CHAPTER I

SUBCHAPTER A
GENERAL PROVISIONS

Part 1—Definitions...................................................................... 1
§ 1.1 Applicability ................................................................. 1
§ 1.2 Definitions ...................................................................... 1
§ 1.3 Lawfully present aliens for purposes of applying for Social Security benefits ................................................. 3
§ 1.4 Definition of Form I-94 ................................................... 3

Part 2—Authority of the Secretary of Homeland Security .. 4
§ 2.1 Authority of the Secretary of Homeland Security .......... 4

Part 3—Executive Office for Immigration Review ............. 4
§ 3.0 Executive Office for Immigration Review .................... 4

SUBCHAPTER B
IMMIGRATION REGULATIONS

Part 100—Statement of Organization ................................... 5
§ 100.1 Introduction ............................................................. 5
§ 100.2 [Reserved] ............................................................. 5
§ 100.3 Places where, and methods whereby, information may be secured or submittals or requests made ...... 5
§ 100.4 Field offices ............................................................ 5
§ 100.5 Regulations ................................................................ 15
§ 100.6 [Reserved] ............................................................. 15
§ 100.7 [Reserved] ............................................................. 15

Part 101—Presumption of Lawful Admission ................. 15
§ 101.1 Presumption of lawful admission ......................... 15
§ 101.2 Presumption of lawful admission; entry under erroneous name or other errors ................................. 17
§ 101.3 Creation of record of lawful permanent resident status for person born under diplomatic status in the United States .................................................. 18
§ 101.4 Registration procedure .......................................... 18
§ 101.5 Special immigrant status for certain G-4 nonimmigrants ................................................................. 19

Part 103—Immigration Benefit Requests; USCIS Filing Requirements; Biometric Requirements; Availability of Records ..................................................... 19
§ 103.1 [Reserved] ............................................................. 20
§ 103.2 Submission and adjudication of benefit requests ...... 20
§ 103.3 Denials, appeals, and precedent decisions ............ 26
§ 103.4 Certifications .......................................................... 29
§ 103.5 Reopening or reconsideration .................................. 29
§ 103.5a [Removed] .......................................................... 31
§ 103.5b [Removed] .......................................................... 31
§ 103.6 Immigration bonds .................................................. 31

§ 103.7 Fees ........................................................................... 34
§ 103.8 Service of decisions and other notices .................... 36
§ 103.9 Request for further action on an approved benefit request .............................................................. 37
§ 103.10 Precedent decisions ................................................ 37
§ 103.12 [Removed] [Reserved] ............................................. 38
§ 103.16 Collection, use and storage of biometric information ................................................................. 38
§ 103.17 Biometric services fee ............................................ 38
§ 103.20–103.36 [Reserved] ................................................ 38
§ 103.37 [Removed] .......................................................... 38
§ 103.38 Genealogy Program ............................................... 38
§ 103.39 Historical Records ................................................ 39
§ 103.40 Genealogical research requests ......................... 39
§ 103.41 [Reserved] .......................................................... 40
§ 103.42 Rules relating to the Freedom of Information Act (FOIA) and the Privacy Act ......................... 40

Part 106—USCIS Fee Schedule ............................................ 41
§ 106.1 Fee requirements .................................................... 41
§ 106.2 Fees ............................................................................. 41
§ 106.3 Fee waivers and exemptions ................................... 47
§ 106.4 Premium processing service ................................... 49
§ 106.5 Authority to certify records ...................................... 49
§ 106.6 DHS severability ...................................................... 49

Part 204—Immigrant Petitions .............................................. 50
§ 204.1 General information about immediate relative and family-sponsored petitions ......................... 50
§ 204.2 Petitions for relatives, widows and widowers, and abused spouses and children ................................. 52
§ 204.3 Orphan cases under section 101(b)(1)(F) of the Act (non–Hague Adoption Convention cases) .......... 68
§ 204.4 Amerasian child of a United States citizen .......... 79
§ 204.5 Petitions for employment-based immigrants ....... 82
§ 204.6 Petitions for employment creation immigrants .... 93
§ 204.7 Preservation of benefits contained in savings clause of Immigration and Nationality Act Amendments of 1976 ...................................................... 100
§ 204.8 [Reserved] ............................................................. 100
§ 204.9 Special immigrant status for certain aliens who have served honorably (or are enlisted to serve) in the Armed Forces of the United States for at least 12 years .......... 100
§ 204.10 [Reserved] ............................................................. 101
§ 204.11 Special immigrant status for certain aliens declared dependent on a juvenile court (special immigrant juvenile) ...................................................... 102
§ 204.12 How can second-preference immigrant physicians be granted a national interest waiver based on service in a medically underserved area or VA facility? ......... 103
§ 204.13 How can the International Broadcasting Bureau of the United States Broadcasting Board of Governors petition for a fourth preference special immigrant broadcaster? ............................................. 105
§ 212.3 Application for the exercise of discretion under section 212(c) ........................................................................ 198
§ 212.4 Applications for the exercise of discretion under section 212(d)(1) and 212(d)(3) ........................................... 199
§ 212.5 Parole of aliens into the United States ................. 204
§ 212.6 Border crossing identification cards ....................... 206
§ 212.7 Waiver of certain grounds of inadmissibility .... 207
§ 212.8–212.9 [Reserved] .................................................. 216
§ 212.10 Section 212(k) waiver ........................................... 216
§ 212.11 [Reserved] ......................................................... 216
§ 212.12 Parole determinations and revocations respecting Mariel Cubans ........................................... 216
§ 212.13 [Reserved] ......................................................... 216
§ 212.14 Parole determinations for alien witnesses and informants for whom a law enforcement authority ("LEA") will request S classification ........................................ 219
§ 212.15 Certificates for foreign health care workers .... 220
§ 212.16 Applications for exercise of discretion relating to T nonimmigrant status ............................................. 228
§ 212.17 Applications for the exercise of discretion relating to U nonimmigrant status ........................................ 229
§ 212.18 Applications for waivers of inadmissibility in connection with an application for adjustment of status by T nonimmigrant status holders ........................................ 230
§ 212.19 Parole for entrepreneurs ........................................ 230
§ 212.20–212.23 [Removed] ................................................ 235
Part 213—Admission of Aliens on Giving Bond or Cash Deposit ................................................................. 235
§ 213.1 Admission under bond or cash deposit .......... 235
Part 213a—Affidavits of Support on Behalf of Immigrants ...................................................................................... 235
§ 213a.1 Definitions .............................................................. 235
§ 213a.2 Use of affidavit of support ..................................... 237
§ 213a.3 Change of address ................................................ 245
§ 213a.4 Actions for reimbursement, public notice, and congressional reports ........................................... 246
§ 213a.5 Relationship of this part to other affidavits of support .................................................. 247
Part 214—Nonimmigrant Classes ................................................. 247
§ 214.1 Requirements for admission, extension, and maintenance of status .................................................... 248
§ 214.2 Special requirements for admission, extension, and maintenance of status ........................................... 253
§ 214.3 Approval of schools for enrollment of F and M nonimmigrants .......................................................... 396
§ 214.4 Denial of certification, denial of recertification, or withdrawal of SEVP certification ......................... 405
§ 214.5 Libyan and third country nationals acting on behalf of Libyan entities ................................................. 407
§ 214.6 Citizens of Canada or Mexico seeking temporary entry under NAFTA to engage in business activities at a professional level .................................................. 408
§ 214.7 Habitual residence in the territories and possessions of the United States and consequences thereof ...... 413

