

INDEX

References are to CFR titles and sections (*bold italic number is title followed by section or part number*). Alphabetization is word-by-word (e.g., “P visas” precedes “Parole”).

A

A visas (diplomats)

- adjustment of status. *See* Adjustment of status
- change of status, special provisions, **8:248.3(c)**
- class of nonimmigrant status, **22:41.12**
- diplomatic passport requirements for applicants, **22:41.104(d)**
- employment authorization, **8:274a.12(b)(1)–(2)**, **274a.12(c)(1)**
- foreign government officials, **22:41.26**
- requirements for admission, extension, and maintenance of status, **8:214.2(a)**
- in transit, **8:212.1(f)(3)**, **1212.1(f)(3)**

Abandonment

- unlawful or unfair employment practices proceedings, **28:68.37(b)**

ABC. *See* *American Baptist Churches* class members

Abduction

- visa eligibility exception for child involved in international child abduction, **22:40.103**

Abused spouses and children

- See also* T visas; U visas
- immigrant visas
 - self-petition by child of abusive citizen or LPR, **8:204.2(e)**
 - self-petition by spouse of abusive citizen or LPR, **8:204.2(c)**
- sexual abuse and harassment of unaccompanied children. *See* Sexual abuse and harassment of unaccompanied children

Academic students. *See* Foreign students; F visas; J visas

Access to records

- advance electronic information, **19:103.31a**
- air, truck, and rail cargo, **19:103.31a**
- confidential commercial information, **19:103.22(h)**
- decisions
 - correct value, classification, or rate, **19:175.22(b)**
 - incorrect value, classification, or rate, **19:175.22(a)**
 - notice, publication, **19:175.31**
 - notice of desire to contest, **19:175.23**, **175.24**
 - notice of desire to contest, following publication, **19:175.24**
 - notice of publication, **19:175.31**
 - publication, **19:175.22**

- demand for information in legal proceedings, **19:103.21–103.27**
- administrative proceedings, **19:103.22**
- adverse rulings, **19:103.25**
- in camera inspection, **19:103.21(i)**
- civil proceedings, **19:103.22**
- criminal proceedings, **19:103.26**
- decision not made prior to time response to demand required, **19:103.24**
- definitions, **19:103.21(b)–(d)**
- disclosures, **19:103.21(e)–(g)**
- factors to consider, **19:103.23**
- failure to follow procedures, **19:103.21(h)**
- foreign proceedings, **19:103.27**
- purpose of regulations, **19:103.21(a)**
- DHS
 - FOIA procedures, **19:103.2**
 - Privacy Act procedures, **19:103.3**
- D visas attestation information, **20:655.550**
- enforcement, **19:161.0–161.16**
- compromise of government claims, **19:161.5**
- Customs Service, **19:161.2(a)**
- informants
 - advising of eligibility for compensation, **19:161.14**
 - claims for compensation, **19:161.16**
 - confidentiality, **19:161.15**
 - eligibility for compensation, **19:161.12**
 - other agencies, **19:161.2**
 - scope of provisions, **19:161.0**
- finances, penalties, and forfeitures, **19:103.32**
- FOIA. *See* Freedom of Information Act
- foreign agencies, release of information to, **19:103.33**
- H-1B visas, **20:655.760(a)**
- importer security filing information, **19:103.31a**
- informants
 - advising of eligibility for compensation, **19:161.14**
 - claims for compensation, **19:161.16**
 - confidentiality, **19:161.15**
 - eligibility for compensation, **19:161.12**
- petitions
 - contents, **19:175.12**
 - filing, **19:175.11**
 - inspections, **19:175.21(b)**
 - notice, **19:175.21(a)**
 - scope of regulations, **19:175.0**
- port of entry procedure
 - character and description of merchandise, **19:175.25(a)**

- further notice, **19:175.25(c)**
- liquidation, notice of, **19:175.25(b)**
- Privacy Act. *See* Privacy Act
- public reading rooms, **19:103.1**
- sanctions for improper actions, **19:103.34**
- scope of regulations, **19:103.0**
- summary statistical reports, **19:103.31**
- value, classification, or rate
 - contents of request, **19:175.2**
 - correct value, classification, or rate, **19:175.22(b)**
 - domestic interested parties, **19:175.3**
 - incorrect value, classification, or rate, **19:175.22(a)**
 - submission of request, **19:175.1**
- vessel cargo, **19:103.31a**
- vessel manifests, **19:103.31**

Acquisitions

- H-1B visas, **20:655.730(e)**

Adjustment of status

- application, **8:245.2**, **1245.2**
- asylees, **8:209.2**, **1209.2**
 - abandonment of asylum application presumed, **8:208.14(g)**, **1208.14(g)**
- cancellation of adjustment for non-LPRs, **8:240.21**, **1240.21**
- cancellation of removal and, **8:1240.20**, **1240.21**
- Chinese nationals, adjustment under PL 102-404, **8:1245.9**
- concurrent applications to overcome grounds of inadmissibility, **8:245.1(f)**, **1245.1(f)**
- conditional basis of status, **8:245.1(h)**, **1245.1(h)**
- definitions, **8:245.1(d)**, **1245.1(d)**
- diplomats, **8:245.3**, **247.1–247.14**, **1245.3**
- documentary requirements, **8:245.4**, **1245.4**
- eligibility, **8:245.1**, **1245.1**
- employment authorization, **8:274a.12(c)(9)**
- employment-based immigrant visas, **8:245.25**
- evidence of physical presence, **8:245.22**, **1245.22**
- grandfathered aliens, §245(i) relief, **8:245.10**, **1245.10**
- Haitians, adjustment under HRIFA, **8:245.15**, **1245.15**
- health care workers, **8:1245.14**
- interviews, **8:245.6**, **1245.6**
- IRCA legalization, **8:245a.3**
- K visa holders, **8:214.2(k)(6)**, **245.1(i)**, **1245.1(i)**

- legalization. *See* Family Unity Program; IRCA; LIFE Act and LIFE Act Amendments
to LPR, **8:245.1–245.24**, 1245.1–1245.22
medical examination, **8:245.5**, 1245.5
NACARA, adjustment by Cuban and Nicaraguan parolees, **8:1245.13**
Northern Mariana Islands (CNMI) asylees, **8:209.2(a)(3)**, 1209.2(a)(3)
nurses, **8:1245.1(e)(2)**
physicians and FMGs
serving medically underserved areas, **8:245.18**, 1245.18
special immigrants, **8:245.1(e)(1)**, 1245.1(e)(1)
Polish and Hungarian parolees, adjustment under IIRAIRA, **8:1245.12**
priority dates, **8:245.1(g)**, 1245.1(g)
refugees, **8:209.1**, 1209.1
rescission of, **8:246.1–246.9**, 1246.1–1246.9
appeals, **8:246.7**, 1246.7
hearing, **8:246.5**, 1246.5
IJ authority, **8:246.4**, 1246.4
notice, **8:246.1**, 1246.1
surrender of green card, **8:246.9**, 1246.9
S nonimmigrants, **8:245.11**, 1245.11
Soviet and Indochinese parolees, **8:245.7**, 1245.7
special agricultural workers, **8:210.5**
special immigrants, members of Armed Forces, **8:245.8**, 1245.8
Syrian adjustment, **8:1245.20**
T nonimmigrants, **8:212.18**, 245.23
§245(i) relief, **8:245.10**, 1245.10
U nonimmigrants, **8:245.24**
Vietnamese, Cambodian, and Laotian adjustment under PL 106-429, **8:245.21**, 1245.21
- Administrative law judge proceedings**
D visas, **20:655.645**
administrative record, **20:655.660**
attorney's fees not to be awarded, **20:655.675**
burden of proof, **20:655.645(e)**
computation of time, **20:655.640**
decision and order, **20:655.650**
notice to Attorney General and ETA, **20:655.655(b)**
request for hearing, **20:655.630**
rules of practice for, **20:655.635**
Secretary's review of decision, **20:655.655**
service of decision, **20:655.650(c)**
service of pleadings and documents, **20:655.640**
fraud hearings, **6:13.18**
H-1B visas, **20:655.820–655.850**
administrative record, **20:655.850**
appeal of decision, **20:655.845**
computation of time, **20:655.830(c)**
conduct of, **20:655.835**
decision and order, **20:655.840**
notice to ETA and DHS of decision, **20:655.855**
request for hearing, **20:655.820**
rules of practice for, **20:655.825**
service of pleadings or documents, **20:655.830**
- H-1C visas
appeals of decisions, **20:655.1245**
computation of time, **20:655.1230**
conduct of, **20:655.1235**
decisions, **20:655.1240**
rules of practice for, **20:655.1225**
Office of Administrative Law Judges.
See Office of Administrative Law Judges
unlawful or unfair employment practices proceedings. *See* Employment
- Administrative record**
D visas, **20:655.660**
H-1B visas, **20:655.850**
H-1C visas, **20:655.1250**
- Administrative review.** *See* Appeal and review; *substantive headings*
- Administrative services**
fees, **22:22.1**
- Admission and admissibility**
See also Expedited removal; Immigrants; Inspection; Nonimmigrant visas (NIVs); Removal and removal proceedings; *specific visa types*
bond or cash deposit, admission upon giving, **8:213.1**
conditional permanent residents, admission of, **8:235.11**, 1235.11
criminal and related grounds of inadmissibility, waivers, **8:212.7**, 1212.7
expedited removal. *See* Expedited removal
Global Entry program, **8:235.12**
health and medically related grounds of inadmissibility
appeal, **8:235.6(b)**, 1235.6(b)
waivers, **8:212.4(e)**, 212.7(b), 1212.4(e), 1212.7(b)
inspection. *See* Inspection
international conference attendees, **8:212.4(d)**
LIFE Act legalization, **8:245a.18**
nonimmigrant req'ts for admission
Guam, aliens entering from, **8:212.1(e)**, 1212.1(e)
Guam-CNMI Visa Waiver Program, **8:212.1(q)**, 1212.1(q)
spouses and children of U.S. citizens, **8:212.1(h)**, 1212.1(h)
S visa holders, **8:212.1(m)**, 1212.1(m)
T-2 to T-4 visa holders, **8:212.1(o)**, 1212.1(o)
treaty traders and investors, **8:212.1(l)**, 1212.1(l)
U-1 to U-5 visa holders, **8:212.1(p)**
parole. *See* Parole
- pre-April 1, 1997 hearings. *See* Deportation (pre-April 1, 1997 hearings)
presumption of lawful admission, **8:101.1–101.2**, 1101.1–1101.2
public charge inadmissibility. *See* Public charge
reapplication for admission after removal or departure at government expense, **8:212.2**, 1212.2
returning residents, **8:211.4**, 1211.4
security-grounds for inadmissibility, **8:235.8**, 1235.8
TPS applicants, applicability of inadmissibility grounds, **8:244.3**, 1244.3
unauthorized entry, prevention efforts by owners of railroad lines, bridges, and toll roads, **8:271.1**
Visa Waiver Program, **8:217.4**
withdrawal of application for admission, **8:235.4**, 1235.4
- Adoption**
accreditation and approval of adoptions services, **22:96.12–96.17**
authorized adoption service providers, **22:96.12**
child welfare services, exemption for, **22:96.13(b)**
decisions on applications, **22:96.57–96.60**
duration of validity, **22:96.60**
effective date, **22:96.17**
evaluation of applicants for, **22:96.23–96.27**
examples, **22:96.15**
first-time application procedures, **22:96.19**
homes studies and child background studies, exemption for, **22:96.13(a)**
legal services, exemption for, **22:96.13(c)**
providing adoption services using other providers, **22:96.14**
public domestic authorities, **22:96.16**
renewal, **22:96.62–96.63**
scope, **22:96.18**
- accrediting entities
access to information and documents, **22:96.25**
adverse action by, **22:96.74–96.79**
agreement with Secretary, **22:96.9**
authorities and responsibilities of, **22:96.7**
debarment period, **22:96.86**
designated by Secretary, **22:96.4**
dissemination and reporting by, **22:96.90–96.93**
fees, **22:96.8**
nonprofit nature of, **22:96.5**
oversight of, **22:96.81–96.88**
performance criteria of, **22:96.6**
protection of information and documents by, **22:96.26**
public entities as, **22:96.5**

- reapplication after temporary debarment, 22:96.86
- review of complaint against accredited agencies and approved persons, 22:96.71
- routine oversight by, 22:96.65–96.66
- Secretary's response to actions by, 22:96.82
- selection of, 22:96.20
- suspension and cancellation of designation of, 22:96.10
- suspension or cancellation of accreditation granted by, 22:96.83
- adoptive parents, preparation and training in incoming cases, 22:96.48
- adverse action by accrediting entities, 22:96.74–96.79
- budget for agency, 22:96.33
- case tracking and data management, 22:96.43
- child background studies
 - exemption from accreditation and approval of adoptions services, 22:96.13(a)
 - in outgoing Convention case, 22:97.3
 - in outgoing Convention cases, 22:96.53
- child buying, prohibition on, 22:96.36
- citizenship, acquisition of. *See* Citizenship and nationality
- communication and coordination functions
 - in incoming cases, 22:96.52
 - in outgoing Convention cases, 22:96.55
- complaints
 - accrediting entity's review of complaint against accredited agencies and approved persons, 22:96.71
 - Complaint Registry, operation of, 22:96.70
 - filing against accredited agencies and approved persons, 22:96.69
 - oversight through review of, 22:96.68–96.72
 - procedures for responding to, 22:96.41
 - referral to Secretary, 22:96.72
- corporate governance and structure, 22:96.31–96.32
- decisions on applications for accreditation or approval, 22:96.57–96.60
- definitions, 22:96.2
- education and experience requirements for social service personnel, 22:96.37
- ethical practices and responsibilities, 22:96.35–96.36
- evaluation of applicants for accreditation and approval, 22:96.23–96.27
- fee policies and procedures, 22:96.40
- financial and risk management, 22:96.33–96.34
- Hague Convention, 8:204.300–204.314; 22:42.24, 97
- appeal of denial, 8:204.314
- application for adoption certificate or custody declaration, 22:97.2
- certification of compliance where final adoption occurs in U.S., 22:97.5
- child background studies, 22:97.3
- classification as immediate relative, 8:204.306
- definitions, 8:204.301; 22:97.1
- Form I-800A/800, 8:204.307–204.313
- habitual residence, determination of, 8:204.303
- home study requirements, 8:204.311
- improper inducement, 8:204.304
- issuance of adoption certificate or custody declaration, 22:97.4
- record retention, 22:98
- reporting on children emigrating from U.S., 22:99
- service providers, role of, 8:204.302
- state preadoption requirements, 8:204.305
- homes studies
 - exemption from accreditation and approval of adoptions services, 22:96.13(a)
 - incoming cases, preparation for, 22:96.47
- incoming cases, standards for, 22:96.47–96.52
- information disclosure, 22:96.39
- Intercountry Adoption Act of 2000 (IAA), 22:96
- judicial review of adverse action by accrediting entities, 22:96.79
- licensing and corporate governance, 22:96.30–96.32
- medical and social information in incoming cases, 22:96.49
- monitoring until final adoption in incoming cases, 22:96.50
- orphan petitions (non-Convention cases), 8:204.3
- outgoing Convention cases, standards for, 22:96.53–96.55
- reporting on children emigrating from U.S., 22:99
- verification requirements, 22:97.3
- placement standards in outgoing Convention cases, 22:96.54
- post-adoption services in incoming cases, 22:96.51
- primary provider in Convention adoption cases, 22:96.44
- professional qualifications and training for employees, 22:96.37–96.38
- prospective adoptive parent acting on own behalf, 22:96.13(d)
- purpose of regulations, 22:96.1
- quality control, 22:96.39
- record disclosure, 22:96.42
- record retention, 22:96.42
- intercountry adoption Convention records, 22:98
- renewal of accreditation or approval, 22:96.62–96.63
- replacement visa for adoptees, 22:42.74(c)
- routine oversight by accrediting agencies, 22:96.65–96.66
- service planning and delivery, 22:96.44–96.46
- state licensing, 22:96.30
- supervised providers
 - in foreign countries, 22:96.46
 - in United States, 22:96.45
- temporary accreditation, 22:96.95–96.111
- training requirements for social service personnel, 22:96.38
- Advanced degrees, alien professionals with**
 - See also* Exceptional ability aliens; Specialty occupations requiring specialized knowledge
 - employment-based preference immigrants, 22:42.32(b)
 - immigrant visas (E21), 22:42.11
- Advance parole**
 - asylum applicants, 8:208.8
 - effect of returning to country of claimed persecution, 8:1208.8(b)
 - need for advance parole, 8:1208.8(a)
 - cancellation of removal and suspension of deportation applicants, 8:240.21(b)(5)
 - Chinese national adjustment, 8:1245.9(k)
 - documentation issued for, 8:212.5(f)
 - documents, 8:223.1–223.3
 - HRIFA adjustment, 8:245.15(t), 1245.15(t)
 - IRCA legalization, 8:245a.2(n), 245a.4(b)(14)
 - LIFE legalization, 8:245a.13(e)
 - NACARA adjustment, 8:1245.13(k)
 - S nonimmigrants, 8:1245.11(f)
 - special agricultural workers (SAWs), 8:210.4(b)(2)
 - status and benefits, 8:210.4
 - Syrian adjustment, 8:1245.20(g)
 - termination of, 8:212.5(e)
 - T nonimmigrants, 8:245.23(j)
 - TPS applicants, 8:244.15, 1244.15
 - U nonimmigrants, 8:245.24(j)
 - Vietnamese, Cambodian, and Laotian adjustment, 8:245.21(i), 1245.21(i)
- Adverse effects of hiring aliens**
 - H-1C visas (registered nurses), 20:655.1112
 - labor certification for visas, 22:40.51(b)(2)
- Advertising**
 - H-2B post-acceptance requirements, 20:655.41
 - labor certification recruitment, 20:656.17(f), 656.21

