Concurrent applications, change of status, § **4:198**
- Conditions and terms of status, § **4:204, 4:205**
- Consular office, applications, § **4:196**
- Control, investment requirement, § **4:190**
- Countries, treaty investors, § **4:181**
- Countries having treaty with U.S., § **4:163-4:208**
- Definition of trade, § **4:175**
- Denial or approval, § **4:202, 4:205**
- Departure upon termination of status, intent, § **4:164, 4:168, 4:193**
- Derivative status
 - Generally, § **4:169**
 - Eligibility for E classification, § **4:164**
 - Loss of status, § **4:201**
- Determinations, § **4:173, 4:183, 4:184**
- Development, investment requirement, § **4:190**
- Directing interest, investment requirement, § **4:190**
- Domestic servant, bringing as B-1 nonimmigrant, § **4:167**
- Dual nationality of company or enterprise, § **4:174, 4:184**
- Duration of stay, § **4:200**
- Duties must be executive or supervisory, availability of treaty trader status to treaty trader employees, § **4:179**
- E-1 treaty traders, generally, § **4:171-4:180**
- E-2 treaty investors, generally, § **4:181-4:194**
- E-3 visa, Australian specialty occupation workers and their spouses and children, § **4:195**
- Effect
 - Dual nationality of company or enterprise, § **4:174, 4:184**

TREATY TRADERS AND INVESTORS—Cont'd

- Effect—Cont'd
 - Private bill, adjustment from E nonimmigrant status to permanent resident status, § **4:207**
- Eligibility or ineligibility
 - Generally, § **4:164**
 - Alternative business related visas for aliens not eligible for E nonimmigrant visas, § **4:166**
 - E-1 treaty traders, generally, § **4:171-4:180**
 - E-2 treaty investors, generally, § **4:181-4:194**
 - Extension of stay, § **4:200**
- Employment
 - Generally, § **4:165**
 - Availability of status to employees or trader or investor, § **4:178-4:180, 4:191, 4:192**
 - Change of employment, § **4:205**
 - Spouse and children of E nonimmigrant, § **4:169**
 - Taipei Economic and Cultural Representative Office (TECRO) employees, § **4:170**
 - Terms and conditions of status, § **4:204, 4:205**
- Enterprise, treaty investors, § **4:181-4:194**
- Entry procedures, § **4:203**
- Essential employees, availability of treaty trader status to treaty trader employees, § **4:180**
- Executive duties, availability of treaty trader status to treaty trader employees, § **4:179**
- Extension of stay, § **4:68, 4:200, 4:202**
- Firm or company, treaty traders, § **4:171-4:180**
- Highly trained employee, availability of treaty investor status to treaty investor employees, § **4:192**
- H nonimmigrants, alternative business related visas for aliens not eligible for E nonimmigrant visas, § **4:166**
- Husband and wife. Spouses, below
- Ineligibility. Eligibility or ineligibility, above
- I nonimmigrants, alternative business related visas for aliens not eligible

TREATY TRADERS AND INVESTORS—Cont'd

for E nonimmigrant visas, § 4:166
 Inspection at port of entry, § 4:203
 Intent to depart upon termination of status, § 4:164, 4:168, 4:193
 Interests, investment requirement, § 4:190
 Issuance of visas, § 4:203
 Judicial review, § 4:202
 L nonimmigrants, alternative business related visas for aliens not eligible for E nonimmigrant visas, § 4:166
 Loss of status for principal E nonimmigrant and derivative family members, § 4:201
 Maintaining E nonimmigrant status, § 4:196-4:201
 Managers, availability of treaty investor status to treaty investor employees, § 4:192
 Marginal capacity of enterprise, investment requirement, § 4:189
 Minor capacity, availability of treaty trader status to treaty trader employees, § 4:180
 Modification. Change, above
 Motions, denial of change of status or extension of stay, § 4:202
 Nationals and nationality, § 4:164, 4:165, 4:172-4:174, 4:182-4:184
 North American Free Trade Agreement (NAFTA), § 4:166, 4:196
 Northern Mariana Islands, E-2 investor classification, § 4:194
 Obtaining E nonimmigrant status, § 4:196-4:201
 Operating commercial enterprise, investment requirement, § 4:188
 Permanent residents, adjustment of status, § 4:206-4:208, 9:197, 9:272-9:277
 Personal servant, bringing as B-1 nonimmigrant, § 4:167
 Port of entry, inspection at, § 4:203
 Presumption of nonimmigrant status, § 4:3
 Principally between U.S. and treaty country, activities must constitute trade, § 4:176
 Private bill, adjustment from E nonimmigrant status to permanent resi-

TREATY TRADERS AND INVESTORS—Cont'd

dent status, § 4:207
 Proportionality test, substantial investment, § 4:187
 Qualifications, availability of status to employees, § 4:180, 4:192
 Real, operating commercial enterprise, investment requirement, § 4:188
 REAL ID Act of 2005, § 1:88
 Reconsideration, denial of change of status or extension of stay, § 4:202
 Reentry procedures, § 4:203
 Regulations, § 4:163-4:208
 Reissuance of visa, § 4:30, 4:196
 Removal, loss of status for principal E nonimmigrant and derivative family members, § 4:201
 Reopening, denial of change of status or extension of stay, § 4:202
 Requests
 Change of status, § 4:202
 Extension of stay, § 4:200
 Secretary of State, eligibility for E classification, § 4:164
 Self-employed persons, § 4:163-4:208
 Servant, bringing personal or domestic servant as B-1 nonimmigrant, § 4:167
 Skills, availability of treaty trader status to treaty trader employees, § 4:180
 Special qualifications, availability of status to employees, § 4:180, 4:192
 Spouses
 Admission, § 4:203
 Change of status, § 4:198
 Derivative status, above
 Employment, § 4:169
 State Department, § 4:163, 4:196
 Status
 Generally, § 4:163-4:208
 Adjustment of status, permanent residents, § 4:206-4:208, 9:197, 9:272-9:277
 Availability of status to employees or trader or investor, § 4:178-4:180, 4:191, 4:192
 Burden of proof as to entitlement to E status, § 4:199
 Change of status, § 4:197, 4:198, 4:202, 4:204, 4:205

TREATY TRADERS AND INVESTORS—Cont'd

Status—Cont'd

Derivative status, above

Intent to depart upon termination of status, § **4:164, 4:168, 4:193**Loss of status for principal E nonimmigrant and derivative family members, § **4:201**Obtaining and maintaining E nonimmigrant status, § **4:196-4:201**Presumption of nonimmigrant status, § **4:3**Terms and conditions of status, § **4:204, 4:205**

Stay

Duration of stay, § **4:200**Extension of stay, § **4:68, 4:200, 4:202**Substantial trade or investment, § **4:177, 4:186, 4:187**Supervisory duties, availability of treaty trader status to treaty trader employees, § **4:179**Taipei Economic and Cultural Representative Office (TECRO) employees, § **4:170**TECRO (Taipei Economic and Cultural Representative Office) employees, § **4:170**