§ 214.8–214.10 [Reserved].................................................. 415
§ 214.11 Alien victims of severe forms of trafficking in persons ........................................................................... 415
§ 214.12 Preliminary enrollment of schools in the Student and Exchange Visitor Information System (SEVIS) .......... 427
§ 214.13 SEVIS fee for certain F, J, and M nonimmigrants .... 428
§ 214.14 Alien victims of certain qualifying criminal activity .... 430
§ 214.15 Certain spouses and children of lawful permanent residents ............................................................. 439
§ 214.16 [Removed] ............................................................. 441

Part 215—Controls of Aliens Departing from the United States; Electronic Visa Update System ...................... 441
§ 215.1 Definitions .............................................................. 442
§ 215.2 Authority of departure-control officer to prevent alien’s departure from the United States .................. 442
§ 215.3 Alien whose departure is deemed prejudicial to the interests of the United States ..................................... 443
§ 215.4 Procedure in case of alien prevented from departing from the United States ........................................ 444
§ 215.5 Hearing procedure before special inquiry officer .......... 444
§ 215.6 Departure from the Canal Zone, the Trust Territory of the Pacific Islands, or outlying possessions of the United States ........................................................................... 445
§ 215.7 Instructions from the Administrator required in certain cases ........................................................... 446
§ 215.8 Requirements for biometric identifiers from aliens on departure from the United States ............ 446
§ 215.9 Temporary Worker Visa Exit Program ...................... 447
§ 215.21 Purpose ................................................................. 447
§ 215.22 Applicability .......................................................... 447
§ 215.23 Definitions ............................................................ 447
§ 215.24 Electronic Visa Update System (EVUS) requirements .................................................. 447

Part 216—Conditional Basis of Lawful Permanent Residence Status ............................................................. 449
§ 216.1 Definition of conditional permanent resident ...... 449
§ 216.2 Notification requirements ........................................ 450
§ 216.3 Termination of conditional resident status ............ 450
§ 216.4 Joint petition to remove conditional basis of lawful permanent resident status for alien spouse .......... 450
§ 216.5 Waiver of requirement to file joint petition to remove conditions by alien spouse ........................................... 453
§ 216.6 Petition by investor to remove conditional basis of lawful permanent resident status ................. 455

Part 217—Visa Waiver Program ................................................. 457
§ 217.1 Scope ................................................................. 457
§ 217.2 Eligibility ............................................................... 457
§ 217.3 Maintenance of status ............................................. 458
§ 217.4 Inadmissibility and deportability ......................... 459
§ 217.5 Electronic System for Travel Authorization .......... 459
§ 217.6 Carrier agreements ................................................. 461
§ 217.7 Electronic data transmission requirement .............. 461

Part 221—Admission of Visitors or Students ......................... 461
§ 221.1 Admission under bond ............................................. 461
### Table of Contents

#### Part 223—Reentry Permits, Refugee Travel Documents, and Advance Parole Documents
- § 223.1 Purpose of documents ........................................ 461
- § 223.2 Application and processing ................................ 462
- § 223.3 Validity and effect on admissibility .................... 463

#### Part 231—Arrival and Departure Manifests
- § 231.1 Electronic manifest and I-94 requirement for passengers and crew onboard arriving vessels and aircraft ................................................................. 463
- § 231.2 Electronic manifest and I-94 requirement for passengers and crew onboard departing vessels and aircraft ................................................................. 464
- § 231.3 Exemptions for private vessels and aircraft ............ 465

#### Part 232—Detention of Aliens for Physical and Mental Examination
- § 232.1 General ................................................................. 465
- § 232.2 Examination in the United States of alien applicants for benefits under the immigration laws and other aliens ................................................................. 465
- § 232.3 Arriving aliens ...................................................... 466

#### Part 233—Contracts with Transportation Lines
- § 233.1 Contracts ............................................................. 466
- § 233.2 Transportation lines bringing aliens to the United States from or through foreign contiguous territory or adjacent islands ................................................................. 466
- § 233.3 [Reserved] .......................................................... 466
- § 233.4 Preinspection outside the United States ............... 467
- § 233.5 Aliens entering Guam pursuant to section 14 of Public Law 99-396, “Omnibus Territories Act.” ............ 467
- § 233.6 Aliens entering Guam or the Commonwealth of the Northern Mariana Islands pursuant to Title VII of Public Law 110-229, “Consolidated Natural Resources Act of 2008.” * 467

#### Part 234—Designation of Ports of Entry for Aliens Arriving by Civil Aircraft
- § 234.1 Definitions ......................................................... 467
- § 234.2 Landing requirements ......................................... 467
- § 234.3 Aircraft; how considered .................................. 468
- § 234.4 International airports for entry of aliens ............. 468

#### Part 235—Inspection of Persons Applying for Admission
- § 235.1 Scope of examination ........................................ 468
- § 235.2 Parole for deferred inspection ............................ 474
- § 235.3 Inadmissible aliens and expedited removal ............ 475
- § 235.4 Withdrawal of application for admission ............. 479
- § 235.5 Preinspection ..................................................... 479
- § 235.6 Referral to immigration judge ......................... 479
- § 235.7 Automated inspection services ....................... 480
- § 235.8 Inadmissibility on security and related grounds .... 483
- § 235.9 Northern Marianas identification card ............... 484
- § 235.10 U.S. citizen identification card ....................... 484
- § 235.11 Admission of conditional permanent residents .... 485