Affidavits

motion for summary decision in unfair employment and unfair employment practices proceedings, **28:68.38(b)**

Affidavits of support

accompanying or following-to-join aliens, **8:213a.2(g)**
 actions for reimbursement, **8:213a.4**
 change of address, **8:213a.3**
 commencement and termination of support obligations, **8:213a.2(e)**
 congressional reports, **8:213a.4(c)**
 definitions, **8:213a.1**
 fees, **22:22.1**
 immigrant visas, **22:40.41(a)(7)**
 legal effect, **8:213a.2(d)**
 means-tested public benefits, **8:213a.4(b)**
 reimbursement requests, **8:213a.4(a)**
 relationship of Part 213a to other affidavits of support, **8:213a.5**
 sponsors and sponsorship requirements, **8:213a.2(b)–(c)**
 use of, **8:213a.2**
 withdrawal of Form I-864 and I-864A, **8:213a.2(f)**

Afghan special immigrant visas

no application fee, **22:22.1**

Age

child's age for valid immigrant visa, **22:42.72(d)**

Agents. *See* Attorneys and representatives

Aggravated felons

asylum and withholding applicants ineligible to proceedings under INA §240, **8:208.2(c)(2)(ii)**, **1208.2(c)(2)(ii)**
 expedited removal of, **8:238.1**, **1238.1**

Agricultural workers. *See* H-2A visas; Special agricultural workers (SAWs)

Agriculture Department (USDA)

Tick Inspectors allowed to carry and use firearms, **28:0.64-3**

AIDS/HIV

admission, application for exercise of discretion under §212(d)(3), **8:212.4(f)**, **1212.4(f)**

Aid to Families with Dependent Children (AFDC)

refugee cash assistance, **45:400.45–400.69**

Aircraft

air marshals, INS officers and employees as, **28:0.105(j)**
 aviation training, **28:105.10–105.14.** *See also* Aviation training for aliens

Airlines/airplanes. *See* Common carriers

Airports

designation and landing requirements, **8:234.1–234.4**
 Global Entry program, **8:235.12**

Alaska exception

D visas. *See* D visas

Aliens lawfully present

See also Unlawful presence for purposes of applying for Social Security benefits, **8:1.3**

Alien smuggling

relief from removal under INA §237(a)(1)(E)(iii) [former §241], **8:1240.11(d)**, **1240.49(d)**

Aliens previously removed. *See* Previously removed aliens

ALJ proceedings. *See* Administrative law judge proceedings

Allegiance oath. *See* Naturalization

Ambassadors

diplomatic visas, **22:41.26(c)(1)**
 official visas, **22:41.27(c)(1)**

Amerasian children

of U.S. citizen, **8:204.4**

Amerasian immigrants

visas for, **22:42.11**

American Baptist Churches class members

asylum interviews, **8:240.67–240.68**, **1240.67–1240.68**
 suspension of deportation and cancellation of removal, **8:240.60–240.70**, **1240.60–1240.70**

American Indians

born in Canada, **8:289.1–289.3**, **22:42.1(f)**
 admission for permanent residence, **8:289.2**, **289.3**
 definition, **8:289.1**
 identity cards, **22:53.2(b)(5)**
 scope of examination at port of entry American Indian Cards, **8:235.1(b)(6)**
 holders of tribal documents, **8:235.1(b)(7)**, **235.1(e)**

Amicus curiae

Office of Administrative Law Judges, **29:18.24**
 unfair employment and unfair employment practices proceedings, **28:68.17**

Amnesty

effect on crimes involving moral turpitude, **22:40.21(a)(5)**
 multiple criminal convictions, **22:40.22(c)**

Animal Welfare Act

actions under, **28:0.55(d)**

Answers

fraud civil remedies, **6:13.9–13.11**
 unfair employment and unfair employment practices proceedings, **28:68.9**

APEC (Asia-Pacific Economic Cooperation) Business Travel Card, 8:235.13**Appeal and review**

See also Board of Immigration Appeals (BIA); *specific visa types*
 adoptions, appeal from denial of Form I-800 or I-800A, **8:204.314**
 adoption services, adverse action by accrediting entities, **22:96.79**
 application denied, reopening or reconsideration of, **8:103.5**
 audio-visual materials, certification and authentication, **22:61.7**
 Convention Against Torture, judicial review of claims, **8:208.18(e)**, **1208.18(e)**
 deportation (pre-April 1, 1997 hearings), **8:1240.53**
 detention. *See* Detention and custody
 DMV facilities employees, **6:37.45(c)**
 document fraud cases. *See* Document fraud
 exchange visitor program
 of sanctions, **22:62.50(g)**
 of suspension of program, **22:62.50(g)–(h)**
 of exclusion order, **8:1240.37**
 fraud or misrepresentation action, **6:13.39**, **13.42**
 Freedom of Information Act, **6:5.8**
 H-1B visas, ALJ decision, **20:655.845**
 H-1C visas, **20:655.1135**
 administrative record, **20:655.1250**
 Administrator's findings, **20:655.1220**
 of ALJ decisions, **20:655.1245**
 BALCA decision, **20:655.1135(i)**
 H-2A agricultural workers, labor certification, **20:655.171**
 health and medically related grounds of inadmissibility, **8:235.6(b)**, **1235.6(b)**
 HRIFA adjustment of status determinations, **8:245.15(v)**, **1245.15(v)**
 of naturalization, **8:316.14(b)(2)**
 judicial review of, **8:310.5**, **336.9**
 NED denials of information requests, **22:66.5(a)(2)**
 pre-removal-order detention, **8:236.1(d)**, **1236.1(d)**
 Privacy Act, **6:5.25**
 relative visa petition, BIA denial based on failure to establish bona fide marriage, single level of appellate review, **8:1204.1**
 reopening or reconsideration of case, **8:103.5**
 rescission of adjustment of status, **8:246.7**, **1246.7**
 temporary protected status, **8:244.10–244.11**, **1244.10–1244.11**
 unfair employment and unfair employment practices proceedings
 final agency order under §274B, **28:68.57**

- final agency order under §274A or 274C, **8:68.56**
- unlawful employment cases. *See* Unlawful employment
- voluntary departure (VD), **8:240.25(e)**
- Appearance**
- immigrant visa applications, personal appearance of applicant, **22:42.62(a)**
- nonimmigrant visa applicants to appear personally, **22:41.102**
- waiver in unfair employment and unfair employment practices proceedings, **28:68.37**
- waiver of nonimmigrant visa applicants to appear personally
- consular officers, **22:41.102(b)**
- national interest, **22:41.102(c)**
- precluded, **22:41.102(e)**
- unusual or exigent circumstances, **22:41.102(d)**
- Applications**
- See also substantive headings*
- Generally, **8:103.2–103.10, 1103.3–1103.7**
- denials, appeals, and precedent decisions, **8:103.3, 1103.3**
- fees. *See* Fees
- request for further action, **8:103.9**
- Armed forces, foreign state**
- diplomatic visas, **22:41.26(c)(1)**
- NATO member's military personnel coming to U.S. on official business exempt from passport or visa requirements, **22:41.1(d), 41.1(e)**
- visa classification, **22:41.25**
- naturalization of former citizens who lost citizenship through service in foreign-state armed forces, **8:327.1–327.2**
- on official business in U.S., nonimmigrant documentation, **22:41.3(e)**
- Armed Forces of the U.S.**
- alien members coming to U.S. on official business
- exempt from passport or visa requirements, **22:41.1(a)**
- immigrant visas not required, **22:42.1(b)**
- passports not required, **22:42.2(f)**
- alien members recruited abroad, employment-based preference immigrant status, **22:42.32(d)(7)**
- criminal actions, role of Criminal Division, DOJ, **28:0.55(k)**
- employment authorization, **8:274a.12(d)**
- ineligible for citizenship when departure from U.S. to avoid, **22:40.82**
- naturalization
- eligibility after service during specific periods of hostilities, **8:329.1–329.2**
- application and evidence, **8:329.4**
- Philippine natives serving in WWII, **8:329.5**
- eligibility for persons with one year of service, **8:328.1–328.2**
- application procedure, **8:328.4**
- ineligibility for aliens who obtained exemption from service, **8:315.1–315.5**
- ineligibility of naturalization for aliens who obtained exemption, **8:315.1–315.5**
- posthumous citizenship, **8:392.1–392.4**
- spouse, physical presence of, **8:316.6**
- widow(er)s of servicemembers, eligibility for, **8:319.3**
- scope of examination at port of entry, **8:235.1(b)(3)**
- alien members of U.S. armed forces, **8:235.1(c)**
- special immigrant status for servicemembers, **8:204.9, 245.8, 1245.8**
- Arrest, power and authority to**
- border patrols and immigration enforcement officers, **8:287.5(c), 287.8(c)**
- DOS fees for visits, **22:22.1**
- Arrest warrants**
- border patrol and immigration enforcement officers executing, **8:287.5(e)(2)–(3)**
- inadmissible and deportable aliens, **8:236.1(b), 1236.1(b)**
- notice to appear (NTA) regarded as, **8:318.1**
- service for nonimmigration violations, **8:287.5(e)(4)**
- Arrival and departure manifests. See** Common carriers
- Arriving aliens**
- See also specific scenarios*
- detention of arriving aliens for physical and mental examinations, **8:232.3**
- Artists. See** P visas
- Asia-Pacific Economic Cooperation (APEC) Business Travel Card,** **8:235.13**
- Assistance in locating U.S. citizen overseas**
- DOS fees, **22:22.1**
- Asylum**
- See also* Refugees
- Generally, **8:208.1–208.31, 1208.1–1208.31**
- ABC class members, **8:240.67–240.68, 1240.67–1240.68**
- adjustment of status, **8:209.1, 209.2, 1209.2**
- abandonment of asylum application presumed, **8:208.14(g), 1208.14(g)**
- applications, **8:208.3–208.4, 1208.3–1208.4**
- amendments, **8:208.4(c), 1208.4(c)**
- approval, denial, referral, or dismissal, **8:208.14, 1208.14**
- filing deadline, **8:1208.4(d)**
- one-year filing deadline, **8:208.4(a)(2), 1208.4(a)(2)**
- frivolous applications, **8:208.20, 1208.20**
- locations for filing, **8:208.4(b), 1208.4(b)**
- mandatory denials, **8:208.13(c), 1208.13(c)**
- changed circumstances affecting eligibility, **8:208.4(a)(4), 1208.4(a)(4)**
- confidentiality, disclosure of information, **8:208.6, 1208.6**
- Convention Against Torture. *See* Convention Against Torture (CAT)
- cooperative agreements, **8:208.4(a)(6), 1003.42(h), 1208.4(a)(6), 1240.11(g)–(h)**
- decisions, **8:208.19, 1208.19**
- reliance on information provided by other agencies or organizations, **8:208.12, 1208.12**
- discretionary denials of asylum, **8:208.13(d)**
- DOS comments on applicant's eligibility, **8:208.11, 1208.11**
- duty of DHS upon request for asylum or withholding, **8:208.5, 1208.5**
- eligibility, **8:208.12, 1208.13**
- employment authorization, **8:208.7, 274a.12(a)(5), 274a.12(c)(8)**
- expedited removal, claims of fear or persecution or asylee or refugee status, **8:235.3(b)(4)–(5)**
- firm resettlement, **8:208.15, 1208.15**
- general provisions, **8:208.1, 1208.1**
- Guam, **8:1208.2(c)(1)(vii)–(viii)**
- inspection, referral to IJ, **8:235.6, 1235.6**
- INS responsibilities for applications, **28:0.105(k)**
- internal relocation, reasonableness of, **8:208.13(b)(3), 1208.13(b)(3)**
- interviews
- extensions, **8:208.9(e)**
- failure to appear, **8:208.10, 1208.10**
- interpreters, **8:208.9(h)**
- procedure, **8:208.9**
- jurisdiction, **8:1208.2**
- Northern Mariana Islands (CNMI), **8:208.1(a)(2), 208.2(c)(1)(iii)–(iv), 208.4(a)(2)(ii), 208.5(a) & (b)(1)(iii), 208.30(a), 209.2(a)(3), 1208.1(a)(2), 1208.2(c)(1)(iii)–(iv) & (vii)–(viii), 1208.4(a)(2)(ii), 1208.5(a) & (b)(1)(iii)**
- adjustment of status, **8:1209.2(a)(3)**
- credible-fear determinations, **8:1208.30(a)**
- one-year filing deadline. *See this heading:* applications
- particular social group, **8:208.1(c), 1208.1(c)**

persecution
 credible- and reasonable-fear determinations, **8:208.30–208.31**, 1208.30–1208.31
 immigration court procedure, **8:1003.42**
 dependents, treatment of, **8:208.30(c)**
 initiation of reasonable-fear determination process, **8:208.31(b)**
 jurisdiction, **8:208.30(a)**, 208.31(a)
 procedures, **8:208.30(b)**, (e)–(g), **8:208.31(c)**
 review by IJ, **8:208.31(g)**
 past persecution, **8:208.13(b)(1)**, 1208.13(b)(1)
 screening for or adjudicating, **8:208.1(e)–(g)**, 1208.1(e)–(g)
 well-founded fear, **8:208.13(b)(2)**, 1208.13(b)(2)
 political opinion, **8:208.1(d)**, 1208.1(d)
 prior denial of application, **8:1208.4(a)(3)**
 procedural rules, **8:208.2(c)(3)**, 1208.2(c)(3)
 refugees. *See* Refugees
 removal proceedings
 effect of asylum grant, **8:208.22**, 1208.22
 immigration court procedure once claimed, **8:1240.11(c)**, 1240.33
 ineligibility for proceedings under INA §240, **8:208.2(c)**, 1208.2(c)
 restoration of status if asylum not granted, **8:208.23**, 1208.23
 severability of asylum regulations, **8:208.25**, 1208.25
 spouse and children of asylee, admission of, **8:208.21**, 1208.21
 stowaways, **8:208.30**, 241.11(d), 1208.30
 termination, **8:208.24**
 for arriving aliens, **8:208.24(g)**, 1208.24(g)
 of asylum, **8:208.24(a)**, 1208.24(a)
 of derivative status, **8:208.24(d)**, 1208.24(d)
 by IJ or BIA, **8:208.24(f)**, 1208.24(f)
 procedure, **8:208.24(c)**, 1208.24(c)
 removal proceedings, **8:208.24(e)**, 1208.24(e)
 of withholding of deportation or removal, **8:208.24(b)**
 training of asylum officers, **8:208.1(b)**, 1208.1(b)
 travel restrictions, **8:208.8**, 1208.8

Athletes

See also P visas
 substitution of beneficiaries, **8:214.2(h)(6)(viii)**
 traded professional H-2B athletes, **8:214.2(h)(6)(vii)**
 visas (P nonimmigrant), **22:41.56**

Attestations

fashion models and specialty occupations. *See* H-1B visas
 labor certification. *See* Labor certification (LC)
 longshore work performed by alien crewmembers. *See* D visas
 registered nurses (H-1A visas). *See* H-1A visas
 registered nurses (H-1C visas). *See* H-1C visas
 students working off-campus. *See* F visas

Attorney General

See also Justice Department (DOJ)
 action upon receipt of notice (D visas), **20:655.655(c)**
 BIA referral of cases to AG, **8:1003.1(h)**
 decisions as precedents, **8:103.10**
 Immigration Emergency Fund responsibilities, **28:65.83**, 65.84
 review of unfair employment and unfair employment practices proceedings, **28:68.55**