Temporary visitors for business

Alternative business related visas for aliens not eligible for E nonimmigrant visas, § **4:166**Application for change of status in U.S., § **4:197**Bringing personal or domestic servant as B-1 nonimmigrant, § **4:167**Eligibility, § **4:118**Termination of status, intent to depart upon, § **4:164, 4:168, 4:193**Terms and conditions of status, § **4:204, 4:205**Trained employees, availability of treaty investor status to treaty investor employees, § **4:192**United States Citizenship and Immigration Services (USCIS), § **4:163, 4:197, 4:200**Visas, § **4:30, 4:163-4:208**

Wife and husband. Spouses, above

TREATY TRADERS AND INVESTORS—Cont'dWork authorization for nonimmigrant spouses, 2002 legislation, § **1:62****TRUCK DRIVERS**Temporary visitors for business, commercial truck drivers who are residents of Canada and Mexico, § **4:140****TRUSTS**Property rights of aliens, § **16:131****TUBERCULOSIS**Global leadership legislation against, § **1:108**Inadmissibility, denial of admission or visa, § **3:3****TUITION**TN nonimmigrants, temporary residence and in-state tuition, § **4:713****TURKS AND CAICOS ISLANDS**Border crossing documents, nonimmigrant British subjects residing in Turks and Caicos Islands, § **2:115****21ST CENTURY DEPARTMENT OF JUSTICE APPROPRIATIONS AUTHORIZATION ACT**Generally, § **1:72**

Employment-based immigration, EB-5 program

Application procedures for designation of EB-5 regional centers, § **8:96**Recordkeeping procedures for EB-5 regional centers, § **8:97****TWOV**

Transits Without Visas (TWOV), this index

TWO-YEAR FOREIGN RESIDENCE REQUIREMENTH-1B nonimmigrants, waiver for foreign medical graduates, § **4:326, 4:327**Permanent residents, refusal of visa, § **9:139****U.N. LAISSEZ-PASSER (UNLP)**International organization representatives, G-4 visas and placement in UNLP, § **6:49**

**UNACCREDITED SCHOOLS'
DEGREES**

Employment-based immigration, second or third preference eligibility, § **8:25, 8:57**

**UNATTACHED TO FOREIGN
ENTITY EMPLOYEES**

Intracompany transferees, eligibility, § **4:551**

UNAUTHENTIC DOCUMENTS

Permanent residents, supporting documentation for applications for immigrant visas, § **9:87**

UNAUTHORIZED EMPLOYMENT

A nonimmigrant visas, ineligibility for change of nonimmigrant classification, § **4:86**

Permanent residents, eligibility for adjustment of status under INA § 245, § **9:175**

**UNDER SECRETARY FOR BORDER
AND TRANSPORTATION
SECURITY**

Department of Homeland Security, this index

UNDOCUMENTED ALIENS

Employment Related Rights of Aliens, this index

UNDOCUMENTED NONCITIZENS

“Zero-tolerance policy,” southwest border, § **2:158**

UNEMPLOYMENT COMPENSATION

Benefit rights, action to enforce, § **16:105**

Credits under state unemployment compensation laws

Generally, § **16:98-16:105**

Approval by Secretary of Labor, § **16:98**

Lawful permanent residence requirement, § **16:99-16:105**

Definition of “employment” for purposes of federal act, § **16:96, 16:97**

Department of Labor opinion letters, § **16:100, 16:101**

Disaster unemployment assistance, § **16:103**

UNEMPLOYMENT COMPENSATION

—Cont’d

Employment related rights of aliens, generally, § **16:96-16:105**

PRUCOL status, Department of Labor opinion letters, § **16:101**

Railroad Unemployment Insurance Act, § **16:106**

Social Security benefits, unemployed aliens’ right to, § **16:104**

Undocumented aliens’ ineligibility for benefits, § **16:102-16:104**

**UNFAIR EMPLOYMENT
PRACTICES**

Employer Sanctions and Unfair Immigration Related Employment Practices, this index

Office of the Chief Administrative Hearing Officer (OCAHO), § **1:221**

**UNIFORM RELOCATION
ASSISTANCE AND REAL
PROPERTY ACQUISITION
POLICIES ACT**

Property rights of aliens, § **16:147**

UNIONS

Employment related rights of aliens, this index

H-1C nonimmigrants, § **4:394**

UNIQUE MATTERS

P nonimmigrants, culturally unique program participants, § **4:643 et seq., 4:666, 4:667, 4:674**

**UNITAR (UNITED NATIONS
INSTITUTE FOR TRAINING
AND RESEARCH) INTERNS**

Temporary visitors for business, H-1 or H-3 classifiable aliens eligible for B-1 classification, § **4:124**

UNITED NATIONS

Convention Against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment (CAT)

Generally, § **1:189**

Judicial review of claim denials under CAT, § **15:11**

Refugees and asylum, § **10:168**

Convention Relating to the Status of Refugees, § **10:168**

INDEX

UNITED NATIONS—Cont'd

- High Commissioner for Refugees (UNHCR). Refugees and Asylum, this index
- International School, G-4 visas for director and teachers, § 6:48
- Refugee status handbook, § 10:6, 10:151
- Temporary visitors for business, United Nations Institute for Training and Research (UNITAR) interns, § 4:124
- U.N. Laissez-Passer (UNLP), G-4 visas and placement in UNLP, § 6:49

UNITED STATES AND ITS OUTLYING POSSESSIONS

- What included in, § 14:12

UNITED STATES-CHILE FREE TRADE AGREEMENT

- H-1B1 nonimmigrants, § 4:334-4:347

UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES

- USCIS (United States Citizenship and Immigration Services), this index

UNITED STATES CONFIDENTIAL BUSINESS INFORMATION

- Unauthorized disclosure of “United States confidential business information,” inadmissibility, § 3:126

UNITED STATES CONGRESS

- Congress, this index

UNITED STATES-JORDAN FREE TRADE AREA IMPLEMENTATION ACT

- Generally, § 1:59

UNITED STATES-MEXICO-CANADA AGREEMENT (USMCA)

- Admission under, § 4:587, 4:588

UNITED STATES-MEXICO-CANADA AGREEMENT IMPLEMENTATION ACT

- 2020, § 1:146

UNITED STATES-SINGAPORE FREE TRADE AGREEMENT

- H-1B1 nonimmigrants, § 4:334-4:347

UNIVERSITY STUDENTS

- Student and Exchange Visitors, this index

UNLAWFULLY PRESENT ALIENS

- Inadmissibility, this index

UNMARRIED STATUS

- First preference eligibility. Relatives of Citizens or Permanent Residents, this index
- Relatives of Citizens or Permanent Residents, this index
- Second preference eligibility. Relatives of Citizens or Permanent Residents, this index