#### Part 236—Apprehension and Detention of Inadmissible and Deportable Aliens’ Removal of Aliens Ordered Removed
- § 236.1 Apprehension, custody, and detention ................ 490
- § 236.2 Confined aliens, incompetents, and minors .......... 495
- § 236.3 Processing, detention, and release of alien minors 495
- § 236.4 Removal of S-5, S-6, and S-7 nonimmigrants ........ 502
- § 236.5 Fingerprints and photographs .......................... 503
- § 236.6 Information regarding detainees ....................... 503
- § 236.7–236.9 [Reserved] .............................................. 504
- § 236.10 Description of program ................................... 504
- § 236.11 Definitions ...................................................... 504
- § 236.12 Eligibility ....................................................... 504
- § 236.13 Ineligible aliens ............................................. 504
- § 236.14 Filing ............................................................... 505
- § 236.15 Voluntary departure and eligibility for employment 505
- § 236.16 Travel outside the United States ..................... 506
- § 236.17 Eligibility for Federal financial assistance programs 506
- § 236.18 Termination of Family Unity Program benefits .... 506

#### Part 237—[Reserved] .................................................. 506

#### Part 238—Expedited Removal of Aggravated Felons
- § 238.1 Proceedings under section 238(b) of the Act ......... 507

#### Part 239—Initiation of Removal Proceedings
- § 239.1 Notice to appear .............................................. 509
- § 239.2 Cancellation of notice to appear ......................... 510
- § 239.3 Effect of filing notice to appear ......................... 510

#### Part 240—Voluntary Departure, Suspension of Deportation and Special Rule Cancellation of Removal
- § 240.21 Suspension of deportation and adjustment of status under §244(a) of the Act (as in effect before April 1, 1997) and cancellation of removal and adjustment of status under §240A(b) of the Act for certain nonpermanent residents ........................................... 511
- § 240.25 Voluntary departure—Authority of the Service .... 514
- § 240.60 Definitions ...................................................... 514
- § 240.61 Applicability .................................................... 515
- § 240.62 Jurisdiction ..................................................... 515
- § 240.63 Application process ........................................ 516
- § 240.64 Eligibility—General ......................................... 517
- § 240.65 Eligibility for suspension of deportation ......... 518
- § 240.66 Eligibility for special rule cancellation of removal 518
- § 240.67 Procedure for interview before an asylum officer 519
- § 240.68 Failure to appear at an interview before an asylum officer or failure to follow requirements for fingerprinting .............................................. 520
- § 240.69 Reliance on information compiled by other sources .................................................. 520
- § 240.70 Decision by the Service ................................. 520

§ 235.12 Global Entry program ........................................ 486
§ 235.13 U.S. Asia-Pacific Economic Cooperation Business Travel Card Program ........................................... 488

Copyright © 2021. American Immigration Lawyers Association
### Title 8: Aliens and Nationality

#### Table of Contents

**Part 241—Apprehension and Detention of Aliens Ordered Removed**
- §241.1 Final order of removal ................................................ 522
- §241.2 Warrant of removal .................................................... 522
- §241.3 Detention of aliens during removal period .................... 523
- §241.4 Continued detention of inadmissible, criminal, and other aliens beyond the removal period .......... 523
- §241.5 Conditions of release after removal period ................. 530
- §241.6 Administrative stay of removal .................................. 531
- §241.7 Self-removal ............................................................. 531
- §241.8 Reinstatement of removal orders ............................... 531
- §241.9 Notice to transportation line of alien’s removal ............ 532
- §241.10 Special care and attention of removable aliens .......... 532
- §241.11 Detention and removal of stowaways ......................... 532
- §241.12 Nonapplication of costs of detention and maintenance... 534
- §241.13 Determination of whether there is a significant likelihood of removing a detained alien in the reasonably foreseeable future .......... 534
- §241.14 Continued detention of removable aliens on account of special circumstances .......... 537
- §241.15 Countries to which aliens may be removed .......... 542
- §241.16–241.19 [Reserved] .................................................... 543
- §241.20 Proceedings commenced prior to April 1, 1997 .......... 543
- §241.21 Stay of deportation of excluded alien ....................... 543
- §241.22 Notice to surrender for deportation ......................... 543
- §241.23 Cost of maintenance not assessed .......................... 543
- §241.24 Notice to transportation line of alien’s exclusion .......... 543
- §241.25 Deportation ............................................................ 543
- §241.26–241.29 [Reserved] .................................................... 544
- §241.30 Proceedings commenced prior to April 1, 1997 ......... 544
- §241.31 Final order of deportation ......................................... 544
- §241.32 Warrant of deportation ............................................. 544
- §241.33 Expulsion ............................................................... 544

**Parts 242—243 [Reserved]** ................................................ 544

**Part 244—Temporary Protected Status for Nationals of Designated States**
- §244.1 Definitions .............................................................. 545
- §244.2 Eligibility ............................................................... 545
- §244.3 Applicability of grounds of inadmissibility .......... 546
- §244.4 Ineligible aliens ....................................................... 546
- §244.5 Temporary treatment benefits for eligible aliens .......... 546
- §244.6 Application ............................................................. 547
- §244.7 Filing the application ............................................... 547
- §244.8 Appearance ............................................................. 547
- §244.9 Evidence ............................................................... 547
- §244.10 Decision and appeal ............................................... 549
- §244.11 Renewal of application; appeal to the Board of Immigration Appeals ........................................... 550
- §244.12 Employment authorization ....................................... 550
- §244.13 Termination of temporary treatment benefits .......... 550
- §244.14 Withdrawal of Temporary Protected Status .......... 550
- §244.15 Travel abroad ........................................................ 551
- §244.16 Confidentiality ....................................................... 551
- §244.17 Periodic registration ................................................. 552