Attorneys and representatives

accredited representatives, suspension and reinstatement, **8:1003.107(c)**
 appearances, **8:292.4**, 1292.4
 conduct of practitioners and recognized organizations, **8:1292.3**
 fees. *See* Attorney's fees
 free legal service providers
 applications to be provider, **8:1003.63**
 approval or denial, **8:1003.64**
 changes in information or status, **8:1003.66**
 definitions, **8:1003.61**
 list, **8:1003.61**
 qualifications, **8:1003.62**
 removal of attorney or organization from list, **8:1003.65**
 before immigration courts, **8:1003.16–1003.17**
 interpretation of rules regarding, **8:292.6**, 1292.6
 labor certification, representation by agents or attorneys, **20:656.10(b)**
 organizations qualified for recognition, **8:292.2**
 recognized organizations, **8:1292.11–1292.20**
 accreditation of representatives, **8:1292.12**
 administrative review of denied requests for reconsideration, **8:1292.18**
 administrative termination of recognition and accreditation, **8:1292.17**
 application for recognition or accreditation of representatives, **8:1292.13**
 complaints against organizations and representatives, **8:1292.19**
 extension of recognition and accreditation to multiple offices, **8:1292.15**
 notice posting, **8:1292.14**

procedure, **8:1292.11**
 renewal of recognition and accreditation, **8:1292.16**
 reporting and recordkeeping requirements, **8:1292.14**
 roster of, **8:1292.20**
 registration requirements, **8:1292.1(f)**
 representation of others, **8:292.1**, 1292.1
 rules of professional conduct
 practice before BIA and immigration courts, **8:1003.101–1003.111**
 appearance after reinstatement, **8:1003.107(d)**
 complaints, **8:1003.104**
 confidentiality, **8:1003.108**
 duty to notify EOIR of conviction or discipline, **8:1003.103(c)**
 government attorneys, discipline of, **8:1003.109**
 hearing and disposition, **8:1003.106**
 immediate suspension and summary discipline, **8:1003.103(a)–(b)**
 interim suspension, **8:1003.111**
 Notice of Intent to Discipline, **8:1003.105**
 reinstatement, **8:1003.107**
 sanction of recognized organizations, **8:1003.110**
 sanctions, **8:1003.101–1003.111**
 practice before DHS, **8:292.3**, 1292.3
 complaints, **8:292.3(d)**
 confidentiality, **8:292.3(h)**
 duty to notify DHS of conviction or discipline, **8:292.3(c)**
 government attorneys, discipline of, **8:292.3(i)**
 hearing and disposition, **8:292.3(f)**
 immediate suspension and summary discipline, **8:292.3(c)**
 Notice of Intent to Discipline, **8:292.3(e)**
 referral to state or federal disciplinary authorities, **8:292.3(g)**
 reinstatement, **8:292.3(f)**
 sanctions, **8:292.3(a)–(b)**
 service of process, **8:292.5**, 1292.5
 unfair employment and unfair employment practices proceedings, **28:68.33**

Attorney's fees

D visas, **20:655.675**
 H-1C visas, **20:655.1260**
 unfair employment and unfair employment practices proceedings, **28:68.52(c)(9)**, 68.52(d)(6), 68.52(e)(4)

Au pairs

exchange visitor program, **22:62.31**

Audio-visual materials, trade in

Generally, **22:61**
 certification and authentication criteria, **22:61.3**

- consultation with subject matter specialists, 22:61.6
- coordination with U.S. Customs Service, 22:61.8
- definitions, 22:61.2
- exports, certification procedures for, 22:61.4
- general information and application forms, 22:61.9
- imports, authentication procedures for, 22:61.5
- purpose, 22:61.1
- review and appeal procedures, 22:61.7
- Audit procedures**
- labor certification, 20:656.20
- Authentication**
- audio-visual materials, 22:61.3
- immigrant visa applicant's records and documents, 22:42.65(e)
- unfair employment and unfair employment practices proceedings, 28:68.46
- Automated vessel exception**
- D visas, 20:655.500(a)(1), 655.520, 655.610
- Aviation training for aliens**
- Generally, 28:105.10–105.14
- definitions, 28:105.10(a)
- Flight Training Candidate Checks Program, 28:105.14
- no security risk assessment required, 28:105.11
- notification for candidates
- eligible for expedited processing, 28:105.12
- not eligible for expedited processing, 28:105.13
- purpose of regulations, 28:105.10(b)
- restrictions for Libyans, 8:214.5
- risk assessment for candidates, 28:105.14
- scope of regulations, 28:105.10(b)
- B**
- B-1/B-2 visas (temporary visitors for business or pleasure)**
- Generally, 22:41.31–41.33
- bond, admission under, 8:221.1
- class of nonimmigrant status, 22:41.12
- combined with border crossing cards (B-1/B-2 Visa/BCC), 22:41.32(a)
- employment authorization, 8:214.1(e), 274a.12(c)(17)
- extensions, 8:214.2(b)
- requirements for admission, extension, and maintenance of status, 8:214.2(b)
- Background checks**
- See also* Biometrics
- naturalization applicants, 8:335.2(b)
- T visa applicants, 8:245.23(g)(1)
- Back pay liability**
- H-1B visas, 20:655.810(a)
- H-1C visas, 20:655.1210
- unfair employment and unfair employment practices proceedings, 28:68.52(d)(3)
- Bahamas**
- entry documentation, 22:41.2(c)
- nonimmigrants' documentary requirements, 8:212.1(a), 1212.1(a)
- Bail Reform Act of 1966**
- DOJ Criminal Division role, 28:0.55(q)
- BALCA (Board of Alien Labor Certification Appeals)**
- H-1C visas
- decision on appeals, 20:655.1135(i)
- decision on consideration on the record or de novo hearing, 20:655.1135(h)
- review of attestations, 20:655.1101(e)
- labor certification review, 20:656.26, 656.27
- prevailing wage determination review, 20:656.41(d)
- Barrels, standard**
- laws relating to, enforcement, 28:0.55(d)
- Bar to re-entry.** *See* Removal and removal proceedings
- Battered persons.** *See* Abused spouses and children; T visas; U visas
- Bermuda**
- passport not required, 22:41.2(b)
- BIA.** *See* Board of Immigration Appeals
- Biometrics**
- See also* Border crossing cards (BCCs) collection, use, and storage, 8:103.16
- departure controls, 8:215.8
- detainees' fingerprinting, 8:236.5, 1236.5
- DNA samples, collection of, 28:28.11–28.13
- entrepreneurs' parole, collection of biometric information, 212.19(e)
- excluded aliens, fingerprinting of, 8:1240.38
- fingerprinting waiver for registration of aliens, 8:264.1(e)
- immigrant visa applications, 22:42.67(c)
- immigration court procedures, 8:1003.47(d)
- INS to fingerprint aliens in U.S., 28:0.105(g)
- Integrated Automatic Fingerprint Identification System (IAFIS), 6:37.45
- nonimmigrant visa applications, fingerprinting, 22:41.105(b)
- service fee, 8:103.7(a)(2), 103.17
- PORTPASS, 8:103.7(b)(7)(iv)–(v)
- T visa applicants, 8:214.11(d)(4)
- U visas (victims of crimes), 8:214.14(c)(3)
- visa fees, 22:22.1
- Birth**
- Certification of Report of Birth Abroad of a United States Citizen, 22:50.8
- children born outside U.S., citizenship of, 8:320.1–320.5. *See also* Citizenship and nationality
- citizenship and nationality at, 8:301.1
- consular reports, *see* Consular Reports of Birth Abroad
- diplomats, persons born to, 8:1101.3
- fees for documents originally issued by U.S. embassy or consulate, 22:22.1
- during mother's temporary visit abroad, 22:42.1(e)
- registration of birth abroad, 22:50.6
- application for, 22:50.5
- Birth certificates**
- as evidence of U.S. citizenship or nationality, 22:51.43
- Board of Alien Labor Certification Appeals.** *See* BALCA
- Board of Immigration Appeals (BIA)**
- appeals to, 8:1240.15
- briefs, 8:1003.3(c)
- forwarding of record, 8:1003.5
- notice of appeal, 8:1003.3
- procedure, generally, 8:1003.38
- withdrawal of appeals, 8:1003.4
- attorneys and representatives. *See also* Attorneys and representatives
- interpretation of rules, 8:292.6, 1292.6
- case management system, 8:1003.1(e)
- decisions as precedents, 8:103.10
- discipline of attorneys and representatives, 8:1003.1(d)(5)
- fees, 8:1003.8
- finality of decision, 8:1003.1(d)(7)
- identity, law enforcement, or security investigations, 8:1003.1(d)(6)
- jurisdiction
- appellate, 8:1003.1(b)
- by certification, 8:1003.1(c)
- motions to reopen or reconsider, 8:1003.2
- notice of certification, 8:1003.7
- oral argument, 8:1003.1(e)(7)
- organization and functions of, 8:1003.1(a); 28:0.116
- powers, 8:1003.1(d)
- precedent, decisions as, 8:1003.1(g)
- quality assurance certification, 8:1003.1(k)
- referral of cases to Attorney General, 8:1003.1(h)
- rules of practice, 8:1003.1(d)(4)
- scope of review, 8:1003.1(d)(3)
- service of decisions, 8:1003.1(f)
- stay of execution of decision, 8:1003.6
- summary dismissal of appeals, 8:1003.1(d)(2)
- TPS applications, appeal to BIA, 8:244.11, 1244.11

Bonds

acceptable sureties, **8:103.6(b)**
 admission of aliens upon giving bond or cash, **8:213.1**
 admission of visitors or students, **8:221.1**
 breach, **8:103.6(e)–(f)**
 cancellation, **8:103.6(c)**
 of public charge bonds, **8:103.6(c)**
 clearance of vessel or aircraft, **8:280.6–280.7**
 H-2A workers, **29:501.9**
 hiring, prohibition of indemnity bonds, **8:274a.8**
 immigration court procedure, **8:1003.19**
 interest on bonds, **8:293**
 computation, **8:293.1**
 rate, **8:293.2**
 time of payment, **8:293.3**
 nonimmigrant visas, posting of bond, **22:41.11(b)(2)**
 posting of surety bonds, **8:103.6(a)**
 public charge bonds, **8:213.1**
 schedules, **8:103.6(d)**
 Treasury-certified sureties, appeals of breached bonds, **8:103.6(f)**
 unfair employment and unfair employment practices, indemnity bond cases, **28:68.52(c)(7)**

Border crossing cards (BCCs)
 Canadian border crossing identification card (BCC) or Canadian B-1/B-2 Visa/BCC, **22:41.33**
 combined border crossing cards and nonimmigrant visas, **22:41.107(e)**
 fees, **22:22.1**
 Mexican border crossing cards, **22:41.2(f)**, **41.32**
 procedure, **8:212.6**, **1212.6**
 replacement, **8:212.6(e)**

Borders
See also Admission and admissibility; Border crossing cards (BCCs); Ports of entry
 border patrol
 carrying firearms, **8:287.5(f)**
 INS general functions, **28:0.105(d)**
 power and authority, **8:287.5(b)**
 sector HQs and stations, **8:100.4(c)**
 deadly force, use of, **8:287.8(a)(2)**
 definitions, **8:287.1**
 disposition of cases, **8:287.2–287.3**
 enforcement standards, **8:287.8**
 field officers, powers and duties, **8:287.1–287.12**
 interrogation and detention not amounting to arrest, **8:287.8(b)**
 land border port-of-entry fee, **8:286.8–286.9**
 pre-enrolled access lane (PAL), **8:287.11**
 subpoenas, **8:287.4**, **1287.4**
 transportation of persons arrested and detained, **8:287.8(d)**
 use of force, **8:287.8(a)**
 vehicular pursuit, **8:287.8(e)**

Breach of classified information. *See* Classified national security information (DHS)

Bridges

unauthorized entry, prevention efforts by owners of railroad lines, bridges, and toll roads, **8:271.1**

Briefs

fraud, post-hearing hearings, **6:13.36**
 Office of Administrative Law Judges, **29:18.91**

British subjects

entry documentation, **22:41.2(b)–(f)**
 nonimmigrants' documentary requirements, **8:212.1(a)**, **1212.1(a)**

British Virgin Islands

entry documentation, **22:41.2(e)**
 residents, nonimmigrants' documentary requirements, **8:212.1(b)**

Broadcasters

See also I Visas
 special immigrant status, **22:42.32(d)(8)**
 petitions, **8:204.13**

Brothers and sisters

immigrant visas. *See* Family-sponsored immigration

Burden of proof

D visas, **20:655.605(e)**
 evidence of U.S. citizenship or nationality, **22:51.40**
 fraud hearings, **6:13.30**
 H-1B visas, **20:655.740(c)**
 for labor certification, **20:656.2(b)**
 on nonimmigrant visa applicants, **22:41.11(a)**

Business information

definitions, **6:5.7(a)**
 Office of Administrative Law Judges, **29:18.60(d)**

Business visas

B nonimmigrants, **22:41.51–41.59.** *See also* Visas

C**C visas (aliens in transit)**

class of nonimmigrant status, **22:41.12**
 employment authorization, **8:214.1(e)**, **274a.12(b)(3)**
 requirements for admission, extension, and maintenance of status, **8:214.2(c)**
 transit aliens on way to UN (C-2 visas), **22:41.71**

Cabinet ministers

diplomatic visas, **22:41.26(c)(1)**

Cambodians

adjustment of status, **8:245.21**, **1245.21**

Camp counselors

exchange visitor program, **22:62.30.** *See also* J visas

Canada

See also NAFTA
 American Indians born in, **8:289.1–289.3**; **22:42.1(f)**
 admission for permanent residence, **8:289.2**, **289.3**
 definition, **8:289.1**
 border crossing cards (BCCs), **8:1212.6**; **22:41.33**
 Canadian Indians with INAC cards, **22:41.2(a)(4)**
 documentary requirements and exceptions, **8:212.1(a)(1)(i)–(iii)**
 documentation of nonimmigrants landed immigrants in Canada, **22:41.3(f)**
 waiver for special circumstances, **22:41.3(a)**
 entry documentation of Canadian citizens, **22:41.2(a)**
 nationals of Canada, nonimmigrants' documentary requirements, **8:212.1(a)**, **1212.1(a)**
 NEXUS, FAST, or SENTRI programs, documentary requirements, **8:212.1(a)(1)(i)–(iii)**
 passport not required for Canadian nationals, **22:41.2(a)**
 treaty trader and treaty investor, visa requirements, **22:41.2(f)**

Canal Zone

birth and death certificates
 fees, **22:22.1**
 requests for records, **22:22.2(a)**
 departure from, **22:46.6**

Cancellation of removal

for ABC class members, **8:240.60–240.70**, **1240.60–1240.70**
 Form EOIR-42, application for cancellation of removal, **8:1240.20**
 LIFE Act Amendments, motions to reopen under, **8:1003.43**
 NACARA, **8:1003.43**
 for non-LPRs, **8:240.21**, **1240.21**

Cards of identity

nationality procedures, **22:50.9**

Care and placement of unaccompanied alien children (UACs)

See also Sexual abuse and harassment of unaccompanied children
 Generally, **45:410.100–140.102**
 age determinations, **45:410.700–410.701**
 placement determination, **45:410.200–410.209**
 objections to ORR placement, **45:410.800–410.810**
 programs, **45:410.400–410.403**
 releasing UACs from ORR custody, **45:410.300–410.302**
 transfers of UACs, **45:410.600**
 transportation of UACs, **45:410.500**

Cargo. *See* D visas; Vessels

Caribbean Islands

See also specific islands
residents, nonimmigrants' documentary requirements, **8:212.1(a)**, 1212.1(a), 1212.1(b)

Carriers

aircraft. *See* Aircraft
vessels. *See* Vessels

Carrying weapons

Tick Inspectors (DOA) carrying and using firearms, **28:0.64-3**

Case assignments

disagreements involving, DOJ procedures for resolving, **28:0.196**

Catholic Social Services class action. *See*

LIFE Act and LIFE Act Amendments

Cayman Islands

nonimmigrants' documentary requirements, **8:212.1(a)**, 1212.1(a)
passport not required, **22:41.2(d)**

Cease and desist orders

D visas, **20:655.615**, 655.645(f)
notice to Attorney General and ETA, **20:655.665(a)**

Certificates of identity

for travel to U.S. to apply for admission, **22:50.11**

Certificates of nationality

Generally, **22:50.10**

Certification of loss of U.S. nationality

Generally, **22:50.40**
notice of right to appeal, **22:50.51**

Change in corporate structure or identity of employer

H-1B visas, **20:655.730(e)**

Change of address

affidavits of support, **8:213a.3**
F visas (academic students), **8:214.2(f)(17)**
reporting, **8:265.1**

Change of jobs

adjustment of status to LPR for employment-based immigrant, **8:245.25**
during COVID emergency, **8:214.2(h)(21)–(23)**, 274a.12(b)(26)–(28)

Change of status (NIVs)

See also specific visas
application, **8:248.3**
eligibility, **8:248.1**, 248.2
petition, **8:248.3**