UNNAMED BENEFICIARIES

- H nonimmigrants, petitions, § 4:217, 4:495

U NONIMMIGRANT VISAS

- Humanitarian/Material Witnesses, this index

UNSKILLED LABOR

- Employment-Based Immigration, this index
- Temporary visitors for business, ineligibility for B-1 classification, § 4:116

UNUSED VISA

- Permanent residents, § 9:155

“URGENT HUMANITARIAN REASONS”

- Parole of noncitizens subject to expedited removal and arriving aliens placed in removal proceedings, § 2:174

U.S. CITIZENSHIP

- Expedited removal, claim to U.S. citizenship. Expedited Removal, this index
- Firearms, effect of renunciation of citizenship on right to possess, § 16:19
- Ineligibility, citizenship. Inadmissibility, this index
- Inspection and Admission of Arriving Aliens, this index
- Practice of law, citizenship as requirement for, § 16:49, 16:111

**U.S. CITIZENSHIP AND
IMMIGRATION SERVICES
(USCIS)**

Student and Exchange Visitors, this
index

USA PATRIOT ACT

Generally, § **1:61**
Inadmissibility, denial of admission or
visa, § **3:41 et seq.**
Mandatory detentions of suspected ter-
rorists
noncitizens, § **13:440**
Permanent Residents, this index
Removal
Applications for withholding,
§ **10:238**
Information sharing requirements,
§ **13:9**

**USCIS (UNITED STATES
CITIZENSHIP AND
IMMIGRATION SERVICES)**

Application Support Centers (ASC),
§ **1:212**
Associate Director for Operations.
Director, powers and duties, below
this group
Director, powers and duties
Generally, § **1:207**
Application Support Centers (ASC),
§ **1:212**
Associate Director for Operations
Generally, § **1:208**
Regional directors, below this
group
District directors
Generally, § **1:210**
Officers in charge, below this group
Employees, § **1:217**
Office of International Affairs
Generally, § **1:214**
Asylum offices, § **1:215**
Officers in charge
Generally, § **1:211**
Additional officials and employees,
§ **1:217**
Application Support Centers
(ASC), § **1:212**
Ombudsman, § **1:217**
Regional directors
Generally, § **1:209**

**USCIS (UNITED STATES
CITIZENSHIP AND
IMMIGRATION SERVICES)**

—Cont'd

Director, powers and duties—Cont'd
Regional directors—Cont'd
District directors, above this group
Service centers, § **1:213**
Employment-based immigration, § **8:13
et seq.**
H nonimmigrants, § **4:209 et seq.**
International Organization Representa-
tives, this index
Intracompany transferees, § **4:510 et
seq.**
Naturalization
Authority of employees to administer
oaths and take depositions,
§ **14:305**
Reopening proceedings, above
Role of USCIS, § **14:304**
Nonimmigrant visas, § **4:5 et seq.**
Office of International Affairs. Director,
powers and duties, above
Officers in charge. Director, powers and
duties, above
Ombudsman, § **1:217**
Permanent residents, § **9:1 et seq.**
P nonimmigrants, § **4:644, 4:649 et seq.**
Regional directors. Director, powers and
duties, above
Relatives of Citizens or Permanent
Residents, this index
Religious Workers, this index
Service centers, § **1:213**
S nonimmigrant visas, submission of
request to USCIS, § **6:310**
Temporary visitors for business,
§ **4:148, 4:151, 4:154, 4:155**
TN nonimmigrants, § **4:714, 4:716**
Treaty traders and investors, § **4:163,
4:197, 4:200**

USE

Dormant H-1B petitions, § **4:220**
Intracompany transferees, use of staffing
levels to determine capacity,
§ **4:523, 4:528**
O nonimmigrants, notice of approval of
petition for determination of
eligibility for classification, § **4:631**

INDEX

USE—Cont'd

P nonimmigrants, approval notice,
§ 4:691

USES AND TRUSTS

Property rights of aliens, § 16:131

VACCINATIONS

Inadmissibility, denial of admission or
visa, § 3:2

Permanent residents, medical examina-
tion of applicants for immigrant
visas, § 9:96-9:99

VAGRANCY

Inadmissibility, denial of admission or
visa, § 3:19

VALIDITY OR INVALIDITY

Employment-Based Immigration, this
index

H Nonimmigrants, this index

Intracompany Transferees, this index

Nonimmigrant Visas, this index

O Nonimmigrants, this index

Permanent Residents, this index

P Nonimmigrants, this index

Temporary Visitors for Business, this
index

VAWA

Violence Against Women Act (VAWA),
this index

VENUE

Administrative Procedures Act, actions
under, § 15:29

Crimes and Related Conduct, this index

Denaturalization, § 14:405

Habeas corpus, § 15:26

Petition for review, § 15:17

Removal, § 13:145, 13:160

VERIFICATION

Amnesty, criminal history, § 9:373

Employer sanctions and unfair immigra-
tion related employment practices,
this index

Expedited removal defenses

Asylee or refugee status, § 2:243

Lawful permanent residents (LPRs),
claim to LPR status, § 2:242

Nonimmigrant visas, applications, § 4:5

VESSELS

Crew Members, this index

Removal, this index

Small Vessel Reporting System (SVRS)
Program, inspection and admission
of arriving aliens, § 2:63

Stowaways. Removal, this index

VETERANS

Benefits, eligibility of aliens for
veterans', § 16:73

Citizenship, this index

Foreign enlistees with honorable active
duty records, fourth preference
employment-based immigration,
§ 8:75-8:81, 9:198

Hmong Veterans and Spouses, this index

Naturalization, this index

VICE

Inadmissibility, denial of admission or
visa, § 3:36

VICTIMS OF TRAFFICKING

Department of Justice Regulations.
Nonimmigrant visas, below

Diplomatic visas, extension of status for
A-3, attendants, servants, or
personal employees, § 6:17

International organization representa-
tives, G-5 visas, extension of status,
§ 6:53