**Part 245—Adjustment of Status to that of Person Admitted for Permanent Residence**
- §245.1 Eligibility .............................................................. 553
- §245.2 Application ............................................................. 553
- §245.3 Adjustment of status under section 13 of the Act of September 11, 1997, as amended .................. 561
- §245.4 Documentary requirements ....................................... 561
- §245.5 Medical examination ............................................... 561
- §245.6 Interview ............................................................... 561
- §245.8 Adjustment of status as a special immigrant under section 101(a)(27)(K) of the Act .................. 562
- §245.9 [Reserved] ............................................................... 563
- §245.10 Adjustment of status upon payment of additional sum under section 245(i) .................. 563
- §245.11 Adjustment of aliens in S nonimmigrant classification ............................................ 566
- §245.12–245.14 [Reserved] .................................................... 569
- §245.15 Adjustment of status of certain Haitian nationals under the Haitian Refugee Immigrant Fairness Act of 1998 (HRIFA) ............................................ 569
- §245.18 Physicians with approved employment-based petitions serving in a medically underserved area or a Veterans Affairs facility .......... 580
- §245.20 [Reserved] ............................................................. 582
- §245.21 Adjustment of status of certain nationals of Vietnam, Cambodia, and Laos (section 586 of Public Law 106-429) ............................................ 583
- §245.22 Evidence to demonstrate an alien’s physical presence in the United States on a specific date .......... 584
- §245.23 Adjustment of aliens in T nonimmigrant classification ............................................ 585
- §245.24 Adjustment of aliens in U nonimmigrant status .......... 589
- §245.25 Adjustment of status of aliens with approved employment-based immigrant visa petitions; validity of petition and offer of employment .......... 594

**Part 245a—Adjustment of Status to that of Persons Admitted for Temporary or Permanent Resident Status Under Section 245A of the Immigration and Nationality Act** ............................................ 595
- §245a.1 Definitions ............................................................ 596
- §245a.2 Application for temporary residence .......... 599
- §245a.3 Application for adjustment from temporary to permanent resident status ........ 608
- §245a.4 Adjustment to lawful resident status of certain nationals of countries for which extended voluntary departure has been made available .......... 617
- §245a.5 Temporary disqualification of certain newly legalized aliens from receiving benefits from programs of financial assistance furnished under federal law .......... 627

[2021 Edition] xv
Table of Contents

§ 245a.6 Treatment of denied application under part 245a, Subpart B .......................................................... 628
§ 245a.10 Definitions ............................................................................................................................... 628
§ 245a.11 Eligibility to adjust to LPR status .................................................................................. 629
§ 245a.12 Filing and applications ........................................................................................................ 629
§ 245a.13 During pendency of application ....................................................................................... 631
§ 245a.14 Application for class membership in the CSS, LULAC, or Zambrano lawsuit ............... 633
§ 245a.15 Continuous residence in an unlawful status since prior to January 1, 1982, through May 4, 1988 .......... 633
§ 245a.16 Continuous physical presence from November 6, 1986, through May 4, 1988 ....................... 635
§ 245a.17 Citizenship skills .................................................................................................................. 635
§ 245a.18 Ineligibility and applicability of grounds of inadmissibility ................................................. 636
§ 245a.19 Interviews ............................................................................................................................. 637
§ 245a.20 Decisions, appeals, motions, and certifications ................................................................. 638
§ 245a.21 Confidentiality ...................................................................................................................... 639
§ 245a.22 Rescission .............................................................................................................................. 639
§ 245a.23–245a.29 [Reserved] ............................................................................................................ 640
§ 245a.30 Description of program ........................................................................................................ 640
§ 245a.31 Eligibility .............................................................................................................................. 640
§ 245a.32 Ineligible aliens ..................................................................................................................... 640
§ 245a.33 Filing ....................................................................................................................................... 640
§ 245a.34 Protection from removal, eligibility for employment, and period of authorized stay ........ 640
§ 245a.35 Travel outside the United States ......................................................................................... 641
§ 245a.36 [Reserved] ............................................................................................................................. 641
§ 245a.37 Termination of Family Unity Program benefits ...................................................................... 642

Part 246—Recission of Adjustment of Status .................................................................................. 642
§ 246.1 Notice ........................................................................................................................................ 642
§ 246.2 Allegations admitted; no answer filed; no hearing requested .............................................. 642
§ 246.3 Allegations contested or denied; hearing requested ............................................................... 643
§ 246.4 Immigration judge’s authority; withdrawal and substitution .............................................. 643
§ 246.5 Hearing ..................................................................................................................................... 643
§ 246.6 Decision and order .................................................................................................................. 643
§ 246.7 Appeals ...................................................................................................................................... 643
§ 246.8 [Reserved] .................................................................................................................................. 643
§ 246.9 Surrender of Form I-551 ......................................................................................................... 643

Part 247—Adjustment of Status of Certain Resident Aliens ................................................................ 644
§ 247.1 Scope of part .............................................................................................................................. 644
§ 247.11 Notice ....................................................................................................................................... 644
§ 247.12 Disposition of case ................................................................................................................ 644
§ 247.13 Disposition of Form I-508 .................................................................................................... 645
§ 247.14 Surrender of documents ........................................................................................................ 645

Part 248—Change of Nonimmigrant Classification ....................................................................... 645
§ 248.1 Eligibility ................................................................................................................................. 645
§ 248.2 Ineligible classes ..................................................................................................................... 646
§ 248.3 Petition and application .......................................................................................................... 647

Part 249—Creation of Records of Lawful Admission for Permanent Residence .......................... 648
§ 249.1 Waiver of inadmissibility ......................................................................................................... 648
§ 249.2 Application ............................................................................................................................. 648
§ 249.3 Reopening and reconsideration .............................................................................................. 649

Part 250—Removal of Aliens Who Have Fallen into Distress ....................................................... 649
§ 250.1 Application ............................................................................................................................. 649
§ 250.2 Removal authorization ............................................................................................................. 649

Part 251—Arrival and Departure Manifests and Lists: Supporting Documents ............................ 649
§ 251.1 Arrival manifests and lists ....................................................................................................... 649
§ 251.2 Notification of illegal landings ............................................................................................... 651
§ 251.3 Departure manifests and lists for vessels ............................................................................. 651
§ 251.4 Departure manifests and lists for aircraft .............................................................................. 651
§ 251.5 Paper arrival and departure manifests for crew .................................................................... 651
§ 251.6 Exemptions for private vessels and aircraft ......................................................................... 651

Part 252—Landing of Alien Crewmen ........................................................................................... 652
§ 252.1 Examination of crewmen ....................................................................................................... 652
§ 252.2 Revocation of conditional landing permits; removal ............................................................ 653
§ 252.3 Great Lakes vessels and tugboats arriving in the United States from Canada; special procedures .................................................................................................................................................................................. 654
§ 252.4 Permanent landing permit and identification card ............................................................ 654
§ 252.5 Special procedures for deserters from Spanish or Greek ships of war .............................. 654