Change of venue

immigration courts, **8:1003.20**

Chargeability. *See* Numerical limitations**Charitable organizations**

nonimmigrant application fees, exemption from, **22:41.107(c)**

Child care

au pairs in exchange visitor program, **22:62.31**

Children and minors

See also Abused spouses and children;
Care and placement of unaccompanied alien children (UACs); Citizenship and nationality; Family-sponsored immigration; Sexual abuse and harassment of unaccompanied children; Special immigrant juveniles; *specific visa types*
adoption. *See* Adoption
Amerasian children, **8:204.4**
asylee's children, admission of, **8:208.21**, 1208.21
born abroad. *See* Birth
born after issuance of immigrant visa to accompanying parent, **22:42.1(d)**
Canadian children, **22:41.2(a)(5)**
care and placement. *See* Care and placement of unaccompanied alien children (UACs)
crimes by. *See* Juvenile delinquency and crimes

detention of

Generally, **8:236.3**, 1236.3
age determination, **8:236.3(c)**
apprehension & processing, DHS procedures, **8:236.3(g)**
bond hearings, **8:236.3(m)**
definitions, **8:236.3(b)**
family units, **8:236.3(h)**
monitoring, **8:236.3(o)**
non-UACs
detention, **8:236.3(i)**
release, **8:236.3(j)**
notice to parents of refusal to release, **8:236.3(l)**
previously released minors, retaking custody, **8:236.3(n)**
service upon minors under age 14, **8:236.2**, 1236.2
transfers, **8:236.3(e)–(f)**, 236.3(k)
UAC, determination of, **8:236.3(d)**
voluntary departure, **8:1236.3(g)**

documentary requirements for nonimmigrants, generally, **8:212.1(h)**, 1212.1(h)

immigrant visas

entitlement to status, **22:42.21(a)**
rules of chargeability, exception for, **22:42.12(b)–(e)**
self-petition child of U.S. citizen (IB2), visa symbol, **22:42.11**
terrorist acts of Sept. 11, 2001, effect of, **22:42.21(c)**

juvenile court dependents, special immigrant status, **22:42.32(d)(6)**
labor certification for visas, **22:40.51(c)**
nonimmigrant requirements for admission, **8:212.1(h)**, 1212.1(h)
parole of minors into U.S., **8:212.5(b)**

passports

applications, **22:51.28**
exceptions, **22:53.2(b)(11)**
petition to classify orphan as immediate relative, fees, **22:22.1**
refugee resettlement program, **45:400.110–400.120**
registration of, **8:264.1(g)**
scope of examination at port of entry, **8:235.1(b)(8)**
sexual abuse and harassment. *See* Sexual abuse and harassment of unaccompanied children
special immigrant status for juvenile court dependents, **22:42.32(d)(6)**
visa eligibility exception for child involved in international child abduction, **22:40.103**

Chinese nationals

adjustment of status. *See* Adjustment of status
admission, **8:101.1(e)**, 1101.1(e)
journalists and information media, **8:214.2(i)(1)(ii)**, 214.2(i)(4)
military members, no visa or passport waiver for, **22:41.3(e)**

Cigarettes

laws relating to, enforcement, **28:0.55(d)**

Citizenship and nationality

See also Naturalization

at birth, **8:301.1**

certificates of citizenship, **8:341.1–341.5**
adjudication, **8:341.5(a)**
administrative cancellation, **8:342.1–342.9**
approval of application, **8:341.5(b)–(c)**
denial of application, **8:341.5(d)**
depositions of witnesses, **8:341.3**
examination upon application, **8:341.2**
replacement of lost or destroyed certificates, **8:343a.1–343a.2**
surrender of immigration documents, **8:341.4**

children born outside U.S.

application for certificate of citizenship, **8:322.1–322.5**
automatic acquisition of citizenship, **8:320.1–320.5**
INS to provide textbooks and other services for preparing candidates for naturalization, **28:0.105(f)**
loss of nationality, Japanese renunciation of nationality, **8:349.1**
nonimmigrants and immigrants ineligible for, **22:40.81**
posthumous citizenship, death while service in Armed Forces, **8:392.1–392.4**
records, certification of, **8:343c.1**
U.S. nationals who are not U.S. citizens, naturalization of, **8:325.2–325.4**
Virgin Islanders, **8:306.1–306.12**

Civics examination

LIFE Act legalization, 8:245a.17
 naturalization, 8:312.2. *See also* Naturalization

Civil disorders

forcible interference with persons engaged in business during, 28:0.55(m)(3)

Civil forfeiture

access to records, 19:103.32
 DOJ Criminal Division role, 28:0.55(d)

Civil penalties

See also Sanctions, penalties, and fines
 D visas, 20:655.620
 fraud or misrepresentation
 basis for penalties and assessments, 6:13.3
 collection of civil penalties and assessments, 6:13.43
 determining amount of penalties and assessments, 6:13.31
 H-1B visas, 20:655.810(b)
 H-1C visas, 20:655.1210
 H-2A temporary agricultural workers, 29:501.19, 501.22
 H-2B temporary nonagricultural workers, 29:503.23, 503.26
 inflation adjustment, 28:85.1–85.5
 subject of civil penalty as visa applicant, 22:40.66

Civil Rights Act of 1964

Title VI enforcement, 28:0.51(b)(1)

Civil Rights Division. *See* Justice Department (DOJ)

Civil surgeons

examination of alien, 8:232.2
 selection, 8:232.2(b)

Civilian law enforcement by military

DOJ Criminal Division role, 28:0.55(u)

Classified national security information (DHS)

Generally, 6:7
 automatic declassification, 6:7.28
 challenges to classification, 6:7.31
 classification and declassification authority, 6:7.20
 classification pending review, 6:7.22
 declassification and downgrading, 6:7.27
 definitions, 6:7.3
 derivative classification, 6:7.26
 duration of classification, 6:7.24
 emergency release of classified information, 6:7.23
 historical value, documents with, 6:7.29, 7.30
 identification and markings, 6:7.25
 judicial proceedings requiring disclosure of, 6:7.13
 limitations on classification, 6:7.21
 mandatory review for declassification requests, 6:7.32

National De-classification Center (NDC), 6:7.29

Privacy Act, 6:5.22(e), 5.24
 purpose of regulations, 6:7.1
 scope of regulations, 6:7.2
 violations, 6:7.12

Coinage

laws relating to, enforcement, 28:0.55(d)

Collective bargaining agreements

See also Labor disputes
 D visas, 20:655.500(a)(1), 655.510(c)(2)
 Alaska exception, 20:655.536

Colleges and universities

See also Foreign students; F visas; Professors
 approval of schools for enrollment of F and M students, 8:214.3
 Form I-17 fee, 8:103.7(d)(2)
 denial of certification or recertification, 8:214.4
 designated school officials (DSOs), 8:214.3(l)
 enrollment in SEVIS, 8:214.12
 faculty, optional special recruitment, 20:656.18
 fees, exemption from H-1B additional fee, 8:214.2(h)(19)(iii)(A)
 international exchange program grants, 22:63. *See also* International educational and cultural exchange program grants
 prevailing wage determinations, 20:656.40(e)
 students. *See* F visas; J visas

Commercial information

access to records, 19:103.22(h)

Commitment of mentally ill persons

questions arising as to, DOJ Criminal Division role, 28:0.55(o)

Common carriers

access to records
 advance electronic information, 19:103.31a
 cargo, 19:103.31a
 airports, 8:234.1–234.4
 arrival and departure manifests, 8:231.1–231.3, 251.1–251.6
 aircraft, 8:251.1(b), 251.4
 exemptions for private aircraft, 8:251.6
 crew, paper arrival and departure manifests, 8:251.5
 illegal landings, notification, 8:251.2
 vessels, 8:251.1(a), 251.3
 exemptions for private vessels, 8:251.6
 carrier agreements, 8:217.6
 contracts with DHS, 8:233.1–233.6
 fee collection, procedures and responsibilities, 8:286.1–286.7
 fines and penalties
 aircraft, special procedures, 8:280.2

bonds to obtain clearance, 8:280.6–280.7

data concerning cost of transportation, 8:280.4

departure of vessel or aircraft prior to denial of clearance, 8:280.3

fee-collection violations, 8:286.7

seizure of aircraft, 8:280.21

unlawful bringing in of aliens, reducing, refunding, or waiving fines, 8:273.1–273.6

inspection by owners of railroad lines, bridges, and toll roads, duty to prevent unauthorized entry of aliens, 8:271.1

international airports, 8:234.4

landing requirements, 8:234.2

ports of entry for arrival by civil aircraft, 8:234.1–234.4

preinspection outside U.S., 8:233.4

removed aliens

 costs of detention and maintenance, 8:241.12

 notice to transportation lines, 8:241.24
 special care and attention due, 8:241.10

stowaways. *See* Stowaways

Commonwealth of Northern Mariana Islands. *See* Northern Mariana Islands (CNMI)

Communicable diseases

medical examination of aliens, 42:34. *See also* Medical examinations

Communications privilege

for detainees, 8:235.3(f), 236.1(e), 1236.1(e)

Communist-controlled countries

See also Iron Curtain countries
 passports not required for nationals of, 22:42.2(e)

Communists

admission, application for exercise of discretion under §212(d)(3)(B), 8:212.4(b), 1212.4(b)
 naturalization, ineligibility, 8:313.1–313.4, 316.11(c)

Commuters

border commuter students, 8:214.2(f)(18), 214.2(m)(19)
 documentary requirements, 8:211.5

Compensation. *See* Prevailing wage determinations

Complaints

D visas, 20:655.501(c), 655.605(b)
 fraud civil remedies, 6:13.6–13.11
 H-1B visas, 20:655.710
 filing of, 20:655.806(a)
 written determination of, 20:655.806(b)
 H-1C visas, 20:655.1101(f)
 Administrator's responsibility for, 20:655.1205

- unfair immigration-related employment practices
determination whether to file, **28:44.303**
proceedings, **28:68.4**
Special Counsel acting on own initiative, **28:44.304(b)**
unlawful employment of aliens proceedings, **28:68.4**
- Conditional permanent residents.** *See* Lawful permanent residents
- Confidentiality**
See also Classified national security information (DHS)
access to records
commercial information, **19:103.22(h)**
informants, **19:161.15**
asylum records, disclosure to third parties, **8:208.6**, **1208.6**
attorney rules of professional conduct, practice before DHS, **8:292.3(h)**
commercial information, access to records, **19:103.22(h)**
of complainants or whistleblowers
H-1B visas, **20:655.800(d)**
H-1C visas, **20:655.1200(g)**
longshore work performed by alien (D visas), **20:655.600(e)**
detainees, confidentiality of information about, **8:236.6**, **1236.6**
informants, access to records, **19:161.15**
IRCA legalization, **8:245a.2(t)**
LIFE Act legalization, **8:245a.21**
National Crime Information Center (NCIC) criminal history information, **22:40.5**
Office of ALJs, **29:18.31**
protective orders in immigration courts, **8:1003.46**
temporary protected status (TPS), **8:244.16**, **1244.16**
unfair employment and unfair employment practices proceedings
classified or sensitive matter, **28:68.42(b)**
restricted access portion of record, **28:68.51**
- Conflict of interest**
fraud or misrepresentation, **6:13.14**
- Consent findings**
Office of Administrative Law Judges, **29:18.71**
motions, **29:18.70(c)**
unfair employment and unfair employment practices proceedings, **28:68.14**
- Conservators of estates**
DOS acting in provisional role for U.S. citizens, fees, **22:22.1**
- Consideration on the record**
H-1C visas, **20:655.1135(f)**
BALCA decision on, **20:655.1135(h)**
- Consolidation of hearings**
unfair employment and unfair employment practices proceedings, **28:68.16**
- Construction workers**
admission and admissibility, **8:214.2(b)(5)**
- Consular mortality certificates**
on behalf of non-U.S. citizen, fees, **22:22.1**
- Consular offices**
authority to act on recommendations of consular officers for waiver of visa and passport requirements, nonimmigrants' documentary requirements, **8:212.1(j)**, **1212.1(j)**
discontinuance of visa grants to nationals of countries that deny or delay accepting aliens, **22:41.123**
nonimmigrant documentation, authorization to waive, **22:41.3(g)**
time charges, hourly fee for, **22:22.1**
- Consular Reports of Birth Abroad**
Generally, **22:50.7**
cancellation, **22:50.7(d)**, **51.62(c)**
hearing to review, **22:51.70** to **.74**
notice of denial, revocation, or cancellation, **22:51.65**
surrender of, **22:51.66**
- Consular services.** *See* Visas
fees. *See* Fees
- Continuances**
immigration courts, **8:1003.29**
Office of ALJs, **29:18.41**
unfair employment and unfair employment practices proceedings, **28:68.27**
- Contraband Transportation Act**
actions under, **28:0.55(d)**
- Controlled substances**
See also Admission and admissibility;
Dangerous drugs
convictions, **8:1212.11**
detainers, **8:287.7**
laws relating to, enforcement, **28:0.55(d)**
offers in compromise and tax liability relating to, **28:0.55(e)**
visas of violators, **22:40.21(b)**
- Controlled Substances Act**
criminal and civil litigation under, **28:0.55(c)**
- Controlled Substances Import and Export Act**
criminal and civil litigation under, **28:0.55(c)**
- Convention Against Torture (CAT)**
alien terrorist removal procedures, eligibility for protection under, **28:200.1**
deferral of removal, **8:208.17**, **1208.17**
diplomatic assurances against torture, **8:1208.18(c)**
in extradition cases, **22:95**
application, **22:95.2**
definitions, **22:95.1**
procedures, **22:95.3**
review and construction of Secretary's decisions, **22:95.4**
implementation, **8:208.18**, **1208.18**
judicial review of claims, **8:208.18(e)**, **1208.18(e)**
withholding of removal under CAT, **8:208.16**, **1208.16**
- Convention between U.S. and Greece**
INS implementation of, **28:0.110**
- Conviction**
in absentia
crime involving moral turpitude, **22:40.21(a)(4)**
multiple criminal convictions, **22:40.22(b)**, **40.22(c)**
drug traffickers, denial of passport, **22:51.61**
- Copyrights Act**
actions under, **28:0.55(d)**
- Coram nobis**
Criminal Division, DOJ, role, **28:0.55(i)**
- Coronavirus pandemic**
change of employers during COVID emergency, **8:214.2(h)(21)–(23)**, **274a.12(b)(26)–(28)**
- Counsel.** *See* Attorneys and representatives
- Counselors.** *See* Attorneys and representatives; Camp counselors
- Couriers**
diplomatic visas, **22:41.26(c)(1)**
on official business, **22:41.22(h)**
- COVID.** *See* Coronavirus pandemic
- Credentialing**
accreditation of adoption services. *See* Adoption
health care workers, **8:212.15**, **1212.15**
- Credible fear of persecution.** *See* Asylum
- Crewmembers (D visas)**
admission, application for exercise of discretion under §212(d)(3), **8:212.4(h)**, **1212.4(g)**
asylum and withholding applicants
duty owed aliens upon request for asylum or withholding, **8:208.5(b)**, **1208.5(b)**
ineligibility for proceedings under INA §240, **8:208.2(c)(1)(i)**, **1208.2(c)(1)(i)**
deserters from Spanish or Greek ships of war, **8:252.5**
examination of crewmembers, **8:252.1**
Great Lakes vessels and tugboats, **8:252.3**
landing permits
conditional landing permits, revocation, **8:252.2**
permanent landing permits and identification card, **8:252.4**

- longshore work, limitations on performance, **8:258.1–258.3**
 naturalization of seamen, **8:330.1–330.2**
 parole, **8:253.1–253.2**
 requirements for admission, extension, and maintenance of status, **8:214.2(d)**
- Crewmen.** *See* D visas
- Crimes and criminal conduct**
See also Background checks; *specific crime*
 admission and admissibility, **8:212.7, 1212.7.** *See also* Admission and admissibility
 conviction. *See* Conviction
 criminal convictions
 controlled substance convictions, **8:1212.11**
 evidence in immigration courts, **8:1003.41**
 expedited removal of aggravated felons, **8:238.1**
 juvenile. *See* Juvenile delinquency and crimes
 labor certification and, **20:656.31(c)**
 nonimmigrant visas (NIVs), **8:214.1(g)**
 release from detention, **8:236.1(c)(4)–(5), 1236.1(c)(4)–(5)**
 transfer to or from foreign countries, **28:0.64–2**
 unmovable aliens and long-term detainees, **8:236.1(c)(6)**
- Criminal Division.** *See* Justice Department (DOJ)
- Criminal forfeiture**
 access to records, **19:103.32**
 DOJ Criminal Division role, **28:0.55(d)**
- Criminal penalties.** *See* Sanctions, penalties, and fines
- Cruise ship passengers**
 scope of examination at port of entry, **8:235.1(b)(5)**
- CSS class action**
 class membership, **8:245a.14.** *See also* LIFE Act and LIFE Act Amendments
- Cuba**
 entrant program, **45:401.1–401.12**
 Mariel Cubans, parole, **8:212.12, 241.4(b)(2), 1212.12**
 military members of, no visa or passport waiver for, **22:41.3(e)**
 NACARA
 adjustment, **8:1245.13**
 suspension of deportation and cancellation of removal, motions to reopen, **8:1003.43**
 parole, nonimmigrants' documentary requirements, **8:212.5(g), 212.5(h)**
 refugee cash assistance, **45:400.62**
- Cultural exchange program.** *See* Q visas
- Custody.** *See* Detention and custody
- Customs and Border Protection (CBP)**
See also Borders; Homeland Security Department (DHS); Ports of entry
 access to records. *See* Access to records
 border patrol sector HQs and stations, **8:100.4(c)**
 records systems, FOIA exceptions. *See* Freedom of Information Act
- Customs laws**
 actions under, **28:0.55(d)**
- Customs Service, U.S.**
 access to records, enforcement, **19:161.2(a)**
 audio-visual materials, coordination with, **22:61.8**
- CW-1 visas.** *See* Northern Mariana Islands (CNMI)