LEA requests. Nonimmigrant visas,
below

Nonimmigrant visas

Generally, § 6:318-6:363

Applicants with final orders of
inadmissibility, deportation or
removal, § 6:331

Application for T nonimmigrant
status, § 6:325

Basic criteria, § 6:319

Bona fide application, § 6:347

Compliance with reasonable LEA
requests

Generally, § 6:341

Affidavits, § 6:343

Exception, applicants under age 18,
§ 6:343

Exception for applicants under age
15, § 6:344

Primary evidence of compliance,
§ 6:342

VICTIMS OF TRAFFICKING—Cont'd

- Nonimmigrant visas—Cont'd
 - Denial of application, § **6:352**
 - De novo review, § **6:351**
 - Department of Justice Regulations
 - Access to information and translation services, § **6:361**
 - Continued presence in United States, § **6:362**
 - Protection for, and services to victims while in federal custody, § **6:360**
 - Dissemination of information, § **6:332**
 - Documentary requirements, waiver of, § **6:324**
 - Duration of status. Post-admission actions, below this group
 - Eligibility, § **6:319**
 - Employment authorization, § **6:354**
 - Evidence demonstrating that applicant is victim of severe form of trafficking in persons
 - Generally, § **6:333**
 - Affidavits, § **6:336**
 - Law enforcement authority (LEA) endorsement, § **6:334, 6:337**
 - Primary evidence of victim status, § **6:335**
 - Secondary evidence of victim status, § **6:336**
 - Evidence of extreme hardship involving unusual and severe harm upon removal, § **6:345, 6:346**
 - Fingerprint procedures, § **6:327**
 - Immediate family members, admission of, § **6:349, 6:350**
 - Interview, § **6:328**
 - Numerical limitation, § **6:320**
 - Pending immigration proceedings, aliens in. Procedures, below this group
 - Physical presence on account of trafficking in persons
 - Generally, § **6:338**
 - Departure from United States, § **6:340**
 - Post-admission actions
 - Duration of status
 - Generally, § **6:356**

VICTIMS OF TRAFFICKING—Cont'd

- Nonimmigrant visas—Cont'd
 - Post-admission actions—Cont'd
 - Duration of status—Cont'd
 - Information pertaining to adjustment of status, § **6:357**
 - Employment authorization, § **6:354**
 - Referral to support organization, § **6:353**
 - Removal, § **6:359**
 - Revocation of approved status, § **6:358**
 - Study permitted for family members, § **6:355**
 - Procedures
 - Applicants with final orders of inadmissibility, deportation or removal, § **6:331**
 - Application for T nonimmigrant status, § **6:325**
 - Bona fide application, § **6:347**
 - Compliance with reasonable LEA requests, above this group
 - Denial of application, § **6:352**
 - De novo review, § **6:351**
 - Dissemination of information, § **6:332**
 - Evidence demonstrating that applicant is victim of severe form of trafficking in persons, above this group
 - Evidence of extreme hardship involving unusual and severe harm upon removal, § **6:345, 6:346**
 - Fingerprint procedures, § **6:327**
 - Immediate family members, admission of, § **6:349, 6:350**
 - Interview, § **6:328**
 - Pending immigration proceedings, aliens in
 - Generally, § **6:329**
 - Stay of final order of exclusion, deportation, or removal, § **6:330**
 - Physical presence on account of trafficking in persons, above this group
 - Review and decision on application, § **6:348**
 - Stay of final order of exclusion, deportation, or removal, § **6:330**

INDEX

VICTIMS OF TRAFFICKING—Cont'd

Nonimmigrant visas—Cont'd

Referral to support organization,
§ 6:353

Removal, § 6:359

Review and decision on application,
§ 6:348

Revocation of approved status,
§ 6:358

Stay of final order of exclusion,
deportation, or removal, § 6:330

Study permitted for family members,
§ 6:355

Victims of Trafficking and Violence
Prevention Act of 2000, § 1:47,
6:318 et seq.

Waiting list, § 6:320

Waiver of inadmissibility

Generally, § 6:321

Application for waiver, § 6:322

Revocation of waiver, § 6:323

Permanent residents, eligibility for
adjustment of status under INA
§ 245, § 9:203

Physical presence on account of traffick-
ing in persons. Nonimmigrant
visas, above

Post-admission actions. Nonimmigrant
visas, above

Procedures. Nonimmigrant visas, above

T nonimmigrant visas. Nonimmigrant
visas, above

Trafficking Victims Protection
Reauthorization Act of 2003,
§ 1:79

Trafficking Victims Protection
Reauthorization Act of 2005,
§ 1:91

Trafficking Victims Protection
Reauthorization Act of 2008,
§ 1:115

Victims of Trafficking and Violence
Prevention Act of 2000, § 1:47,
6:318 et seq.

Waiver of inadmissibility. Nonim-
migrant visas, above

**VICTIMS OF TRAFFICKING AND
VIOLENCE PREVENTION ACT
OF 2000**

Generally, § 1:47

**VICTIMS OF TRAFFICKING AND
VIOLENCE PREVENTION ACT
OF 2000—Cont'd**

T nonimmigrant visas. Victims of Traf-
ficking, this index

U nonimmigrant visas. Humanitarian/
Material Witnesses, this index

VIDEOTAPE

Foreign Information Media Representa-
tives, this index

**VIENNA CONVENTION ON
CONSULAR RELATIONS
(VCCR)**

Aliens' rights, § 16:4

VIETNAM

Children, refugee status, § 10:10

Hmong Veterans and Spouses, this index

Orderly Departure Program, § 10:10

POW/MIA location assistance and
grants of refugee status, § 10:11

Refugees and Asylum, this index

**VIETNAM AMERASIAN
IMMIGRANTS**

Permanent residents, § 9:1, 9:4

**VIETNAMESE CHILD FATHERED
BY UNITED STATES CITIZEN**

Relatives of Citizens or Permanent
Residents, this index

**VIOLENCE AGAINST WOMEN ACT
(VAWA)**

Generally, § 1:89, 7:169, 7:172

Illegal entrants and immigration viola-
tors, battered spouse or child
exception, § 3:87

Legislation to control immigration,
§ 1:47

Reauthorization, 2013, § 1:127

Self-petitions by abused children,
eligibility under VAWA 2005,
§ 7:194

VIRGIN ISLANDS

Border crossing documents, nonim-
migrant aliens entering from Virgin
Islands as exempt from passport
and visa requirements by law or
treaty, § 2:128

Citizenship of persons born in or
inhabiting, § 14:23, 14:24

VISA BOND PILOT

Programs, § **4:38.50**

VISAS

“A” visas. Diplomatic Visas, this index

A-1 visa classification. Diplomatic Visas, this index

A-2 visa classification. Diplomatic Visas, this index

A-3 visa classification. Diplomatic Visas, this index

Alien crew members. Crew members, this index

Alien witnesses or informants with information regarding crimes or terrorism. S Nonimmigrant Visas, this index

Border Crossing Documents, this index

C-3 visa classification. Diplomatic Visas, this index

Crimes and Related Conduct, this index
Denaturalization for ineligibility under Displaced Persons Act, § **14:393-14:395**

Department of State, this index

Diplomatic Visas, this index

Employment-Based Immigration, this index

Inadmissibility, this index

Inspection and Admission of Arriving Aliens, this index

International Organization Representatives, this index

Issuance. Department of Homeland Security, this index

NATO, this index

Noncitizen nationality and ineligibility for visa, § **14:63**

Nonimmigrant Visas, this index

Penalties

Discontinuing granting visas to nationals of country denying or delaying accepting noncitizen, § **13:490**

Permanent Residents, this index

Relatives of Citizens or Permanent Residents, this index

Removal, this index

Replacement of Visas, this index

Student and Exchange Visitors, this index

VISAS—Cont’d

Student visa abusers, denial of admission or visa, § **3:104**

Visa Office, Department of State, § **1:259**

Visa Viper, security and related grounds of inadmissibility, § **3:54**

Visa Waiver Program (VWP). Border Crossing Documents, this index

Void visas. Nonimmigrant Visas, this index

Waivers of Inadmissibility, this index

VISAS 92 BENEFICIARIES

Generally, § **10:270 et seq.**

VISITORS

Permanent Residents, this index

Temporary Visitors, this index

Temporary Visitors for Business, this index

Temporary Visitors for Pleasure, this index

V NONIMMIGRANTS

Permanent residents, eligibility for adjustment of status under INA § 245, § **9:207**

Visas. V Nonimmigrant Visas, this index

V NONIMMIGRANT VISAS

Generally, § **6:371-6:390**

Aliens already in immigration proceedings, § **6:373, 6:389**

Basic criteria, § **6:372**

Department of Homeland Security regulations, applying for visa in U.S.