Part 253—Parole of Alien Crewmen ............................................................................................... 655
§ 253.1 Parole ....................................................................................................................................... 655
§ 253.2 Termination of parole ............................................................................................................. 656

Part 258—Limitations on Performance of Longshore Work by Alien Crewmen ........................... 657
§ 258.1 Limitations—General ............................................................................................................. 657
§ 258.2 Exceptions ............................................................................................................................. 657
§ 258.3 Action upon arrival .................................................................................................................. 659

Part 264—Registration and Fingerprinting of Aliens in the United States .................................... 659
§ 264.1 Registration and fingerprinting .............................................................................................. 659
§ 264.2 Application for creation of record of permanent residence .................................................. 661
§ 264.4 [Reserved] .................................................................................................................................. 662
§ 264.5 Application for a replacement Permanent Resident Card .................................................... 662
§ 264.6 Application for a nonimmigrant arrival-departure record .................................................... 663

Part 265—Notices of Address .......................................................................................................... 664
§ 265.1 Reporting change of address ................................................................................................. 664

Part 270—Penalties for Document Fraud ....................................................................................... 664
§ 270.1 Definitions .............................................................................................................................. 664
§ 270.2 Enforcement procedures ......................................................................................................... 664
§ 270.3 Penalties .................................................................................................................................... 666
### Table of Contents

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>§ 293.3 Time of payment</td>
<td>725</td>
</tr>
<tr>
<td>§ 315.1 Definitions</td>
<td>736</td>
</tr>
<tr>
<td>§ 315.2 Eligibility</td>
<td>737</td>
</tr>
<tr>
<td>§ 315.4 Procedure</td>
<td>736</td>
</tr>
<tr>
<td>§ 315.5 Definitions of a Communist Party</td>
<td>750</td>
</tr>
<tr>
<td>§ 315.5 Applications, documents</td>
<td>737</td>
</tr>
<tr>
<td>§ 315.6 Physical presence for certain spouses of military personnel</td>
<td>739</td>
</tr>
<tr>
<td>§ 315.7–315.9 [Reserved]</td>
<td>740</td>
</tr>
<tr>
<td>§ 316.10 Good moral character</td>
<td>740</td>
</tr>
<tr>
<td>§ 316.11 Attachment to the Constitution; favorable disposition</td>
<td>750</td>
</tr>
<tr>
<td>§ 316.12 Applicant's legal incompetency during statutory period</td>
<td>741</td>
</tr>
<tr>
<td>§ 316.13 [Reserved]</td>
<td>741</td>
</tr>
<tr>
<td>§ 316.14 Adjudication—Examination, grant, denial</td>
<td>742</td>
</tr>
<tr>
<td>§ 316.15–316.19 [Reserved]</td>
<td>742</td>
</tr>
<tr>
<td>§ 316.20 American institutions of research, public international organizations, and designations under the International Immunities Act</td>
<td>742</td>
</tr>
<tr>
<td>§ 319.1 Persons living in marital union with United States citizen spouse</td>
<td>745</td>
</tr>
<tr>
<td>§ 319.2 Person whose United States citizen spouse is employed abroad</td>
<td>746</td>
</tr>
<tr>
<td>§ 319.3 Surviving spouses of United States citizens who died during a period of honorable service in an active duty status in the Armed Forces of the United States</td>
<td>747</td>
</tr>
<tr>
<td>§ 319.4 Persons continuously employed for 5 years by United States organizations engaged in disseminating information</td>
<td>747</td>
</tr>
<tr>
<td>§ 319.5 Public international organizations which the U.S. participates by treaty or statute</td>
<td>747</td>
</tr>
<tr>
<td>§ 319.6 United States nonprofit organizations engaged abroad in disseminating information which significantly promotes U.S. interests</td>
<td>748</td>
</tr>
<tr>
<td>§ 319.7–319.10 [Reserved]</td>
<td>748</td>
</tr>
<tr>
<td>§ 319.11 Filing of application</td>
<td>748</td>
</tr>
<tr>
<td>§ 320.1 What definitions are used in this part?</td>
<td>749</td>
</tr>
<tr>
<td>§ 320.2 Who is eligible for citizenship?</td>
<td>749</td>
</tr>
<tr>
<td>§ 320.3 How, where, and what forms and other documents should be filed?</td>
<td>749</td>
</tr>
<tr>
<td>§ 320.4 Who must appear for an interview on the application for citizenship?</td>
<td>750</td>
</tr>
<tr>
<td>§ 320.5 Decision</td>
<td>750</td>
</tr>
</tbody>
</table>

### Code of Federal Regulations (Vol. I)

**Part 299—Immigration Forms**

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>§ 299.1 Prescribed forms</td>
<td>725</td>
</tr>
<tr>
<td>§ 299.2 Distribution of Service forms</td>
<td>726</td>
</tr>
<tr>
<td>§ 299.4 Reproduction of public use forms by public and private entities</td>
<td>726</td>
</tr>
<tr>
<td>§ 299.5 [Reserved]</td>
<td>727</td>
</tr>
</tbody>
</table>

**SUBCHAPTER C**

**NATIONALITY REGULATIONS**

**Part 301—Nationals and Citizens of the United States at Birth**

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>§ 301.1 Procedures</td>
<td>728</td>
</tr>
</tbody>
</table>

**Part 306—Special Classes of Persons Who May be Naturalized: Virgin Islanders**

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>§ 306.1 Persons eligible</td>
<td>728</td>
</tr>
<tr>
<td>§ 306.2 United States citizenship; when acquired</td>
<td>728</td>
</tr>
<tr>
<td>§ 306.11 Preliminary application form; filing; examination</td>
<td>728</td>
</tr>
<tr>
<td>§ 306.12 Attachment to the Constitution; favorable disposition</td>
<td>728</td>
</tr>
</tbody>
</table>

**Part 310—Naturalization Authority**

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>§ 310.1 Administrative naturalization authority</td>
<td>729</td>
</tr>
<tr>
<td>§ 310.2 Jurisdiction to accept applications for naturalization</td>
<td>729</td>
</tr>
<tr>
<td>§ 310.3 Administration of the oath of allegiance</td>
<td>729</td>
</tr>
<tr>
<td>§ 310.4 Judicial naturalization authority and withdrawal of petitions</td>
<td>730</td>
</tr>
<tr>
<td>§ 310.5 Judicial review</td>
<td>730</td>
</tr>
</tbody>
</table>