D

D visas (longshore work by crewmembers)

- Generally, **20:655.500–655.550**
 administrative law judge proceedings, **20:655.645**
 administrative record, **20:655.660**
 attorney's fees not to be awarded, **20:655.675**
 burden of proof, **20:655.645(e)**
 computation of time, **20:655.640**
 decision and order, **20:655.650**
 notice to Attorney General and ETA, **20:655.655(b)**
 request for hearing, **20:655.630**
 rules of practice for, **20:655.635**
 Secretary's review of decision, **20:655.655**
 service of decision, **20:655.650(c)**
 service of pleadings and documents, **20:655.640**
- Alaska exception, **20:655.500(a)(1), 655.530–655.541**
 acceptance of attestations, **20:655.538(a)**
 bargaining representative election, no interference with, **20:655.536**
 bona fide request for dispatch of U.S. longshore workers, **20:655.534**
 duration of attestation, **20:655.539**
 effective date of attestation, **20:655.539**
 employment of U.S. longshore workers, **20:655.535**
 Form ETA 9033-A, **20:655.533(a)**
 notice of filing provided, **20:655.537**
 rejection of attestations, **20:655.538(b)**
 resubmission of attestations, **20:655.538(c)**
 suspension or invalidation of attestation, **20:655.540**
 where and when should attestations be submitted, **20:655.532**
 who may submit attestations, **20:655.531**
- withdrawal of accepted attestation, **20:655.541**
 aliens classifiable as crewmen, **22:41.41**
 applicability of regulations, **20:655.500(c)**
 attestation procedure, **20:655.500(b), 655.501**
 acceptance or rejection, **20:655.510(g)**
 automated vessel exception, **20:655.520**
 DOL responsibilities, **20:655.501(a)**
 duration of attestation, **20:655.510(h)**
 effective date, **20:655.510(h)**
 employer responsibilities, **20:655.501(b), 655.510**
 Form ETA 9033, **20:655.510(c)(1)**
 ports for which attestations may be filed, **20:655.510(c)(3)**
 resubmission, **20:655.510(g)(3)**
 suspension or invalidation, **20:655.510(i)**
 unanticipated emergencies, **20:655.510(b)(2)**
 withdrawal of accepted attestation, **20:655.510(j)**
- Attorney General action upon receipt of notice, **20:655.655(c)**
 automated vessel exception, **20:655.500(a)(1), 655.520, 655.610**
 cease and desist orders, notice to Attorney General and ETA, **20:655.665(a)**
 class of nonimmigrant status, **22:41.12**
 collective bargaining agreement permitting, **20:655.500(a)(1), 655.510(c)(2)**
 complaints of misrepresentation in attestation, **20:655.501(c)**
 definitions, **20:655.502**
 determination of Administrator, **20:655.605(g), 655.625**
 request for hearing on, **20:655.630**
 employer attestations, **20:655.501(b), 655.510**
 enforcement, **20:655.600–655.650, 655.600–655.665**
 authority of Administrator, Wage and Hour Div., **20:655.600**
 burden of proof, **20:655.605(e)**
 cease and desist orders, **20:655.615, 655.645(f)**
 civil money penalties, **20:655.620**
 complaints, **20:655.605(b)**
 confidentiality of whistleblower or complainant, **20:655.600(e)**
 evidence from previous investigations, **20:655.605(d)**
 investigations, **20:655.600, 655.605(a)**
 previous Departmental determinations, effect of, **20:655.605(f)**
 reasonable cause for investigations, **20:655.605(c)**
 whistleblower protection, **20:655.600(d)**

- written determination of Administrator, **20:655.605(g)**, 655.625
- Equal Access to Justice Act, nonapplicability of, **20:655.675**
- ETA action upon receipt of notice, **20:655.655(d)**
- Federal Register* notice of determination of prevailing practice, **20:655.670**
- Form ETA 9033, **20:655.510(c)(1)**
- Form ETA 9033-A, **20:655.533(a)**
- hazardous cargo not covered, **20:655.500(a)(2)**
- labor dispute not in issue, attestation on, **20:655.510(e)**
- misrepresentation in attestation, **20:655.510(i)**
- notice, service and *Federal Register* publication of Administrator's determination, **20:655.625**
- notice of filing provided, attestation on, **20:655.510(f)**
- Alaska exception, **20:655.537**
- notice to Att'y Gen. of suspension or invalidation, **20:655.510(i)**
- overview of responsibilities, **20:655.501**
- penalties for violations, **20:655.620**
- ports for which attestations may be filed, **20:655.510(c)(3)**
- prevailing practice exception, **20:655.500(a)(1)**
- attestation element, **20:655.510(d)**
- automated vessel exception, **20:655.520(b)**, 655.610(c)
- Federal Register* notice of determination of prevailing practice, **20:655.670**
- public access to attestation information, **20:655.550**
- purpose of regulations, **20:655.500(a)**
- reciprocity exception, **20:655.500(a)(1)**
- request for hearing on determination of Administrator, **20:655.630**
- Secretary's review of ALJ's decision, **20:655.655**
- administrative record, **20:655.660**
- notice to Attorney General and ETA, **20:655.655(b)**
- service of Secretary's final decision, **20:655.655(h)**
- U.S. seaports, list of, **20:655(Appx. A to Subpart F)**
- Dangerous drugs**
- laws relating to, enforcement, **28:0.55(d)**
- offers in compromise and tax liability relating to, **28:0.55(e)**
- Death**
- of detained alien, **42:34.7**
- DOS services fees, **22:22.1**
- of international educational and cultural exchange program participants, transportation of remains of, **22:63.9(b)**
- Debarment**
- denial of NIV petition, **8:214.1(k)**
- employment-based immigrant petitions, **8:204.5(n)**
- of facility based on finding of H-1C visa violation, **20:655.1255**
- H-2A visas (temporary agricultural workers) contractual obligations, **29:501.20**
- labor certification, **20:656.31(f)**
- Declassification of information.** *See* Classified national security information (DHS)
- Default**
- unfair employment and unfair employment practices proceedings, failure to appear, **28:68.37(c)**
- Defense Department (DOD)**
- cooperative research and development projects
- admission, limitations on, **8:214.2(h)(13)(iii)(B)**, **214.2(h)(13)(v)**
- criteria and documentary requirements for H-1B visas, **8:214.2(h)(4)(vi)**
- extension of stay, **8:214.2(h)(15)(ii)(B)(2)**
- numerical limitations, **8:214.2(h)(8)(i)(B)**
- period of validity, **8:214.2(h)(9)(iii)(A)(2)**
- Deferral of removal**
- under Convention Against Torture, **8:208.17**, 1208.17
- employment authorization, **8:274a.12(a)(11)**, **274a.12(c)(14)**
- Definitions**
- See also specific terms*
- general provisions, **8:1.2**, 1001.1
- Degree equivalence**
- for H-1B beneficiaries, **8:214.2(h)(4)(iii)(D)**
- De novo review**
- H-1C visas, **20:655.1135(f)**
- BALCA decision on, **20:655.1135(h)**
- Department of ____.** *See other part of name*
- Departure and departure controls**
- See also* Common carriers; Deportation; Removal and removal proceedings
- Generally, **8:215**, 1215; **22:46**
- Administrator's instructions required in certain cases, **22:46.7**
- aliens departing from U.S., **8:215.1–215.9**
- authority of departure-control officer, **8:215.2**, 1215.2
- biometric identifiers, requirements, **8:215.8**
- definitions, **8:215.1**, 1215.1; **22:46.1**
- departure-control officer's authority to prevent, **22:46.2**
- departure deemed prejudicial to U.S. interests, **22:46.3**
- electronic submission of manifests, **8:231.1–231.3**, 251.1–251.6
- hearings, **8:215.4**, 215.5, 1215.4–1215.5; **22:46.4**
- decision of special inquiry officer, **22:46.5(d)**
- notice of, **22:46.4**
- special inquiry officer's conduct of, **22:46.5**
- instructions from Administrator, **8:215.7**
- prejudice to interests of U.S., **8:215.3**, 1215.3
- procedure when prevented from departing, **22:46.4**
- removal. *See* Deportation; Removal and removal proceedings
- Temporary Worker Visa Exit Program, **8:215.9**
- territories and possessions of U.S., departure from, **8:215.6**, 1215.6
- voluntary departure. *See* Voluntary departure (VD)
- Dependent employers.** *See* H-1B visas
- Deportation**
- See also* Removal and removal proceedings
- card of identity issued for, **22:50.9**
- Criminal Division, DOJ, role, **28:0.55(i)**
- criminal proceedings or investigations promising nondeportation or other immigration benefits, **28:0.197**
- Deportation (pre-April 1, 1997 hearings),** **8:241.30–241.33**, 1241.30–1241.33
- See also* Removal and removal proceedings
- Generally, **8:1240.40–1240.53**
- ancillary matters, **8:1240.49**
- appeals, **8:1240.53.** *See also* Board of Immigration Appeals
- decision of IJ and notice, **8:1240.50–1240.51**
- finality, **8:1240.52**
- evidence, **8:1240.46**
- excluded aliens, deportation of, **8:241.20–241.25**, 1241.20
- hearing, general procedure, **8:1240.48**
- IIRAIRA transition-rule application, **8:1240.16**
- immigration court procedure once claimed, **8:1240.49(c)**
- immigration judges
- authority, **8:1240.41(a)**
- recusal, **8:1240.41(b)**
- incompetents, representation of, **8:1240.43**
- interpreters, **8:1240.44**
- LPR status, IJ authority to grant to respondent, **8:1240.49(a)**
- postponement of hearing, **8:1240.45**
- record, contents of, **8:1240.47**

release, employment authorization, **8:274a.12(c)(18)**
 removal proceedings, asylum or withholding applications, **8:1240.49(c)**
 representation, right to, **8:1240.42**
 suspension of deportation, **8:1240.55–1240.58**
 for *ABC* class members, **8:240.60–240.70, 1240.60–1240.70**
 employment authorization, **8:274a.12(c)(10)**
 under former §244(a), **8:240.21, 1240.21**
 LIFE Act Amendments, motions to reopen, **8:1003.43**
 NACARA, **8:1003.43**
 voluntary departure (VD), **8:1240.55–1240.58**

Depositions

DOS fees, **22:22.1**
 Office of Administrative Law Judges, **29:18.55**
 oral examination, **29:18.64**
 waiver of objections, **29:18.55(d)**
 written questions, **29:18.65**
 organized crime cases. *See* Organized crime, *subheading*: certifications under 18 U.S.C. § 3503
 unfair employment and unfair employment practices proceedings, **28:68.22**
 use at hearings, **28:68.24**

Designated school officials (DSOs)

requirements for schools, **8:214.3(l)**

Detainers

for controlled-substances violations, **8:287.7**

Detention and custody

appeals from custody decision, **8:236.1(d), 1236.1(d)**
 communications privilege, **8:235.3(f), 236.1(e), 1236.1(e)**
 Criminal Division, DOJ, role, **28:0.55(i)**
 fees, waiver, **8:1244.20**
 immigration court procedure, **8:1003.19**
 inadmissible aliens
 arriving aliens in removal proceedings, **8:235.3(c)**
 detention in DHS facility, **8:235.3(d)**
 detention in non-DHS facility, **8:235.3(e)**
 medical examination of, **42:34**. *See also* Medical examinations
 minors, detention of. *See* Children and minors
 Office of Federal Detention Trustee, **28:0.123**
 physical and mental examinations, **8:232.1–232.3**
 post-hearing detention
 beyond removal period, **8:241.4**
 release after removal period, conditions of, **8:241.5**
 during removal period, **8:241.3**

revocation of release, **8:241.4(l)**
 travel documents and docket control, **8:241.4(g)**
 pre-removal-order detention
 appeals, **8:236.1(d), 1236.1(d)**
 apprehension, custody, and detention, generally, **8:236.1, 1236.1**
 confidentiality of information about detainees, **8:236.6, 1236.6**
 fingerprinting and photographs, **8:236.5, 1236.5**
 notice, **8:236.1(f)–(g), 1236.1(f)–(g)**
 procedures, **8:236.1(c), 1236.1(c)**
 termination of designation, **8:244.19, 1244.19**
 TPS-eligible aliens, **8:244.18, 1244.18**

DHS. *See* Homeland Security Department

Diplomatic passports

Generally, **22:51.3(d)**
 duration of, **22:51.4(e)**

Diplomats and foreign government officials

See also A visas; C visas; G visas; NATO
 adjustment of status, **8:245.3, 247.1–247.14, 1245.3**
 LPR status for persons born to diplomats, **8:101.3, 1101.3**
 registration, **8:264.1(e)**

Direct displacement of U.S. workers

H-1B visas, **20:655.738(c)**

Disabilities, persons with

accommodations for unaccompanied children with disabilities, **45:411.15**

Disasters

card of identity issued for U.S. citizens in, **22:50.9**

Disclosure of records and information

See also Access to records; Confidentiality; Freedom of Information Act (FOIA); Privacy Act
 adoption record disclosure, **22:96.42**
 Homeland Security Department
 classified national security info, **6:7**
 court-ordered disclosures, **6:5.30(a)**
 emergency disclosures, **6:5.30(b)**
 records, **6:5**

Discovery

fraud hearings, **6:13.21**
 Office of Administrative Law Judges. *See* Office of Administrative Law Judges
 subpoenas. *See* Subpoenas
 unfair employment and unfair employment practices proceedings, **28:68.6(b), 68.18**

Discrimination

Civil Rights Division. *See* Justice Department (DOJ)

Diseases

medical examination of aliens, **42:34**.
See also Medical examinations

Dismissal

H-1C visas, **20:655.1135(g)**
 Office of Administrative Law Judges, motions to dismiss, **29:18.70(c)**
 unfair employment and unfair employment practices proceedings, **28:68.14**

Displaced Persons Act

exception for immigration misrepresentation, **22:40.63(b)**

Disqualified employers

H-1B visas, **20:655.750(d)**

Diversity visas

lottery surcharge, **22:22.1**
 quotas, **22:42.33**
 replacement visas, **22:42.74(b)**

DNA samples

collection of, **28:28.11–28.13**

Doctors. *See* Physicians

Document fraud

definitions, **8:270.1, 1270.1**
 enforcement procedures, **8:270.2, 1270.2**
 penalties, **8:270.3, 1270.3**

Documents and documentation

See also Passports; Records and information; Visas; *specific type of application*
 admission, documents required for immigrants, **8:211.1**
 waivers, **8:211.1(b), 211.4, 1211.4**
 advance parole documents, **8:223.1–223.3**
 arrival/departure documents, fee, **8:106.2(a)(2)**
 driver’s licenses and identification cards. *See* Driver’s licenses and identification cards
 family-sponsored immigration, supporting documentation, **8:204.1(f)**
 fraud. *See* Document fraud
 H-1B visas. *See* H-1B visas
 H-2B retention requirements. *See* H-2B visas
 orphan petitions, **8:204.3(c)–(d)**
 reentry permits, **8:223.1–223.3**
 refugee travel documents, **8:223.1–223.3**

DOD. *See* Defense Department

DOJ. *See* Justice Department

DOL. *See* Labor Department

Domestic workers

See also Au pairs
 INTELSAT officers and employees’ domestic servants, **22:41.24(c)**
 labor certification, **20:656.19**
 conditions of employment, **20:656.17(j)**