Age-out cases, § **6:390**

Aliens in proceedings, § **6:389**

Application. Eligibility and application, below this group

Eligibility and application

Generally, § **6:381**

Where to apply, § **6:382**

Employment authorization, § **6:385**

Period of admission, § **6:384**

Port of entry, alien applying at, § **6:383**

Termination of status, § **6:387, 6:388**

Travel abroad, § **6:386**

Unlawful presence, § **6:386**

Where to apply, § **6:382**

INDEX

V NONIMMIGRANT VISAS—Cont'd

- Eligibility, § 6:372
- Employment authorization, § 6:374, 6:385
- Presumption of nonimmigrant status, § 4:3
- State Department regulations, obtaining visa abroad
 - Confirming eligibility for V status, § 6:379
 - Documentary requirements, § 6:368, 6:378
- Eligibility
 - Generally, § 6:376
 - Confirming eligibility for V status, § 6:379
 - Immigrant eligibility required, § 6:377
- Fees for V status, § 6:380
- Immigrant eligibility required, § 6:377
- Validity of V status, § 6:380
- Termination of authorized stay, § 6:375

VOLUNTARY DEPARTURE

- Amnesty, family fairness and family unity, § 9:321, 9:327, 9:328
- Permanent residents, denial of application for adjustment of status under INA § 245, § 9:242
- Removal, this index
- Stay pending judicial review, § 15:22

VOLUNTEERS

- Inspections, evaluations, verifications, and compliance reviews, § 4:706
- Temporary Visitors for Business, this index

VOTES AND VOTING

- Crime relating to voting in federal election, § 17:206
- Denial of voting rights to aliens, § 16:6
- Labor representation election, aliens' right to vote in, § 16:88, 16:89
- Removal, this index
- Unlawful voters, grounds of inadmissibility, § 3:119

WAGES

- Backpay awards to undocumented workers, § 16:90

WAGES—Cont'd

- Employment-Based Immigration, this index
- H Nonimmigrants, this index
- Intracompany transferees, proposed employment in U.S. eligibility, § 4:539

WAIVER

- Amnesty, this index
- Employment-Based Immigration, this index
- H Nonimmigrants, this index
- K visa nonimmigrants, waiver of criminal bar due to crimes against minors, § 6:268
- Naturalization, this index
- Nonimmigrant Visas, this index
- O nonimmigrants, consultation requirements, § 4:626
- Permanent Residents, this index
- P Nonimmigrants, this index
- Refugees and Asylum, this index
- Removal fees, § 13:156
- Waivers of Inadmissibility, this index

WAIVERS OF INADMISSIBILITY

- Generally, § 3:129
- Addiction, waiver of ineligibility not available, § 3:165
- Aliens. "Otherwise eligible aliens," below
- Benefit, fraud in seeking immigration. "Otherwise eligible aliens," below
- Communicable disease waivers. "Otherwise eligible aliens," below
- Communist party membership. "Otherwise eligible aliens," below
- Criminal-conduct waiver. "Otherwise eligible aliens," below
- Document fraud waiver. "Otherwise eligible aliens," below
- Employment authorization, § 6:367
- Exchange Visitor Program, foreign residence requirement waiver (J-1 waiver), § 3:210
- Forms
 - DS-3035, J-1 Visa Waiver Application, § 3:213
 - I-130, § 3:177, 3:180
 - I-131, Request for Parole, § 3:177, 3:180

WAIVERS OF INADMISSIBILITY

—Cont'd

- Forms—Cont'd
 - I-192, Application for Advance Permission to Enter as a Non-Immigrant, § **3:194**
 - I-193, § **3:198**
 - I-212, Application for Permission to Reapply for Admission into the United States After Deportation or Removal, § **3:143**
 - I-485, Application to Register Permanent Residence or Adjust Status, § **3:167, 3:177**
 - I-601, Application for Waiver of Grounds of Inadmissibility, § **3:156, 3:157, 3:167, 3:180**
 - I-602, Application By Refugee For Waiver of Grounds of Excludability, § **3:156, 3:157**
- Fraud. "Otherwise eligible aliens," below
- Fraud in seeking immigration benefit. "Otherwise eligible aliens," below
- Health related grounds waiver. "Otherwise eligible aliens," below
- Humanitarian/material witnesses, nonimmigrant visas
 - Waiver of certain grounds of inadmissibility, § **6:367**
- Immigration benefit, waiver for fraud in seeking. "Otherwise eligible aliens," below
- Inspection and admission of arriving aliens, secondary referrals, § **2:30**
- J-1 waivers. Nonimmigrants, waivers for nonimmigrants only, below
- Juvenile offenses, "otherwise eligible aliens," § **3:135**
- K visa nonimmigrants, waiver of grounds of inadmissibility, § **6:283**
- Labor certification requirement. "Otherwise eligible aliens," below
- Lawful permanent residents (LPRs)
 - Generally, § **3:130**
 - Cancellation of removal for certain LPRs, § **3:133**
 - Criminal convictions, LPRs residing in U.S. for seven years and convicted of certain offenses, § **3:132**

WAIVERS OF INADMISSIBILITY

—Cont'd

- Lawful permanent residents (LPRs)
 - Cont'd
 - Documentary waiver for returning LPRs, § **3:131**
- Noncitizens, HIV/AIDS, § **3:162**
- Nonimmigrants, waivers for nonimmigrants only
 - Exchange Visitor Program, foreign residence requirement waiver (J-1 waiver), § **3:210**
 - Foreign residence requirement waiver, § **1:113**
 - Foreign residence requirement waiver (J-1 waiver)
 - Generally, § **3:209**
 - Application procedures
 - Generally, § **3:212**
 - Form DS-3035, J-1 Visa Waiver Application, § **3:213**
 - Procedures and factors considered, § **3:214-3:222**
 - Three-step submission to Department of State Waiver Review Division, § **3:213**
- Eligibility, § **3:210**
- Exceptional hardship to U.S. citizen of permanent resident spouse or child of exchange visitor, § **3:210, 3:214, 3:220, 3:221**
- Exchange Visitor Program, § **3:210**
- Foreign medical graduates, § **3:211**
- "No objection" statement from home government, § **3:210, 3:214, 3:215**
- Persecution, § **3:210, 3:214, 3:220, 3:222**
- Request by designated State Department of Health or equivalent, § **3:210, 3:212, 3:218, 3:219**
- Request by interested government agency (IGA), § **3:210, 3:214, 3:216, 3:217**
- Review of denial of waiver
 - Generally, § **3:223**
 - Abuse of discretion, § **3:225**
 - Standard of review, § **3:224, 3:225**