**Part 312—Educational Requirements for Naturalization**

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>§ 312.1 Literacy requirements</td>
<td>730</td>
</tr>
<tr>
<td>§ 312.2 Knowledge of history and government of the United States</td>
<td>731</td>
</tr>
<tr>
<td>§ 312.3 Testing of applicants who obtained permanent residence pursuant to section 245A of the Act</td>
<td>732</td>
</tr>
<tr>
<td>§ 312.4 Selection of interpreter</td>
<td>732</td>
</tr>
<tr>
<td>§ 312.5 Failure to meet educational and literacy requirements</td>
<td>732</td>
</tr>
</tbody>
</table>

**Part 313—Persons Ineligible to Citizenship: Exemption from Military Service**

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>§ 313.1 Definitions</td>
<td>733</td>
</tr>
<tr>
<td>§ 313.2 Prohibitions</td>
<td>734</td>
</tr>
<tr>
<td>§ 313.3 Statutory exemptions</td>
<td>734</td>
</tr>
<tr>
<td>§ 313.4 Procedure</td>
<td>735</td>
</tr>
</tbody>
</table>

**Part 315—Persons Ineligible to Citizenship: Exemption from Military Service**

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>§ 315.1 Definitions</td>
<td>735</td>
</tr>
<tr>
<td>§ 315.2 Ineligibility and exceptions</td>
<td>735</td>
</tr>
<tr>
<td>§ 315.3 Evidence</td>
<td>736</td>
</tr>
<tr>
<td>§ 315.4 Exemption treaties</td>
<td>736</td>
</tr>
</tbody>
</table>

**Part 316—General Requirements for Naturalization**

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>§ 316.1 Definitions</td>
<td>736</td>
</tr>
<tr>
<td>§ 316.2 Eligibility</td>
<td>737</td>
</tr>
<tr>
<td>§ 316.3 [Reserved]</td>
<td>737</td>
</tr>
<tr>
<td>§ 316.4 Application; documents</td>
<td>737</td>
</tr>
<tr>
<td>§ 316.5 Residence in the United States</td>
<td>737</td>
</tr>
<tr>
<td>§ 316.6 Physical presence for certain spouses of military personnel</td>
<td>739</td>
</tr>
<tr>
<td>§ 316.7–316.9 [Reserved]</td>
<td>740</td>
</tr>
<tr>
<td>§ 316.10 Good moral character</td>
<td>740</td>
</tr>
<tr>
<td>§ 316.11 Attachment to the Constitution; favorable disposition</td>
<td>741</td>
</tr>
<tr>
<td>§ 316.12 Applicant's legal incompetency during statutory period</td>
<td>741</td>
</tr>
<tr>
<td>§ 316.13 [Reserved]</td>
<td>741</td>
</tr>
<tr>
<td>§ 316.14 Adjudication—Examination, grant, denial</td>
<td>742</td>
</tr>
<tr>
<td>§ 316.15–316.19 [Reserved]</td>
<td>742</td>
</tr>
<tr>
<td>§ 316.20 American institutions of research, public international organizations, and designations under the International Immunities Act</td>
<td>742</td>
</tr>
</tbody>
</table>

**Part 318—Pending Removal Proceedings**

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>§ 318.1 Warrant of arrest</td>
<td>745</td>
</tr>
</tbody>
</table>

**Part 319—Special Classes of Persons Who May be Naturalized: Spouses of United States Citizens**

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>§ 319.1 Persons living in marital union with United States citizen spouse</td>
<td>745</td>
</tr>
<tr>
<td>§ 319.2 Person whose United States citizen spouse is employed abroad</td>
<td>746</td>
</tr>
<tr>
<td>§ 319.3 Surviving spouses of United States citizens who died during a period of honorable service in an active duty status in the Armed Forces of the United States</td>
<td>747</td>
</tr>
<tr>
<td>§ 319.4 Persons continuously employed for 5 years by United States organizations engaged in disseminating information</td>
<td>747</td>
</tr>
<tr>
<td>§ 319.5 Public international organizations which the U.S. participates by treaty or statute</td>
<td>747</td>
</tr>
<tr>
<td>§ 319.6 United States nonprofit organizations engaged abroad in disseminating information which significantly promotes U.S. interests</td>
<td>748</td>
</tr>
<tr>
<td>§ 319.7–319.10 [Reserved]</td>
<td>748</td>
</tr>
<tr>
<td>§ 319.11 Filing of application</td>
<td>748</td>
</tr>
</tbody>
</table>

**Part 320—Child Born Outside the United States and Residing Permanently in the United States; Requirements for Automatic Acquisition of Citizenship**

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>§ 320.1 What definitions are used in this part?</td>
<td>749</td>
</tr>
<tr>
<td>§ 320.2 Who is eligible for citizenship?</td>
<td>749</td>
</tr>
<tr>
<td>§ 320.3 How, where, and what forms and other documents should be filed?</td>
<td>749</td>
</tr>
<tr>
<td>§ 320.4 Who must appear for an interview on the application for citizenship?</td>
<td>750</td>
</tr>
<tr>
<td>§ 320.5 Decision</td>
<td>750</td>
</tr>
</tbody>
</table>
Part 322—Child Born Outside the United States; Requirements for Application for Certificate of Citizenship

§ 322.1 What are the definitions used in this part? 751
§ 322.2 Eligibility 751
§ 322.3 Application and supporting documents 752
§ 322.4 Interview 753
§ 322.5 Decision 753

Part 324—Special Classes of Persons Who May be Naturalized: Women Who Have Lost United States Citizenship by Marriage and Former Citizens Whose Naturalization is Authorized by Private Law 753

§ 324.1 Definitions 753
§ 324.2 Former citizen at birth or by naturalization 753
§ 324.3 Women, citizens of the United States at birth, who lost or are believed to have lost citizenship by marriage and whose marriage has terminated 754
§ 324.4 Women restored to United States citizenship by the act of June 25, 1936, as amended by the act of July 2, 1940 754
§ 324.5 Former citizen of the United States whose naturalization by taking the oath is authorized by a private law 755

Part 325—Nationals but Not Citizens of the United States; Residence within Outlying Possessions 755