DOS. *See* State Department

Driver’s licenses and identification cards

Generally, **6:37**
 age-based enrollment period, issuance during, **6:37.27**
 application, **6:37.11(a)**

date of birth to be established, 6:37.11(d)
 deadlines for REAL ID compliance, 6:37.5
 declaration signed by applicant, 6:37.11(b)
 definitions, 6:37.3
 DHS-approved security marking on, 6:37.17(n)
 DMV databases, 6:37.33
 documentation acceptable, 6:37.11–37.29
 enhanced driver's license projects, 8:235.1(d)
 exceptions to documentation requirements, 6:37.11(h)
 expiration date, 6:37.17(k)
 full facial digital photograph, 6:37.17(e)
 full legal name on, 6:37.17(a)
 identity, documents to establish, 6:37.11(c)
 information on, 6:37.17
 in-person reissuance, 6:37.23(c)
 in-person renewal of, 6:37.25(a)
 lawful status in U.S., evidence of, 6:37.11(g)
 machine readable technology on, 6:37.19
 Northern Marianas identification card, 8:235.9, 1235.9
 physical security features of, 6:37.15, 37.17(h)
 principal residence
 address of, 6:37.17(f)
 documentation of, 6:37.11(f)
 prohibition against holding more than one, 6:37.29
 REAL ID Act exception under §202(d)(11), 6:37.71
 recordkeeping requirements for states, 6:37.31
 reissued, 6:37.23
 remote reissuance, 6:37.23(b)
 remote renewal, 6:37.25(b)
 renewal of, 6:37.25
 security at DMV facilities, 6:37.41–37.45
 appeal of employees, 6:37.45(c)
 background checks of employees, 6:37.45
 criminal history checks of employees, 6:37.45(b)(1)
 disqualification of employees, 6:37.45(b)(4)
 employment eligibility status verification, 6:37.45(b)(2)
 physical security of, 6:37.43
 reference check of employees, 6:37.45(b)(3)
 security plan, 6:37.41
 signature, 6:37.17(g)
 Social Security number, provision of, 6:37.11(e)
 standards for states, 6:37.1
 state certification documentation, 6:37.55

state compliance, 6:37.51–37.65
 DHS review of, 6:37.59
 effect of failure to comply, 6:37.65
 extension of deadline, 6:37.63
 full compliance, 6:37.51(a)
 judicial review of adverse decision, 6:37.59(e)
 material compliance, 6:37.51(b)
 results of compliance determination, 6:37.61
 temporary or limited-term, 6:37.21
 unique number, not SSN, 6:37.17(d)
 U.S. citizen identification card, 8:235.10, 1235.10
 validity periods, 6:37.5
 verification requirements, 6:37.13
Drugs. *See* Controlled substances; Dangerous drugs
Drug traffickers
 denial of passport when convicted, 22:51.61
 visas, 22:40.23[reserved]
Due process rights
 unfair employment and unfair employment practices proceedings, 28:68.39(c)
Dutch islands in Caribbean
 entry documentation, 22:41.2
DV visas. *See* Diversity visas

E

E-1/E-2 visas (treaty traders/investors)
 class of nonimmigrant status, 22:41.12
 employment authorization, 8:274a.12(b)(5), 274a.12(c)(2)
 information media representative, 22:41.52(b)
 requirements for admission, extension, and maintenance of status, 8:214.2(e)
 treaty investors (E-2 visas), 22:41.51(b)
 treaty traders (E-1 visas), 22:41.51(a)
E-3 visas (Australian specialty occupations)
 class of nonimmigrant status, 22:41.12
 labor condition application requirements. *See* Labor condition applications (LCAs)
 relevant provisions, 20:655.700(c)(3)
EB-1 visas (priority workers)
 extraordinary-ability aliens (EB-1A/EB-1-1), 8:204.5(h)
 multinational executives and managers (EB-1C/EB-1-3), 8:204.5(j)
 outstanding professors and researchers (EB-1B/EB-1-2), 8:204.5(i)
EB-2 visas (advanced-degree professionals or persons of exceptional ability)
 general requirements, 8:204.5(k)

national interest waivers, physicians serving in medically underserved areas, 8:204.12

EB-3 visas (skilled workers, professionals, other workers)

general requirements, 8:204.5(l)

EB-5 visas (employment-creation)

conditional resident status. *See* Lawful permanent residents (LPRs)
 definitions, 8:204.6(e)
 general requirements, 8:204.6
 Immigrant Investor Pilot Program, 8:204.6(m)
 multiple investors, 8:204.6(g)

EduCare program

for *au pairs*, 22:62.31

Education Amendments of 1972

Title IX enforcement, 28:0.51(b)(2)

Education requirements

LIFE Act legalization, 8:245a.17
 naturalization, 8:312.1–312.5

Educational privacy

F visas (academic students), 8:214.1(h)

Educational programs. *See* Colleges and universities; Foreign students; Professors; Teachers

Elections

enforcement by DOJ Criminal Division, 28:0.55(m)(1), 0.55(m)(2)
 voting by alien as cause of ineligibility, 22:40.104

Electronic information

electronic passport, 22:51.1
 Freedom of Information Act, 6:5.2, 5 (Appx. B)

Electronic System for Travel Authorization (ESTA)

Visa Waiver Program, 8:217.5
 duration, 8:217.5(d)
 fee, 8:217.5(h)

Electronic Visa Update System (EVUS)

definitions, 8:215.23
 enrollment required, 8:215.24
 enrollment schedule, 8:215.24(c)
 nonimmigrant visas, applicability, 8:215.22
 purpose of regulations, 8:215.21
 validity period, 8:215.24(b)

Emergencies

card of identity issued for U.S. citizens in disasters, 22:50.9
 classified information, release of, 6:7.23
 D visas, 20:655.510(b)(2)
 unforeseen emergency
 expenses of, INS certificates for, 28:0.106
 nonimmigrants' documentary requirements, 8:212.1(g), 1212.1(g)
 visa and passport not available due to, 22:41.2(i)

Employment

- employment-based preference immigrants, 22:42.32
- classification symbol, 22:42.11
- labor certification for, 20:656. *See also* Labor certification (LC)
- permanent employment of aliens, labor certification for, 20:656. *See also* Labor certification (LC)
- prearranged jobs for nonimmigrants and immigrants, 22:40.41(f)
- refugee resettlement program, 45:400.70–400.83
- unfair employment and unfair employment practices proceedings
 - abandonment by party, 28:68.37(b)
 - administrative review of ALJ final order under §274A or 274C, 28:68.54
 - admissions, 28:68.21
 - affidavits with motion for summary decision, 28:68.38(b)
 - amendment of pleadings, 28:68.39(e)
 - amicus curiae, 28:68.17
 - answer, 28:68.9
 - appearance, waiver of right, 28:68.37
 - attorney's fees, 28:68.52(c)(9), 68.52(d)(6), 68.52(e)(4)
 - attorneys for parties, 28:68.33
 - authenticity, 28:68.46
 - authority of Administrative Law Judge, 28:68.28
 - back pay liability, 28:68.52(d)(3)
 - in camera orders, 28:68.42
 - classified or sensitive matter, 28:68.42(b)
 - closing the record, 28:68.49
 - complaints, 28:68.4
 - determination whether to file, 28:44.303
 - Special Counsel acting on own initiative, 28:44.304(b)
 - conferences, 28:68.13
 - consent findings or dismissal, 28:68.14
 - consolidation of hearings, 28:68.16
 - continuances, 28:68.27
 - decisions, 28:68.3
 - default due to failure to appear, 28:68.37(c)
 - definitions, 28:68.2
 - depositions, 28:68.22
 - use at hearings, 28:68.24
 - designation of ALJ, 28:68.26
 - designation of parts of documents, 28:68.45
 - discovery, 28:68.6(b), 68.18
 - disqualification of Administrative Law Judge, 28:68.30
 - document fraud cases, final order in, 28:68.52(e)
 - due process rights, 28:68.39(c)
 - enforcement procedures, 28:44
 - computation of time, 28:44.102
 - counting employees for jurisdictional purposes, 28:44.202
 - definitions, 28:44.101
 - determination whether to file complaint, 28:44.303
 - documentation abuses, 28:44.200(a)(3)
 - exceptions, 28:44.200(b)
 - filing a charge, 28:44.300
 - intervention, 28:44.303(e)
 - intimidation, 28:44.200(a)(2)
 - investigations, 28:44.302
 - letters of determination, 28:44.303
 - prohibited practices, 28:44.200
 - purpose, 28:44.100
 - receipt of charge, 28:44.301
 - regional offices, 28:44.305
 - retaliation, 28:44.200(a)(2)
 - Special Counsel acting on own initiative, 28:44.304
 - three or fewer employees, exception for, 28:44.200(b)(1)
 - evidence, 28:68.40
 - exhibits, 28:68.43
 - ex parte* communications, 28:68.36
 - Federal rules of evidence, applicability, 28:68.40(a)
 - filing of documents, 28:68.6
 - filing of official record, 28:68.58
 - final order of ALJ, 28:68.52
 - formal hearings, 28:68.39
 - form of pleadings, 28:68.7
 - hearings on issue of fact, 28:68.38(e)
 - indemnity bond cases, 28:68.52(c)(7)
 - interlocutory order review, 28:68.53
 - intervention by Special Counsel or other interested persons, 28:68.15
 - investigations, Special Counsel acting on own initiative, 28:44.304(a)
 - judicial review of final agency order under §274B, 28:68.57
 - under §274A or 274C, 28:68.56
 - jurisdiction, 28:68.39(b)
 - legal assistance, 28:68.34
 - legal representation of parties, 28:68.33
 - motion for summary decision, 28:68.38
 - motions and requests, 28:68.11
 - motion to compel response to discovery, 28:68.23
 - motion to dismiss for failure to state a claim upon which relief can be granted, 28:68.10
 - notice of hearing, 28:68.3, 68.5
 - offers of proof, 28:68.40(e)
 - official notice for matters of judicial notice, 28:68.41
 - official record, filing of, 28:68.58
 - participation of parties, 28:68.33
 - penalties for violations, 28:68.52
 - pleadings
 - amendment of, 28:68.39(e)
 - form of, 28:68.7
 - prehearing statements, 28:68.12
 - privileged communications, 28:68.42(a)
 - production of documents, things, and inspection of land, 28:68.20
 - protective orders, 28:68.18(c), 68.42
 - receipt of documents after hearing, 28:68.50
 - record of hearings, 28:68.48
 - records in other proceedings, 28:68.44
 - referral of cases arising under sections 274A or 274C for Attorney General review, 28:68.55
 - representation of parties, 28:68.33
 - restricted access portion of record, 28:68.51
 - scope of rules of practice, 28:68.1
 - separation of functions, 28:68.31
 - service of complaint, 28:68.3
 - service of documents, 28:68.6
 - speedy hearings, 28:68.32
 - standards of conduct, 28:68.35
 - statement by party, 28:68.39(d)
 - stay of proceedings, 28:68.53(b)
 - stipulations, 28:68.47
 - subpoenas, 28:68.25
 - supplementation of responses, 28:68.18(d)
 - time computations, 28:68.8
 - unavailability of Administrative Law Judge, 28:68.29
 - waiver of right to appear and failure to participate or to appear, 28:68.37
 - written interrogatories to parties, 28:68.19
 - written orders, 28:68.3
- Employment agencies**
 - unlawful employment. *See* Unlawful employment
- Employment and Training Administration (ETA)**
 - temporary employment of aliens, 20:655. *See also* Temporary employment of aliens
 - unemployment insurance system quality control, 20:602
- Employment authorization**
 - See also* Unlawful employment; *specific visa types*
 - applications for, 8:274a.13
 - asylum and withholding applicants, 8:208.7, 274a.12(a)(5)
 - classes of aliens authorized to accept employment, 8:274a.12
 - aliens who must apply for employment authorization, 8:274a.12(c)
 - employment incident to status, 8:274a.12(a)
 - specific employer, 8:274a.12(b)
 - economic necessity, 8:274a.12(e)
 - entrepreneurs admitted on parole. *See* Parole
 - extension and renewal, 8:274a.13(d)
 - extensions of stay, 8:274a.12(b)(20)–(21)

- Family Unity Programs under LIFE Act Amendments, **8:245a.34**, 274a.12(a)(13)–(14)
- HRIFA applicants, **8:245.15(n)**, 1245.15(n)
- IRCA legalization, **8:245a.2(n)**, 245a.4(b)(14)
- LPRs, **8:274a.12(a)(1)–(2)**
- military personnel, **8:274a.12(d)**
- nonimmigrant spouse, **8:274a.12(a)(9)**
- refugees, **8:274a.12(a)(3)–(4)**
- revocation of, **8:274a.14(b)**
- special agricultural workers, **8:210.4(b)**
- termination of, **8:274a.14**
- TPS applicants, **8:244.12**, 274a.12(a)(12), 1244.12
- verification. *See* Unlawful employment
- Vietnamese, Cambodian, and Laotian adjustment of status, **8:245.21(h)**, 1245.21(h)
- withholding of deportation or removal, **8:274a.12(a)(10)**
- Employment-based immigration**
See also Labor certification (LC); Labor condition applications (LCAs); *specific visa types*
- adjustment of status, **8:245.25**
- compelling circumstances, eligibility in, **8:204.5(p)**
- petitions, generally, **8:204.5**
- Employment-creation immigrants**
See also EB-5 visas
- fifth preference employment-based preference visa, **22:42.32(e)**
- English-language requirements**
- accommodations for unaccompanied children with limited English, **45:411.15**
- health care workers, **8:212.15(g)**, 1212.15(g)
- LIFE Act legalization, **8:245a.17**
- naturalization, **8:312.1**. *See also* Naturalization
- Entertainers.** *See* P visas
- Entrepreneurs**
- Employment-creation visas. *See* EB-5 visas
- Parole for. *See* Parole
- Entry.** *See* Admission and admissibility
- EOIR.** *See* Executive Office for Immigration Review
- Equal Access to Justice Act**
- D visas, not applicable, **20:655.675**
- H-1C visas, not applicable, **20:655.1260**
- Erroneous admission**
- entry under erroneous name, **8:101.2**
- as U.S. citizen or child of citizen, **8:101.1(j)**, 1101.1(j)
- Escape and Rescue Act**
- DOJ Criminal Division role, **28:0.55(p)**
- Estates**
- DOS services fees, **22:22.1**
- ETA.** *See* Employment and Training Administration
- Ethics**
- adoption services, **22:96.35–96.36**
- Evidence**
- broadcasters, special immigrants' petitions, **8:204.13(d)**
- citizenship or LPR status, evidence of, **8:204.1(g)**
- criminal convictions, evidence in immigration courts, **8:1003.41**
- deportation hearings, **8:1240.46**
- DHS applications, petitions, and other documents, **8:103.2(b)**
- fraud hearings, **6:13.34**
- L visa petitions, **8:214.2(l)(3)**
- physical presence, evidence for adjustment of status, **8:245.22**, 1245.22
- removal and removal proceedings, **8:1240.7**
- R visa petitions, **8:214.2(r)(9)–(12)**
- Social Security, applications for numbers, **20:422.107**
- temporary protected status (TPS), **8:244.9**, 1244.9
- T visa petitions, **8:214.11(f)**
- extreme hardship, **8:214.11(i)**
- unfair employment and unfair employment practices proceedings, **28:68.40**
- of U.S. citizenship or nationality, **22:51.40–51.46**
- documentary evidence, **22:51.41**
- first application by person born in U.S., **22:51.43**
- EVUS.** *See* Electronic Visa Update System
- Examinations**
- medical examination of aliens, **42:34**.
See also Medical examinations
- Exceptional ability aliens**
- employment-based preference immigrants, **22:42.32(b)**
- immigrants. *See* EB-1 visas; EB-2 visas
- labor certification for exceptional ability in arts and sciences, **20:656.5(b)**; **22:40.51(b)(1)**
- nonimmigrants. *See* O visas
- O visas, **22:41.55**
- Schedule A. *See* Schedule A (labor certification)
- Exchange visitor programs.** *See* J visas; Q visas
- Exchange Visitor Waiver Review Board**
- establishment, **45:50.2**
- organization and role of, **22:41.63(g)**
- Exclusion (pre-April 1, 1997 hearings), 8:1240.30–1240.38**
See also Admission and admissibility; Removal and removal proceedings
- adjustment, renewal of application for, **8:1240.34**
- appeals, **8:1240.37**
- asylum and withholding claims, assertion of, **8:1240.33**
- authority of IJ, **8:1240.31**
- decision, **8:1240.35**
- finality, **8:1240.36**
- deportation of excluded aliens, **8:241.20–241.25**, 1241.20
- fingerprinting of excluded aliens, **8:1240.38**
- hearing procedure, **8:1240.32**
- IIRAIRA transition-rule application, **8:1240.16**
- Executive Office for Immigration Review (EOIR)**
- accreditation of representatives. *See* Attorneys and representatives
- BIA. *See* Board of Immigration Appeals
- General Counsel, **8:1003.0(f)**
- Office of Chief Administrative Hearing Officer (OCAHO), **28:0.118**
- Office of Chief Immigration Judge, **28:0.117**
- Office of Policy, **8:1003.0(e)**
- organization and functions of, **28:0.115–0.118**
- recognition of organizations, **8:1292.11–1292.20**
- regulations, **8:3.0**, 1003.0
- Executives or managers**
- immigrant visas (E13), **22:42.11**
- intracompany transferees (L visas), **22:41.54**
- multinational executives and managers (EB-1C / EB-1-3), **8:204.5(j)**
- Exhibits**
- Office of Administrative Law Judges hearings, **29:18.82**
- privacy protection, **29:18.31**
- unfair employment and unfair employment practices proceedings, **28:68.43**
- Ex parte communications**
- fraud hearings, **6:13.15**
- Office of Administrative Law Judges, **29:18.14**
- unfair employment and unfair employment practices proceedings, **28:68.36**
- Expedited processing**
- DHS internal review process, **8:287.10**
- fees for premium processing service, **8:106.4**
- oath of allegiance, administration of, **8:337.3**, 1337.3
- passports, fees, **22:51.56**
- removal. *See* Expedited removal
- Expedited removal**
- of aggravated felons, **8:238.1**, 1238.1
- inadmissible aliens, **8:235.3**
- applicability, **8:235.3(b)(1)**
- asylum and related claims, **8:235.3(b)(4)–(5)**
- determination of inadmissibility, **8:235.3(b)(2)–(3)**

opportunity to establish alien was admitted or paroled, **8:235.3(b)(6)**
 removal procedures, **8:235.3(b)(8)**
 review of orders, **8:235.3(b)(7)**
 U.S. citizenship claimed, **8:235.3(b)(5)**
 waivers of documentary requirements, **8:235.3(b)(9)**