WAIVERS OF INADMISSIBILITY**—Cont'd**

- Nonimmigrants, waivers for nonimmigrants only—Cont'd
 - General waiver for applicants for nonimmigrant visas
 - Generally, § 3:186
 - Department of Homeland Security process, § 3:190
 - Eligibility, § 3:187
 - State Department process, § 3:189
 - Two-step process
 - Generally, § 3:188
 - Application procedures
 - Generally, § 3:191
 - Factors considered, § 3:192
 - Review of denials, § 3:192
 - Department of Homeland Security process, § 3:190
 - State Department process, § 3:189
 - J-1 waivers. Foreign residence requirement waiver (J-1 waiver), above this group
- Passport and visa requirements, waiver of
 - Eligibility, § 3:196
- Emergencies, unforeseen
 - Generally, § 3:195, 3:197
 - Application by U.S. consular officer or officer of visa office, § 3:199
 - Burden of proof, § 3:201
 - Direct application to DHS district director, § 3:198
 - Factors considered, § 3:202
 - Form and filing, § 3:200
 - Form I-193, § 3:198, 3:200
 - Review of denials, § 3:203
- Reciprocity cases
 - Bahamian nationals, § 3:204
 - British nationals, § 3:205
 - British subjects, § 3:204
 - Canadian nationals, § 3:204
 - Caribbean Island nationals, § 3:205
 - Federated States of Micronesia citizens, § 3:207
 - French nationals, § 3:205
 - Marshall Islands citizens, § 3:207

WAIVERS OF INADMISSIBILITY**—Cont'd**

- Nonimmigrants, waivers for nonimmigrants only—Cont'd
 - Passport and visa requirements, waiver of—Cont'd
 - Reciprocity cases—Cont'd
 - Mexican nationals, § 3:206
 - Netherlands nationals, § 3:205
 - Transits without visas (TWOV), suspension of program, § 3:208
- Visa holders, waiver for nonimmigrant visa holders
 - Application procedures and considerations for specific grounds of inadmissibility
 - Generally, § 3:194
 - Criminal grounds, § 3:194
 - Disability, § 3:194
 - Disease, § 3:194
 - Factors considered, § 3:195
 - Form I-192, Application for Advance Permission to Enter as a Non-Immigrant, § 3:194
 - Mental or physical defect, § 3:194
 - Review of denials, § 3:195
 - Seeking medical treatment, § 3:194
 - Totalitarian party membership or affiliation, § 3:194
 - Eligibility, § 3:193
- “Otherwise eligible aliens”
 - Communicable disease waivers.
 - Health related grounds waiver, below this group
 - Communist party membership
 - Generally, § 3:135, 3:136
 - Before-age-16 membership, § 3:138
 - Close family members, exception for, § 3:141
 - Involuntary membership, § 3:137
 - Living essentials, membership to obtain, § 3:140
 - Operation-of-law membership, § 3:139
 - Criminal-conduct waiver
 - Generally, § 3:169

WAIVERS OF INADMISSIBILITY

—Cont'd

- “Otherwise eligible aliens”—Cont'd
- Criminal-conduct waiver—Cont'd
 - Aggravated felon, § **3:171**
 - Application procedures
 - Generally, § **3:177**
 - Forms
 - I-130, § **3:177**
 - I-131, Request for Parole, § **3:177**
 - I-485, Application to Register Permanent Residence or Adjust Status, § **3:177**
 - I-601, Application for Waiver of Grounds of Inadmissibility, § **3:177**
 - Review of denials, § **3:178**
 - Where to file, § **3:177**
 - Domestic abuse victims, § **3:176**
 - Exceptional and extremely unusual hardship, § **3:175**
 - Extreme hardship to qualifying family members, § **3:174**
 - Lawfully resided continuously, § **3:170**
 - Prostitution cases, rehabilitation, § **3:173**
 - Rehabilitation
 - Generally, § **3:172**
 - Prostitution cases, § **3:173**
 - Document fraud waiver
 - Generally, § **3:155**
 - Application procedures
 - Generally, § **3:156**
 - Forms
 - I-601, Application for Waiver of Grounds of Inadmissibility, § **3:156, 3:157**
 - I-602, Application By Refugee For Waiver of Grounds of Excludability, § **3:156, 3:157**
 - Investigation procedures, § **3:157**
 - Review of denials, § **3:158**
 - Where to file, § **3:157**
- Fraud
 - Document fraud waiver, above
 - Immigration benefit, waiver for fraud in seeking, below

WAIVERS OF INADMISSIBILITY

—Cont'd

- “Otherwise eligible aliens”—Cont'd
- Health related grounds waiver
 - Generally, § **3:159**
- Application procedures
 - Generally, § **3:166**
- Consular processing, § **3:167**
- Forms
 - I-485, Application to Register Permanent Residence or Adjust Status, § **3:167**
 - I-601, Application for Waiver of Grounds of Inadmissibility, § **3:167**
- Review of denials, § **3:168**
- Where to file, § **3:167**
- Communicable disease waivers
 - Generally, § **3:160**
 - HIV/AIDS, § **3:162**
 - Tuberculosis, § **3:161**
- Physical or mental disorder waiver, § **3:164**
- Substance abuse, waiver of ineligibility not available, § **3:165**
- Vaccination waiver, § **3:163**
- Immigration benefit, waiver for fraud in seeking
 - Generally, § **3:179**
- Application procedures
 - Generally, § **3:180**
- Adjustment of status before USCIS, § **3:180**
- Consular processing, § **3:180**
- Factors considered, § **3:181**
- Forms
 - I-130, § **3:180**
 - I-131, § **3:180**
 - I-601, Application for Waiver of Grounds of Inadmissibility, § **3:180**
- Removal proceedings, § **3:180**
- Review of denials, § **3:182**
- Where to file, § **3:180**
- Juvenile offenses, § **3:135**
- Labor certification requirement
 - Generally, § **3:183**
 - Documentary waiver, § **3:184**
- Petty offenses, § **3:134**
- Public charge bond, § **3:185**