§ 325.1 [Reserved] 755
§ 325.2 Eligibility 755
§ 325.3 Residence 755
§ 325.4 Application; documents 755

Part 327—Special Classes of Persons Who May be Naturalized: Persons Who Lost United States Citizenship through Service in Armed Forces of Foreign Country During World War II 755

§ 327.1 Eligibility 755
§ 327.2 Procedure for naturalization 756

Part 328—Special Classes of Persons Who May be Naturalized: Persons with 1 Year of Service in the United States Armed Forces 756

§ 328.1 Definitions 756
§ 328.2 Eligibility 756
§ 328.3 [Reserved] 757
§ 328.4 Application and evidence 757

Part 329—Special Classes of Persons Who May be Naturalized: Persons with Active Duty or Certain Ready Reserve Service in the United States Armed Forces During Specified Periods of Hostilities 757

§ 329.1 Definitions 757
§ 329.2 Eligibility 757
§ 329.3 [Reserved] 758
§ 329.4 Application and evidence 758
§ 329.5 [Removed] 758

Part 330—Special Classes of Persons Who May be Naturalized: Seamen 758

§ 330.1 Eligibility 758
§ 330.2 Application 759

Part 331—Alien Enemies; Naturalization Under Specified Conditions and Procedures 759

§ 331.1 Definitions 759
§ 331.2 Eligibility 759
§ 331.3 Investigation 759
§ 331.4 Procedures 760

Part 332—Naturalization Administration 760

§ 332.1 Designation of USCIS employees to administer oaths and conduct examinations and hearings 760
§ 332.2–332.4 [Reserved] 760
§ 332.5 Official forms for use by clerks of court 760

Part 333—Photographs 760

§ 333.1 Description of required photographs 761
§ 333.2 Attachment of photographs to documents 761

Part 334—Application for Naturalization 761

§ 334.1 Filing of application for naturalization 761
§ 334.2 Application for naturalization 761
§ 334.3 [Reserved] 761
§ 334.4 Investigation and report if applicant is sick or disabled 761
§ 334.5 Amendment of application for naturalization; reopening proceedings 762
§ 334.6–334.10 [Reserved] 762
§ 334.11 Declaration of intention 762
§ 334.12–334.15 [Reserved] 762
§ 334.16–334.18 [Removed] 762

Part 335—Examination on Application for Naturalization 762

§ 335.1 Investigation of applicant 762
§ 335.2 Examination of applicant 762
§ 335.3 Determination on application; continuance of examination 764
§ 335.4 Use of record of examination 764
§ 335.5 Receipt of derogatory information after grant 764
§ 335.6 Failure to appear for examination 764
§ 335.7 Failure to prosecute application after initial examination 765
§ 335.8 [Reserved] 765
§ 335.9 Transfer of application 765
§ 335.10 Withdrawal of application 765
§ 335.11–335.13 [Removed] 765

Part 336—Hearings on Denials of Applications for Naturalization 765

§ 336.1 Denial after section 335 examination 766
§ 336.2 USCIS hearing 766
§ 336.3–336.8 [Reserved] 767
### Table of Contents

**Part 1204—Immigrant Petitions** ................................................................. 853
  § 1204.1 Single level of appellate review ............................................. 853

**Part 1205—Revocation of Approval of Petitions** ................................. 853
  § 1205.1 Automatic revocation .............................................................. 853
  § 1205.2 Revocation on notice .............................................................. 853

**Part 1207—Admission of Refugees** ...................................................... 855
  § 1207.3 Waivers of inadmissibility ...................................................... 855

**Part 1208—Procedures for Asylum and Withholding of Removal** ........ 855
  § 1208.1 General .................................................................................. 856
  § 1208.2 Jurisdiction ............................................................................ 856
  § 1208.3 Form of application .................................................................. 857
  § 1208.4 Filing the application .............................................................. 858
  § 1208.5 Special duties toward aliens in custody of DHS ...................... 858
  § 1208.6 Disclosure to third parties ...................................................... 859
  § 1208.7 [Reserved] ............................................................................. 859
  § 1208.8 Limitations on travel outside the United States ..................... 860
  § 1208.9 [Reserved] ............................................................................. 860
  § 1208.10 Failure to appear at a scheduled hearing before an immigration judge; failure to follow requirements for biometrics and other biographical information processing .................................................................................. 861
  § 1208.11 Comments from the Department of State ................................ 862
  § 1208.12 Reliance on information compiled by other sources ............ 862
  § 1208.13 Establishing asylum eligibility ............................................... 863
  § 1208.14 Approval, denial, referral, or dismissal of application ............. 863
  § 1208.15 Definition of “firm resettlement.” ........................................... 864
  § 1208.16 Withholding of removal under section 241(b)(3)(B) of the Act and withholding of removal under the Convention Against Torture ............. 865
  § 1208.17 Deferral of removal under the Convention Against Torture ........ 866
  § 1208.18 Implementation of the Convention Against Torture ............. 867
  § 1208.19 Decisions ............................................................................. 868
  § 1208.20 Determining if an asylum application is frivolous .................. 868
  § 1208.21 Admission of the asylee’s spouse and children ....................... 869
  § 1208.22 Effect on exclusion, deportation, and removal proceedings .... 870
  § 1208.23 Restoration of status .............................................................. 870
  § 1208.24 Termination of asylum or withholding of removal or deportation .............................................................. 871
  § 1208.25 Severability ........................................................................... 871
  § 1208.26–1208.29 [Reserved] ................................................................ 872
  § 1208.30 Credible fear of persecution, reasonable possibility of persecution, and reasonable possibility of torture determinations involving stowaways and applicants for admission who are found inadmissible pursuant to section 212(a)(6)(C) or 212(a)(7) of the Act or whose entry is limited or suspended under section 212(f) or 215(a)(1) of the Act, or who failed to apply for protection from persecution in a third country where potential relief is available while en route to the United States ............................................. 872

**Part 1209—Adjustment of Status of Refugees and Aliens** ......................... 889
  § 1209.1 Adjustment of status of refugees ............................................... 889
  § 1209.2 Adjustment of status of alien granted asylum ......................... 890

**Part 1211—Documentary Requirements: Immigrants; Waivers** ............. 893
  § 1211.4 Waiver of documents for returning residents .......................... 893