Expert witnesses

DHS disclosure of information in litigation, **6:5.49**
 medical examination of aliens, **42:34.8**
 Office of Administrative Law Judges, **29:18.51(d)**
 supplementation, **29:18.53(b)**

Export Control Act of 1949

actions under, **28:0.55(d)**

Exports. *See* Trade; *specific acts*

Expulsion. *See* Deportation; Removal and removal proceedings

Extensions of stay

See also specific visa types
 nonimmigrants, **8:214.1(c)**
 employment authorization, **8:274a.12(b)(20)–(21)**

Extradition

Criminal Division, DOJ, role, **28:0.55(j)**
 Torture Convention in extradition cases, **22:95**

Extraordinary/exceptional ability aliens

immigrants. *See* EB-1 visas; EB-2 visas
 nonimmigrants. *See* O visas
 Schedule A. *See* Schedule A (labor certification)

Extreme hardship

T-1 applicant showing unusual and severe harm upon removal, **8:214.11(i)**
 VAWA self-petitioners, **8:204.2(e)(1)(viii)**

F

F visas (academic students)

See also Foreign students
 approval of schools for enrollment, **8:214.3**
 bond, admission under, **8:221.1**
 border commuter students, **8:214.2(f)(18)**
 class of nonimmigrant status, **22:41.12**
 designated school officials (DSOs), **8:214.3(l)**
 educational privacy, **8:214.1(h)**
 employment authorization, **8:274a.12(c)(3)**
 employment off-campus work authorization, **8:214.2(f)(9)(ii)**
 employment on-campus, **8:214.2(f)(9)(i)**, **274a.12(b)(6)(i)**
 extension of stay, **8:214.2(f)(7)**
 fees. *See* Fees.

Form ETA-9034, F-1 visas, **20:655**(Appx. A to Subpart J)
 full course of study, **8:214.2(f)(6)**
 internship with international organization, **8:214.2(f)(9)(iii)**
 Libyans, restrictions on availability of visas, **8:214.5**
 name and address changes, **8:214.2(f)(17)**
 nonimmigrant students, **22:41.61**
 practical training, **8:214.2(f)(10)–(12)**, **274a.12(b)(6)(iii)**
 readmission to complete unexpired periods of previous visits, **8:214.1(b)**
 reduced course load, **8:214.2(f)(6)(iii)**
 reinstatement to student status, **8:214.2(f)(16)**
 requirements for admission, extension, and maintenance of status, **8:214.2(f)**
 school transfers, **8:214.2(f)(8)**
 SEVIS. *See* SEVIS
 spouse and children, **8:214.2(f)(15)**
 strike or labor dispute, effect of, **8:214.2(f)(14)**
 temporary absence, **8:214.2(f)(4)**, **214.2(f)(13)**

Faculty. *See* Professors

False information. *See* Fraud and misrepresentation

Family-sponsored immigration

adoption. *See* Adoption
 Amerasian children of U.S. citizen, **8:204.4**
 brothers and sisters, petitions for, **8:204.2(g)**
 child (son or daughter), petitions for, **8:204.2(d)**
 child of abusive citizen or LPR, self-petition, **8:204.2(e)**
 class of immigrant status, **22:42.11**
 foreign medical graduates, spouse and children of, **22:42.32(d)(4)**
 general information, **8:204.1**
 immediate relatives (IRs)
 classification as IR based on Hague Convention adoption, **8:204.306**
 refugees, eligibility as, **8:207.1(c)**
 replacement visa for IR, **22:42.74(b)**
 unlawful presence waiver, **8:212.7(e)**
 immigrant visas
 entitlement to status, **22:42.21(a)**
 of immediate relatives, **22:42.21**
 petitions for immediate relative or preference status, **22:42.42**
 quotas, **22:42.31**
 self-petition parent of U.S. citizen (IB5), visa symbol, **22:42.11**
 marriage-based petitions, **8:204.2(a)**
 bona fide marriage, appellate review of eligibility determination, **8:1204.1**

conditional permanent resident status.

See Lawful permanent residents (LPRs)

orphans. *See* Adoption
 parents, petitions for, **8:204.2(f)**
 passports not required for certain aliens, **22:42.2(a)**
 petition to classify status of alien relative for visa (INS I-130 petition), **8:106.2(a)(6)**, **22:22.1**
 preference immigrants, **22:42.11**, **42.32(d)(4)**
 preference petitions, automatic conversion, **8:204.2(i)**
 spouse of abusive citizen or LPR, self-petition, **8:204.2(c)**
 validity of approved petitions, **8:204.2(h)**
 widow(er)s of U.S. citizens, **8:204.2(b)**

Family Unity Program

See also LIFE Act and LIFE Act Amendments
 Generally, **8:236.10–236.18**
 definitions, **8:236.11**
 described, **8:236.10**
 eligibility, **8:236.12**
 employment authorization, **8:236.15(d)**, **274a.12(c)(20)**, **274a.12(c)(22)**
 filing, **8:236.14**
 ineligible aliens, **8:236.13**
 termination, **8:236.18**
 travel outside U.S., **8:236.16**
 voluntary departure, **8:236.15**
 welfare eligibility, **8:236.17**

Farm workers. *See* H-2A visas (agricultural workers)

Fashion models

Generally, **20:655.700–655.760.** *See also* H-1B visas
 criteria and requirements for H-1B classification, **8:214.2(h)(4)(i)(C)**, **214.2(h)(4)(vii)**
 period of validity, **8:214.2(h)(9)(iii)(A)(3)**

FAST program

Canadian citizens, **22:41.2(a)(2)**
 passport exceptions, **22:53.2(b)(4)**
 scope of examination at port of entry, **8:235.1(b)(4)**

FBI

National Crime Information Center (NCIC) criminal history information, limitations on use of, **22:40.5**

Federal aid

refugee resettlement program, **45:400.200–400.220**

Federal Alcohol Administration Act

actions under, **28:0.55(d)**

Federal Aviation Act of 1958

enforcement, **28:0.55(d)**

Federal Corrupt Practices Act

enforcement, **28:0.55(m)(4)**

INDEX

Federal employees

See also specific federal agencies
in cultural exchange programs of foreign countries, 22:64
applications
 contents of, 22:64.4
 submission of, 22:64.3
approval of application, 22:64.7
criteria for approval of foreign program, 22:64.5
definitions, 22:64.2
grant not to constitute gift, 22:64.10
obligation of employee to advise agency, 22:64.8
purpose of regulations, 22:64.1
request for further information from DOS, 22:64.6
termination of approval, 22:64.9
employment-based preference immigrants, 22:42.34
international exchange program grants, participation of U.S. government employees in, 22:63.6

Federal Register

D visas
 notice of determination of prevailing practice, 20:655.670
 publication of Administrator's determination, 20:655.625
H-1C visas, notices of facilities with attestations, 20:655.1150(c)
INS certifying officer for documents to be filed for, 28:0.105(i)

Federal rules of evidence

unfair employment and unfair employment practices proceedings, applicability, 28:68.40(a)

Federal Seed Act

actions under, 28:0.55(d)

Federal-state unemployment insurance system. *See* Unemployment insurance

Fees

See also Forms; *specific subject headings*
adoption, accrediting entities charging, 22:96.8
attorneys' fees under EAJA. *See* Equal Access to Justice Act
BIA appeals and motions, 8:1003.8
biometric service fee, 8:103.7(a)(2), 103.17
common carriers fee collection, procedures and responsibilities, 8:286.1–286.7
DHS applications and services, 8:103.7(a)(2), 8:103.7(d).
See also subhead USCIS and *specific topics in this heading*
Director's exemption, 8:106.3(b)
Diversity Visa Lottery fee, 22:42.33(i)
DOJ fees, 8:103.7(a), 1103.7
exchange visitor program. *See* J visas
FOIA requests to DHS, 6:5.11
fraud hearings, 6:13.25

H-1B petitions, 8:106.2(a)(3)(i), 214.2(h)(19)
 cap-subject applicants, 8:106.39(c)(10)
H-1C visas, attestation filing, 20:655.1110(c)(2)
H-2A agricultural workers
 Form I-129H2A, 8:106.2(a)(3)(ii)–(iii)
 labor certification determinations, 20:655.163
H-2B petitions, 8:106.2(a)(3)(iv)–(v)
immigrant visas, 22:42.67(a)(1), 42.71(b)
immigration courts, 8:1003.24
immigration user fee, 8:286.1–286.9
land border port-of-entry fee, 8:286.8–286.9
National Endowment for Democracy (NED), for access to information, 22:66.5(d)–(h)
nonimmigrant visa applications, 22:41.107
online forms, 8:106.2(d)
passports, 22:51.50–51.56
 expedited processing, 22:51.56
PORTPASS program, 8:103.7(d)(7)
Privacy Act requests to DHS, 6:5.21(c), 5.29
severability of provisions in ISCSIS fee schedule, 8:106.6
State Department. *See* State Department students
 approval of school for attendance (I-17), 8:103.7(d)(2)
 remittance for F/J/M students (I-901), 8:103.7(d)(8)
 SEVIS fees
 Generally, 8:214.13
 F students, 8:214.2(f)(19)
 J visa visitors, 8:214.2(j)(5)
 M students, 8:214.2(m)(20),
 notice of appeal or motion (I-290B), 8:103.7(d)(15)
 temporary protected status (TPS), 8:244.17
 transit without visa (TWOV) passengers, 8:286.3(g)
USCIS fees, 8:106.1–106.6
 I forms, 8:106.2(a)
 G forms, 8:106.2(c)
 N forms, 8:106.2(b)
visa fees, 22:22.1, 41.107
 exemptions, 22:41.107(c)
 foreign-national employees of U.S. government, 22:41.107(c)(3)
 multiple persons on visa, 22:41.107(b)
 reciprocity-based, 22:41.107(a)
 refunds, 22:41.107(d)
 surcharges, 22:41.107(e)
waivers and exemptions
 immigration court and BIA fees, 8:103.7(a)(3), 1003.8(a)(2)–(3)
 TPS applicants, 8:1244.20
 USCIS fees, 8:106.3

Foreign government officials

Fiancé(e)s

See also K visas
petition fee, 8:106.2(a)(5)
of U.S. citizen and derivative children, 22:41.81

Filipino citizens. *See* Philippines

Financial assistance

repatriation loans, DOS fees for, 22:22.1

Financial responsibility

See also Bonds
exchange visitor program sponsors, 22:62.9(e)

Fines. *See* Sanctions, penalties, and fines

Fingerprinting. *See* Biometrics

Firearms

border patrol and immigration enforcement officers
 authorized to carry, 8:287.5(f)
 using, 8:287.9(b)
laws relating to, enforcement, 28:0.55(d)
offers in compromise and tax liability relating to, 28:0.55(e)
Tick Inspectors (DOA) carrying and using, 28:0.64-3

First time passport applicants

evidence of U.S. citizenship or nationality, first application by person born in U.S., 22:51.43

Flight training programs. *See* Aviation training for aliens

Flores injunction, 8:212.5, 236.3; 45:410.100–410.810

FOIA. *See* Freedom of Information Act

Foreign diplomats

passports, 22:51.3(d)
duration of, 22:51.4(e)
visas. *See* A visas

Foreign government officials

Generally, 22:41.21–41.27
accredited officials in transit, 22:41.23
attendants, servants, and personal employees, classification of, 22:41.22(c)
change of classification, 22:41.22(e)
couriers on official business, 22:41.22(h)
criteria for classification, 22:41.22(a), 41.22(g)
definitions, 22:41.21(a)
diplomatic visas, 22:41.26
exceptions to passport validity requirement
 A, C, G, and NATO classes, 22:41.21(c)
 A, G, and NATO classes, 22:41.21(b)
 grounds for refusal, 22:41.21(d)
of foreign government not recognized by U.S., 22:41.22(i)
referral to Department of special cases, 22:41.22(d)
termination of status, 22:41.22(f)

Foreign medical graduates (FMGs)

See also Physicians

change of status, **8:212.7(c)(9)**,
1212.7(c)(9)

Foreign quarantine regulations

health measures at POEs, **42:71.29–71.40**

medical examination of aliens, applicability, **42:34.6**

Foreign Service Immunities Act (FSIA)

judicial assistance cases, fees, **22:22.1**

Foreign Service officers

schedule of fees for consular services,
22:22. See also Justice Department

Foreign students

See also F visas; J visas

Generally, **22:65**

applications, **22:65.2**

granting of, **22:65.5**

referral to proper agency, **22:65.3**

au pairs, educational component for,
22:62.31(k)

copies of regulations to be sent to DOS,
22:65.4

exchange visitor program

college and university students,
22:62.23

secondary school students, **22:62.25**

fees. See Fees

regulations to be drafted, **22:65.1**

requirements for admission, extension,
and maintenance of status,
8:214.2(f)

visas

posting of bond, **22:41.61(c)**

student visa abusers, **22:40.67**

working off-campus. See F visas

Forfeiture actions

access to records, **19:103.32**

conveyances, authority for forfeiture,
8:274.1–274.2

DOJ Criminal Division role, **28:0.55(d)**

Former U.S. citizens

immigrant visas, **22:42.23**

renouncing citizenship to avoid taxation,
22:40.105

women expatriates. See Women expatriates

Forms

See also specific related headings

AR-11, change of address, **8:265.1**

availability on Web site, **8:299.1**

distribution of forms, **8:299.2**, **1299.2**

DS-156, nonimmigrant visa application,
22:41.103, **41.106**

DS-160, nonimmigrant visa application,
22:41.103, **41.106**

DS-230, application for immigrant visa
and alien registration, **22:42.63**,
42.73(b)

placement in visa, **22:42.73(c)**

DS-2019, exchange visitor program,
22:62.10(d), **62.11(c)**, **62.12**

correction of record, **22:62.45(c)**

government visitors, **22:62.29(f)**

international visitors, **22:62.28(e)**

professors and research scholars, ex-
change program, **22:62.20(e)**

specialists, **22:62.26(g)**

trainees and interns, **22:62.22(c)**

DS-7002

college and university students,
22:62.23(i)(7)

trainees and interns, **22:62.22(i)**

EOIR-42, application for cancellation of
removal, **8:1240.20**

ETA 750, application for alien employ-
ment certification, **20:656.31(g)**

ETA 9033, **20:655.510(c)(1)**

ETA 9033-A, **20:655.533(a)**

ETA 9035 or 9035E, **20:655.705(c)(1)**,
655.730(c)

ETA 9081, **20:655.1101(c)**, **655.1110(c)**

ETA 9089, application for permanent
employment certification,
20:656.31(g)

fees

see also Fees

online forms, **8:106.2(d)**

USCIS I- forms, **8:106.2(a)**

USCIS G- forms, **8:106.2(c)**

USCIS N- forms, **8:106.2(b)**

genealogical research request, **8:103.40**

I-9, employment eligibility verification,
8:274.a.2

I-20, certificate of eligibility for nonim-
migrant student status,
22:41.61(b)(1), **41.112(d)(2)**

I-20A-B/I-20ID, certificate of eligibility
for nonimmigrant student status—
for academic and language students,
22:41.61(b)(1)

I-20 ID copy, for M-1 students,
8:214.2(m)(2)

I-20M-N/I-20ID, certificate of eligibility
for nonimmigrant student status—
for vocational students,
22:41.61(b)(1)