WAIVERS OF INADMISSIBILITY**—Cont'd**

- “Otherwise eligible aliens”—Cont'd
 - Reapplication, permission to reapply for admission after being previously removed
 - Generally, § 3:142
 - Adjustment-of-status applicants, application procedure, § 3:144
 - Admission at port of entry, application procedure, § 3:144
 - Application procedure, § 3:144
 - Burden of proof, § 3:145
 - Consular applicants for nonimmigrant visa or nonresident alien border crossing card, application procedure, § 3:144
 - Factors considered, § 3:146
 - Fiancee visa applicant, application procedure, § 3:144
 - Form I-212, Application for Permission to Reapply for Admission into the United States After Deportation or Removal, § 3:143
 - Immigrant visa applicants, application procedure, § 3:144
 - Review of denials, § 3:147
 - Smuggler exception
 - Generally, § 3:152
 - Family member waiver, § 3:154
 - “Family unity” exception, § 3:153
 - Substance abuse, waiver of ineligibility not available, § 3:165
 - Unlawful presence waiver
 - Generally, § 3:148
 - Administrative appeals office (AAO) review and decisions, § 3:151
 - Application procedure, § 3:149
 - Factors considered, § 3:150
 - Permanent residents. Lawful permanent residents (LPRs), above
 - Petty offenses, “otherwise eligible aliens,” § 3:134
 - Public charge bond, “otherwise eligible aliens,” § 3:185
 - Reapplication, permission to reapply for admission after being previously removed. “Otherwise eligible aliens,” above

WAIVERS OF INADMISSIBILITY**—Cont'd**

- Smuggler exception. “Otherwise eligible aliens,” above
 - Substance abuse, waiver of ineligibility not available, § 3:165
 - Trafficking victims. Victims of Trafficking, this index
 - Unlawful presence waiver. “Otherwise eligible aliens,” above
 - Victims of Trafficking, this index
- WAR**
- Confiscation of enemy alien’s property on outbreak of war, § 16:146
 - Naturalization, this index
 - Posthumous citizenship through death while on active duty during military hostilities. Citizenship, this index
 - Refugees and Asylum, this index
 - Registration of birth abroad during war or national emergency, § 14:98
 - Removal destinations in war time conditions, § 13:415
 - Removal of foreign nationals during, § 13:114

WAR POWER CLAUSE

- Sources of Congressional power over immigration, § 16:1

WARRANTS

- Removal, § 13:121

WAR REFUGEES

- Definition, § 10:6

WEAPONS AND AMMUNITION

- Firearms and Ammunition, this index

WEAPONS OF MASS DESTRUCTION

- Removals on national security grounds, § 13:115

WEIGHT AND SUFFICIENCY OF EVIDENCE

- Amnesty, Legal Immigration Family Equity (LIFE) Act, § 9:354
- Permanent residents, eligibility for adjustment of status under INA § 245, § 9:192

WELFARE AND PUBLIC BENEFITS

- Affidavits of support, § 16:76-16:79

WELFARE AND PUBLIC BENEFITS**—Cont'd**

- Aliens' rights
 - Generally, § **16:59-16:85**
 - State and local benefits, eligibility for, § **16:80-16:85**
 - Tuition and financial aid for education, § **16:84**
- Amnesty, Legal Immigration Family Equity (LIFE) Act, § **9:373**
- Athletes, treatment of foreign student, § **16:84**
- Attribution of income, § **16:76-16:79**
- Battery and need for benefit, substantial connection between, § **16:61**
- California's Proposition 187, § **16:85**
- Cruelty and need for benefit, substantial connection between, § **16:61**
- Definition of "state or local public benefit," § **16:80**
- Driver's licenses, immigrant access to, § **16:81**
- Education benefits, eligibility for, § **16:84**
- Eligibility
 - Federal benefits, generally, § **16:59-16:85**
 - "Qualified aliens," below
 - Specific benefits, generally, § **16:68-16:75**
 - State and local benefits, generally, § **16:80-16:85**
- Federal benefits, eligibility for, § **16:59-16:85**
- Food stamps, eligibility for, § **16:66, 16:68**
- Housing assistance, eligibility for, § **16:69**
- Income, attribution of, § **16:76-16:79**
- Lawful presence in U.S. of aliens who are not "qualified," § **16:64**
- Legalized aliens' eligibility for, § **16:75**
- Legal services, eligibility for, § **16:70**
- Local benefits, eligibility for, § **16:80-16:85**
- Means-testing, § **16:76-16:79**
- Medicaid, eligibility for, § **16:66, 16:72**
- Naturalization, good moral character requirement for, § **14:162**
- Public charges, aliens likely to become Inadmissibility, this index

WELFARE AND PUBLIC BENEFITS**—Cont'd**

- Public charges, aliens likely to become
 - Cont'd
 - Removal, this index
 - Waivers of inadmissibility, public charge bond, § **3:185**
 - "Qualified aliens"
 - Generally, § **16:59, 16:80**
 - Aliens who are not "qualified," generally, § **16:62-16:65**
 - Lawful presence in U.S. of aliens who are not "qualified," § **16:64**
 - Limited eligibility
 - Generally, § **16:66**
 - Five-year limited eligibility, § **16:67**
 - State's right to limit eligibility, § **16:82, 16:83**
 - Social Security Title II benefits for aliens who are not "qualified," § **16:65**
 - State's right to limit eligibility of, § **16:82, 16:83**
 - Who is "qualified alien," § **16:60**
 - School lunch and breakfast programs, eligibility for, § **16:74**
 - Social Security
 - Eligibility for Social Security number, § **16:71**
 - Extension for elderly and disabled refugees, § **1:109**
 - Title II benefits for aliens who are not "qualified," § **16:65**
 - Unemployed aliens' right to benefits, § **16:104**
 - State and local benefits
 - Attribution of income and affidavits of support, § **16:79**
 - Eligibility, generally, § **16:80-16:85**
 - Temporary resident's eligibility for, § **16:75**
 - Veterans' benefits, eligibility for, § **16:73**
- WHISTLEBLOWERS**
- H nonimmigrants, labor condition application for H-1B nonimmigrants, § **4:298**
 - Opposition to corruption, § **10:120**

INDEX

WIDOW OR WIDOWER OF UNITED STATES CITIZEN

Relatives of Citizens or Permanent Residents, this index

WILLFULNESS

Crew members overstaying, penalties for willfully overstaying conditional permit, § 6:119

Denaturalization, this index

Employment-Based Immigration, this index

H nonimmigrants, labor condition application for H-1B nonimmigrants, § 4:290-4:294

Inadmissibility

Misrepresentation, § 3:93

Tax evasion, § 3:18

WITHDRAWAL

Employment-based immigration, withdrawal of offer of employment, § 8:196, 8:211

H nonimmigrants, labor condition application for H-1B nonimmigrants, § 4:260

Inspection and admission of arriving noncitizens, withdrawal of application for admission and cancellation of visa, § 2:27