**Part 1212—Documentary Requirements: Nonimmigrants; Waivers; Admission of Certain Inadmissible Aliens; Parole** .............................................................. 894
  § 1212.1 Documentary requirements for nonimmigrants ........................ 894
  § 1212.2 Consent to reapply for admission after deportation, removal or departure at Government expense .............................................................. 895
  § 1212.3 Application for the exercise of discretion under former section 212(c) .................................................................................. 895
  § 1212.4 Applications for the exercise of discretion under section 212(d)(1) and 212(d)(3) .................................................................. 896
  § 1212.5 Parole of aliens into the United States ...................................... 896
  § 1212.6 Border crossing identification cards ...................................... 897
  § 1212.7 Waiver of certain grounds of inadmissibility ............................ 898
  § 1212.8 Certification requirement of section 212(a)(14) ......................... 898
  § 1212.9 Applicability of section 212(a)(32) to certain derivative third and sixth preference and nonpreference immigrants .............................................................. 899
  § 1212.10 Section 212(k) waiver .............................................................. 899
  § 1212.11 Controlled substance convictions ......................................... 899
  § 1212.12 Parole determinations and revocations respecting Mariel Cubans .................................................................................. 900
  § 1212.13 Severability ........................................................................... 902
  § 1212.14 Parole determinations for alien witnesses and informants for whom a law enforcement authority (“LEA”) will request S classification .............................................................. 903
  § 1212.15 Certificates for foreign health care workers .......................... 903
  § 1212.16 Applications for exercise of discretion relating to T nonimmigrant status ........................................................................... 904

**Part 1214—Review of Nonimmigrant Classes** ..................................... 914
  § 1214.1 Review of requirements for admission, extension, and maintenance of status ........................................................................... 914
  § 1214.2 Review of alien victims of severe forms of trafficking in persons; aliens in pending immigration proceedings .............................................................. 915
  § 1214.3 Certain spouses and children of lawful permanent residents; aliens in proceedings; V visas .............................................................. 915

**Part 1215—Controls of Aliens Departing from the United States** ........... 919
  § 1215.1 Definitions ............................................................................. 920
  § 1215.2 Authority of departure-control officer to prevent alien’s departure from the United States .............................................................. 920

---

Copyright © 2021. American Immigration Lawyers Association
| § 1240.69 Reliance on information compiled by other sources | 974 |
| § 1240.70 Decision by the Service | 974 |

**Part 1241—Apprehension and Detention of Aliens Ordered Removed** | 975 |
| § 1241.1 Final order of removal | 976 |
| § 1241.2 Warrant of detention; detention of aliens during removal period | 976 |
| § 1241.3–1241.5 [Reserved] | 976 |
| § 1241.6 Administrative stay of removal | 976 |
| § 1241.7 Self-removal | 976 |
| § 1241.8 Reinstatement of removal orders | 976 |
| § 1241.9–1241.13 [Reserved] | 977 |
| § 1241.14 Continued detention of removable aliens on account of special circumstances | 977 |
| § 1241.15 Lack of jurisdiction to review other country of removal | 981 |
| § 1241.16–1241.19 [Reserved] | 981 |
| § 1241.20 Aliens ordered excluded | 981 |
| § 1241.21–1241.29 [Reserved] | 981 |
| § 1241.30 Aliens ordered deported | 981 |
| § 1241.31 Final order of deportation | 981 |
| § 1241.32 Warrant of deportation | 981 |
| § 1241.33 Expulsion | 981 |

**Part 1244—Temporary Protected Status for Nationals of Designated States** | 981 |
| § 1244.1 Definitions | 982 |
| § 1244.2 Eligibility | 982 |
| § 1244.3 Applicability of grounds of inadmissibility | 983 |
| § 1244.4 Ineligible aliens | 983 |
| § 1244.5 Temporary treatment benefits for eligible aliens | 983 |
| § 1244.6 Application | 984 |
| § 1244.7 Filing the application | 984 |
| § 1244.8 Appearance | 984 |
| § 1244.9 Evidence | 984 |
| § 1244.10 Decision by the director or Administrative Appeals Unit (AAU) | 986 |
| § 1244.11 Renewal of application; appeal to the Board of Immigration Appeals | 987 |
| § 1244.12 Employment authorization | 987 |

**Part 1245—Adjustment of Status to that of Person Admitted for Permanent Residence** | 991 |
| § 1245.1 Eligibility | 991 |
| § 1245.2 Application | 999 |
| § 1245.3 Adjustment of status under section 13 of the Act of September 11, 1997, as amended | 1001 |
| § 1245.4 Documentary requirements | 1002 |
| § 1245.5 Medical examination | 1002 |
| § 1245.6 Interview | 1002 |
| § 1245.7 Adjustment of status of certain Soviet and Indochinese parolees under the Foreign Operations Appropriations Act for Fiscal Year 1990 (Pub. Law 101-167) | 1002 |
| § 1245.8 Adjustment of status as a special immigrant under section 101(a)(27)(K) of the Act | 1003 |
| § 1245.9 Adjustment of Status of Certain Nationals of the People's Republic of China under Public Law 102-404 | 1004 |
| § 1245.10 Adjustment of status upon payment of additional sum under section 245(i) | 1006 |
| § 1245.11 Adjustment of aliens in S nonimmigrant classification | 1009 |
| § 1245.12 What are the procedures for certain Polish and Hungarian parolees who are adjusting status to that of permanent resident under the Illegal Immigration Reform and Immigrant Responsibility Act of 1996? | 1012 |
| § 1245.13 Adjustment of status of certain nationals of Nicaragua and Cuba under Public Law 105-100 | 1013 |
| § 1245.14 Adjustment of status of certain health care workers | 1020 |
| § 1245.15 Adjustment of status of certain Haitian nationals under the Haitian Refugee Immigrant Fairness Act of 1998 (HRIFA) | 1020 |
| § 1245.16 How can physicians (with approved Forms I-140) that are serving in medically underserved areas or at a Veterans Affairs facility adjust status? | 1031 |
| § 1245.20 Adjustment of status of Syrian asylees under Public Law 106-378 | 1033 |
| § 1245.21 Adjustment of status of certain nationals of Vietnam, Cambodia, and Laos (section 586 of Public Law 106-429) | 1035 |
| § 1245.22 Evidence to demonstrate an alien's physical presence in the United States on a specific date | 1037 |

**Part 1246—Rescission of Adjustment of Status** | 1038 |
| § 1246.1 Notice | 1038 |
| § 1246.2 Allegations admitted; no answer filed; no hearing requested | 1039 |