Nonimmigrant visas, request for cancellation of visa in order to withdraw bond, § 4:52#

Permanent resident adjustment of status under INA § 245, withdrawal of visa petition or labor certification application, § 9:183

Temporary visitors for business, bond, § 4:154

WITHHOLDING

Permanent residents, withholding of adjudication of petition pending investigation, § 9:62

Removal, withholding of. Refugees and Asylum, this index

WITNESSES

Alien witnesses with information regarding crimes or terrorism. S Nonimmigrant Visas, this index

Employer Sanctions and Unfair Immigration Related Employment Practices, this index

WITNESSES—Cont'd

Evidence, this index

Humanitarian/Material Witnesses, this index

Material witnesses. Humanitarian/material witnesses, this index

Parole of Aliens Into United States, this index

Permanent Residents, this index

Subpoenas, this index

WOMEN

Pregnant Women, this index

Violence Against Women Act (VAWA), this index

Women losing citizenship by marrying alien. Repatriation, this index

WOODSMEN

H-2B nonimmigrants, labor certification, § 4:485

WORDS AND PHRASES

Active-duty status, § 14:65

Admission, § 2:2, 13:3

Admitted, § 2:2

Adopted child, § 1:43

Adult member of prospective adoptive parents' household, § 7:287

Affiliate, § 3:61, 4:547, 8:16

Aggravated felon, § 13:39

Alien terrorist, § 13:461

Applicants for admission, § 2:2

Application for admission, § 2:2

Area of employment, § 4:346

Arts, § 4:602, 4:646

Asylee, § 10:1

Attempt, § 13:41

Attestation, § 4:704

Bona fide nonprofit religious organization, § 4:700

Business, § 4:110

Business activities at a professional level, § 4:712

Child, § 14:10, 14:208

Classified information, § 13:461

Competition, event or performance, § 4:646

Conspiracy, § 13:41

Contract, § 4:646

Controlled substance, § 3:31

Crime of moral turpitude, § 13:31

WORDS AND PHRASES—Cont'd

Crimes of violence, § 13:46
 Culturally unique, § 4:646
 Daughter, § 7:28, 14:208
 Decedent, § 14:65
 Denizen, § 14:295
 Derivative, § 10:14, 10:15
 Displace, § 4:346
 Doing business, § 8:11, 8:17
 Employee, § 12:8
 Employment, § 16:96, 16:97
 Enemy alien, § 14:295
 Engage in business activities at a professional level, § 4:712
 Engage in terrorist activity, § 3:49
 Enlistment, § 14:65
 Entry, § 2:2, 13:3
 Essential support alien, § 4:646
 Event, § 4:602
 Exceptional ability, § 8:40
 Executive capacity, § 4:527, 8:12
 Extraordinary ability, § 4:602, 8:6
 Extraordinary achievement, § 4:602
 Father, § 14:10, 14:208
 Full-time employment, § 8:88
 Grandfathered alien, § 9:177
 Group, § 4:646
 High school education or its equivalent, § 9:13
 Home study preparer, § 7:288
 Illegal alien, § 13:3
 Immediate relative, § 7:65, 7:66, 9:174
 Immigrant, § 9:2
 Immigrant visa, § 9:2
 Induction, § 14:65
 Internationally recognized, § 4:646
 International organization, § 6:32
 Korean Hostilities, § 14:65
 Lays off, § 4:346
 Lodge Act, § 14:65
 Managerial capacity, § 4:522, 8:13
 Marijuana, § 3:31
 Member of a group, § 4:646
 Mental disorder, § 3:6
 Minister, § 4:696, 4:697
 Moral turpitude, § 13:31
 Mother, § 14:10, 14:208
 Multinational, § 8:14
 National, § 14:58
 National security, § 3:52, 13:461

WORDS AND PHRASES—Cont'd

Native, § 9:11
 Naturalization, § 14:101
 Next-of-kin, § 14:65
 Nonimmigrants, § 4:1
 Nonimmigrant visa, § 4:1
 Orphan child, § 7:61
 Other periods of military hostilities, § 14:65
 Outlying possessions of the United States, § 14:12
 Outstanding professor or researcher, § 8:9
 Overstay, § 13:14
 Parent, § 14:10, 14:208
 Passport, § 2:65
 Persecution, § 10:67
 Physical disorder, § 3:6
 Political opinion, § 10:98
 Profession, § 8:23, 8:54
 Reenlistment, § 14:65
 Refugee, § 10:1, 10:6
 Religious denomination, § 4:699
 Religious occupation, § 4:703
 Religious training and belief, § 14:184
 Religious worker, § 4:701
 Removal, § 13:1
 Removal hearing, § 13:461
 Removal proceeding, § 13:461
 Removed Court, § 13:461
 Representative, § 3:47, 14:65
 Residence, § 4:110, 14:11
 Rural area, § 8:88
 Solicitation, § 13:41
 Son, § 7:28, 14:208
 Special attorney, § 13:461
 Specialty occupation, § 4:335
 Specified terrorist activity, § 8:214
 Sponsor, § 4:646
 State or local public benefit, § 16:80
 Subsidiary, § 4:548, 8:15
 Targeted employment area, § 8:88
 Team, § 4:646
 Temporary, § 4:110
 Temporary agricultural worker, § 4:410
 Temporary entry, § 4:712
 Temporary services or labor, § 4:474
 Terrorist organization, § 3:51
 Totalitarian dictatorship, § 3:60
 Totalitarianism, § 3:60

INDEX

WORDS AND PHRASES—Cont'd

- Totalitarian party, § 3:60
- Trade, § 4:175
- United States, § 14:12
- United States worker, § 4:346
- Vietnam Hostilities, § 14:65
- VISAS 92 beneficiaries, § 10:270
- Wages paid, § 4:275
- Well-founded fear, § 10:63
- Working in professional capacity, § 4:702
- World War I, § 14:65
- World War II, § 14:65

WORK EXPERIENCE

- Permanent residents, diversity immigrants, § 9:11-9:19

WORKING CONDITIONS

- Employment-Based Immigration, this index
- H Nonimmigrants, this index

**WORLD SERVICE AUTHORITY
PASSPORTS**

- Nonimmigrant visas, applications, § 4:20

WORLDWIDE QUOTAS

- Permanent residents, numerical quotas, § 9:32-9:34

X-RAYS

- Chest X-rays, § 9:95, 9:106, 9:107
- Conduct of examination, § 9:236
- Identity of alien, physician's responsibility regarding, § 9:102
- No medical defect, disease, or disability, procedure upon finding, § 9:237
- Permanent residence applicants, generally, § 9:95

YACHT CREW MEMBERS

- Temporary visitors for business, eligibility for B-1 classification, § 4:128

YUGOSLAVIA

- Refugees and Asylum, this index

“ZERO-TOLERANCE POLICY”

- Undocumented noncitizens, southwest border, § 2:158