I-68, Canadian border boat landing per-
mit, **8:235.1(g)**

I-90, application to replace permanent
resident card, **8:106.2(a)(1)**

I-94, arrival-departure record,
8:235.1(h); **22:41.112(d)(2)**

application for initial or replacement
card, **8:264.6**

definition, **8:1.4**

DHS authorization for alien to work,
20:422.105

electronic submission by carriers,
8:231.1–231.3

I-95, application for initial or replace-
ment card, **8:264.6**

I-129, petition for nonimmigrant worker,
8:106.2(a)(3); **20:655.700(c)**,
655.805(d)

I-129CW, **8:106.2(a)(4)**

I-129F, **8:106.2(a)(5)**

I-129W, filing requirements,
8:214.2(h)(19)(vi)–(vii)

I-130, **8:106.2(a)(6)**

I-147, notice of temporary inadmissibil-
ity, **8:235.8**, **1235.8**

I-186, nonresident alien Mexican border
crossing card, **22:41.32**

I-586, nonresident alien border crossing
card, **22:41.32**

I-589. See Asylum and withholding of
removal, *subhead*: applications

I-612, exchange visitor seeking waiver
of two-year home-country presence
requirement, **22:41.63(b)(1)**

I-664. See Affidavits of support

I-763, notice of intent to fine, **8:274a.9(d)**

I-772, declaration of intending citizen,
8:245a.2(w)

I-797, **8:214.2(h)(18)**, **214.2(o)(15)**

P visas (athletes, artists, entertainers),
8:214.2(p)(17)

I-797 and I-129S, use of at port of entry
by intracompany transferees,
8:214.2(l)(13)

I-800 and I-800A, **8:204.307–204.314**

I-854, interagency alien witness and in-
formant record, **8:236.4(a)**, **1236.4(a)**

I-862, notice to appear, **8:235.6(a)(1)**

I-863, notice of referral to IJ,
8:235.6(a)(2), **1235.6(a)(2)**

I-914, Supplement A, victims of traffick-
ing in persons, **22:41.84**

IAP-66, certificate of eligibility for ex-
change visitor status,
22:41.112(d)(2)

OF-155B

document in immigrant visa,
22:42.73(b)

photograph to be attached,
22:42.73(a)(6)

prescribed forms, immigration, **8:299.1**,
1299.1

procedure, **8:103.2–103.5**

registration forms, **8:264.1(a)–(b)**

reproduction of forms, **8:299.4**

SS-5

application for Social Security number
card, **20:422.103**

individual's request for change in So-
cial Security record, **20:422.110**

Fraud and misrepresentation

civil remedies, **6:13**

administrative offset, right to, **6:13.44**

ALJ authority, **6:13.18**

answer, **6:13.9**

appeal to authority head, **6:13.39**

basis for penalties and assessments,
6:13.3

collection of civil penalties and assess-
ments, **6:13.43**

complaint, **6:13.7**

compromise or settlement, **6:13.46**

computation of time, **6:13.27**

conflict of interest, 6:13.14
 default upon failure to answer, 6:13.10
 definitions, 6:13.2
 deposit in Treasury, 6:13.45
 determining amount of penalties and assessments, 6:13.31
 disclosure of documents, 6:13.20
 discovery, 6:13.21
 disqualification of reviewing official or ALJ, 6:13.16
 evidence, 6:13.34
 exchange of witness lists, statements, and exhibits, 6:13.22
ex parte contacts, 6:13.15
 fees, 6:13.25
 filing, form and service of papers, 6:13.26
 hearing and burden of proof, 6:13.30
 initial decision, 6:13.37
 investigation, 6:13.4
 judicial review, 6:13.42
 location of hearing, 6:13.32
 motions, 6:13.28
 notice of hearing, 6:13.12
 parties to hearing, 6:13.13
 post-hearing briefs, 6:13.36
 prehearing conferences, 6:13.19
 prerequisites for issuing complaint, 6:13.6
 protective order, 6:13.24
 purpose and scope of regulations, 6:13.1
 reconsideration of initial decision, 6:13.38
 record, 6:13.35
 referral of complaint and answer to ALJ, 6:13.11
 review by reviewing official, 6:13.5
 rights of parties, 6:13.17
 sanctions, 6:13.29
 service of complaint, 6:13.8
 statute of limitations, 6:13.47
 stay pending appeal, 6:13.41
 stays ordered by DOJ, 6:13.40
 subpoenas for attendance at hearing, 6:13.23
 witnesses, 6:13.33
 criminal fraud prosecutions, 28:0.55(b)
 document fraud. *See* Document fraud
 D visas, misrepresentation in attestation, 20:655.510(i)
 falsely claiming citizenship, 22:40.63
 H-2A agricultural workers applications, 20:655.184
 labor certification, 20:656.31
 nonimmigrant visas (NIVs), 8:214.1(f)
 program fraud civil remedies. *See* Sanctions, penalties, and fines
 refugees, exception for, 22:40.63(a)
 relief from removal under INA §237(a)(1)(H) [former §241], 8:1240.11(d), 1240.49(d)
 voter fraud by alien as cause of ineligibility, 22:40.104
 waivers under §212(i), 8:212.7(a)(4)

Free Europe, Inc.
 naturalization of employee's spouse, 8:319.6
Free legal service providers. *See* Attorneys and representatives
Freedom of Information Act (FOIA)
 advance payments, 6:5.11(i)
 appeals, 6:5.8
 business information, 6:5.7
 classified commercial information, 6:5.7
 contact information, 6:5(Appx. I)
 definitions, 6:5.11(b)
 DHS procedures, 19:103.2
 DHS Web site accessibility, 6:5.2
 electronic availability of records, 6:5.2, 5(Appx. B)
 fees for records, 6:5.11
 general provisions, 6:5.1
 National Endowment for Democracy records, 22:66. *See also* National Endowment for Democracy (NED)
 notice of request to information submitter, 6:5.7
 other rights and services, 6:5.13
 preservation of records, 6:5.9
 Privacy Act system of records, 6:5.10
 proactive disclosure of DHS records, 6:5.2
 public reading rooms, 19:103.1
 regulations, 8:103.42
 requirements for making requests, 6:5.3
 response to requests, 6:5.6
 expedited, 6:5.5(e)
 grants or adverse determinations, 6:5.6
 responsibility for, 6:5.4
 timing of, 6:5.5
 trade secrets, 6:5.12
Freely Associated States (FAS)
See also Territories and possessions of U.S.
 documentary requirements for nonimmigrant grants, 8:212.1(d), 1212.1(d)

Friendship and General Relations between U.S. and Spain Treaty
 INS implementation of, 28:0.109
FSIA (Foreign Service Immunities Act)
 judicial assistance cases, fees, 22:22.1
Fugitive Felon Act
 DOJ Criminal Division role, 28:0.55(p)
 enforcement, 28:0.55(p)
FX1-FX3 visas
 class of immigrant status, 22:42.11

G

G visas (international organizations)
 adjustment of status. *See* Adjustment of status
 change of status, special provisions, 8:248.3(c)
 class of nonimmigrant status, 22:41.12

employment authorization, 8:274a.12(b)(7)–(8), 274a.12(c)(4)
 G-4 diplomatic visas, 22:41.26(c)(2)
 official visas for, 22:41.27(c)(1)
 requirements for admission, extension, and maintenance of status, 8:214.2(g)
 special-immigrant status for certain G-4 nonimmigrants, 8:101.5, 1101.5

Gambling

laws relating to, enforcement, 28:0.55(d), 0.55(h)
 offers in compromise and tax liability relating to, 28:0.55(e)

Genealogy Program

Generally, 8:103.38
 historical records, 8:103.39
 research reports, 8:103.40

GI Brides Act

returning resident alien under, 22:42.22(c)

Global Entry program

air travelers, 8:235.12

Gold Reserve Act of 1934

actions under, 28:0.55(d)

Good moral character

naturalization requirement, 8:316.10
 T nonimmigrants, 8:245.23(g)
 VAWA self-petitioners, 8:204.2(c)(1)(vii), 204.2(c)(2)(v), 204.2(e)(1)(vii), 204.2(e)(2)(v)

Government visitors

exchange visitor program, 22:62.29. *See also* J visas, Q visas

Governors or governors-general

diplomatic visas, 22:41.26(c)(1)

Grand juries

certifications under 18 U.S.C. § 3331, 28:0.59

Grants

federal employees in cultural exchange programs of foreign countries, not to constitute gift, 22:64.10
 international exchange program grants, 22:63. *See also* International educational and cultural exchange program grants
 refugee resettlement program, grants to states, 45:400.4–400.13
 State Legalization Impact Assistance Grants, 45:402
 unemployment insurance quality control, 20:602.40–602.43

Great Lakes vessels and tugboats

examination of crewmembers, 8:252.3

Greece

Convention between U.S. and Greece, 28:0.110
 deserters from Greek ships of war, 8:252.5

Green cards. *See* Permanent Resident Cards

Guam

See also Territories and possessions of U.S.

admissions in, 8:101.1(i)
aliens entering from
 exempt from passport or visa requirements, 22:41.1(c)
 immigrant visa not required, 22:42.1(c)
asylum and withholding of removal, 8:1208.2(c)(1)(vii)–(viii)
documentary requirements for nonimmigrants, 8:212.1(e), 1212.1(e)
H-2B temporary nonagricultural workers, 20:655.3
enforcement of obligations, 29:503.2
labor certification, 8:214.2(h)(6)(v)

Guardians

required to accompany excluded aliens, visa eligibility exceptions, 22:40.102

H

H visas, generally

See also specific H visas, below

Generally, 22:41.53
admission, 8:214.2(h)(13)
agents as petitioners, 8:214.2(h)(2)(i)(F)
amended or new petitions, 8:214.2(h)(2)(i)(E)
appeal of denial or revocation of petition, 8:214.2(h)(12)
approval and validity, 8:214.2(h)(9)
 effect of approval of LC or filing of preference petition, 8:214.2(h)(16)
approval notice (Form I-797), use of, 8:214.2(h)(18)
change of employers, 8:214.2(h)(2)(i)(D)
classifications, 8:214.2(h)(1)(ii)
denial of petition, 8:214.2(h)(10)
employment authorization, 8:274a.12(b)(9)
extension of period of validity, 8:214.2(h)(14)
extension of stay, 8:214.2(h)(15)
former exchange visitors, 22:41.53(f)
licensure, 8:214.2(h)(4)(v)
multiple employers, 8:214.2(h)(2)(i)(C)
numerical limitations, 8:214.2(h)(8)
petitions, 8:214.2(h)(2)
requirements for admission, extension, and maintenance of status, 8:214.2(h)
revocation of approval of petition, 8:214.2(h)(11)
spouses and dependents, 8:214.2(h)(9)(iv)
strikes, effect of, 8:214.2(h)(17)
time of filing, 8:214.2(h)(2)(i)(I)

H-1A visas (registered nurses)

adjustment of status. *See* Adjustment of status
certification and credentialing, 8:212.15, 1212.15
labor certifications (LC) process, BALCA review. *See* BALCA

H-1B visas (specialty occupations)

See also H visas, generally

Generally, 20:655.700–655.760
administrative law judge proceedings
administrative record, 20:655.850
appeal of decision, 20:655.845
computation of time, 20:655.830(c)
conduct of, 20:655.835
decision and order, 20:655.840
notice to ETA and DHS of decision, 20:655.855
request for hearing, 20:655.820
rules of practice for, 20:655.825
service of pleadings or documents, 20:655.830

Administrator's authority, 20:655.800(a)

Administrator's determination, 20:655.815

 notice to ETA and DHS of decision, 20:655.855

 request for hearing, 20:655.820

appeal of ALJ decision, 20:655.845

applicability of regulations, 20:655.700(c)

back pay determination for violations, 20:655.810(a)

civil money penalties for violations, 20:655.810(b)

classification, described, 8:214.2(h)(1)(ii)(B)

class of nonimmigrant status, 22:41.12

complaints, 20:655.710

 filing of, 20:655.806(a)

 written determination of, 20:655.806(b)

confidentiality of informants, 20:655.800(d)

definitions, 20:655.715

degree requirement, 8:214.2(h)(4)(iii)

direct displacement of U.S. workers, 20:655.738(c)

documentary requirements, 8:214.2(h)(4)(iv)

DOD cooperative R&D projects

 admission, limitations on, 8:214.2(h)(13)(iii)(B), 214.2(h)(13)(v)

 criteria and documentary requirements, 8:214.2(h)(4)(vi)

 extension of stay, 8:214.2(h)(15)(ii)(B)(2)

 numerical limitations, 8:214.2(h)(8)(i)(B)

 period of validity, 8:214.2(h)(9)(iii)(A)(2)

DOJ responsibilities, 20:655.705(b)

DOL responsibilities, 20:655.705(a)

DOS responsibilities, 20:655.705(b)

employer procedure to apply for visa, 20:655.700(b)

employer's responsibilities, 20:655.705(c)

enforcement, 20:655.800–655.855

 prevailing wage violations, 20:655.731(d)

“exempt” H-1B nonimmigrants, 20:655.737

 extension of stay, 8:214.2(h)(15)(ii)(B)

 fashion models, 8:214.2(h)(4)(i)(C). *See also* Fashion models

 federal agencies, role of, 20:655.705

 fees. *See* Fees

 Form ETA 9035 or 9035E, 20:655.705(c)(1), 655.730(c)

 Form I-129, 20:655.700(c), 655.805(d)

 H-1B-dependent employers, determination of, 20:655.736

 H-1B nonimmigrants with master's or higher degree or earning over \$60,000 annually, exemption for, 20:655.737

 investigations, 20:655.800(b)

 nonaggrieved party alleging violations, 20:655.807

 random investigations, 20:655.808

 request for hearing after, 20:655.820

 types of, 20:655.805

 labor condition applications (LCAs), 20:655.700(b), 655.705(c)(1). *See also* Labor condition applications

 actions taken on, 20:655.740(a)

 attestations in, 20:655.730(d)

 authorized deductions, 20:655.731(c)(9)

 benefits and benefits provided as compensation for services, 20:655.731(c)(3)–(c)(6)

 burden of proof on employer, 20:655.740(c)

 cash wages paid, 20:655.731(c)(2)

 certification approved, 20:655.740(a)(1)

 certification not approved, 20:655.740(a)(2)

 challenges to, 20:655.740(b)

 change in corporate structure or identity of employer, 20:655.730(e)

 disqualified employers, 20:655.750(d)

 documentation of wage statement, 20:655.731(b)

 duration of certified applications, 20:655.750(a)

 EA list of, 20:655.760(b)

 effect of approval, 8:214.2(h)(16)(i)

 filing and processing, 20:655.720, 655.730

 invalidation or suspension, 20:655.750(c)

 labor dispute not in issue, 20:655.733

INDEX

nonproductive status wage obligation, **20:655.731(c)(7)**
notice requirement, **20:655.734**
prevailing wage determination, **20:655.731(a)**
resubmission of, **20:655.740(a)(3)**
wage requirement, **20:655.731**
withdrawal of certified applications, **20:655.750(b)**
working conditions requirement, **20:655.732**
multiple petitions, **8:214.2(h)(2)(i)(G)**
nonaggrieved party alleging violations, **20:655.807**
nondisplacement of U.S. workers obligations, **20:655.738**
nonimmigrants with master's or higher degree or earning over \$60,000 annually, exemption for, **20:655.737**
notice to ETA and DHS of decision, **20:655.855**
numerical limitations, **8:214.2(h)(8)(i)(A)**, **214.2(h)(8)(ii)(A)**, **214.2(h)(8)(iii)**
calculating number of registrations needed to meet regular cap and advanced-degree allocation, **8:214.2(h)(8)(iii)(E)**
cap exemptions under INA §214(g)(5)(A) & (B), **8:214.2(h)(8)(iii)(F)**
cap-subject petition filing following registration, **8:214.2(h)(8)(iii)(D)**
confirmation, **8:214.2(h)(8)(iii)(B)**
notification to file cap-subject petitions, **8:214.2(h)(8)(iii)(C)**
registration, **8:214.2(h)(8)(iii)(A)**
severability, **8:214.2(h)(8)(v)**
suspension of registration requirement, **8:214.2(h)(8)(iv)**
penalties for violations, **20:655.810(b)**
period of validity, **8:214.2(h)(9)(iii)(A)**
physicians, **8:214.2(h)(4)(viii)**. *See also* Physicians
protection of complainant from retaliation, **20:655.801**
public access to records, **20:655.760(a)**
random investigations, **20:655.808**
recordkeeping requirements, **20:655.734(c)**, **655.760(c)**
recruitment of U.S. workers obligation, **20:655.739**
remedies, **20:655.810**
request for hearing on Administrator's determination, **20:655.820**
requirements for admission, extension, and maintenance of status, **8:214.2(h)(4)**
secondary displacement of U.S. workers, **20:655.738(d)**
severability of regulations, **8:214.2(h)(24)**

short-term placement at worksites outside areas of intended employment listed on LCA, **20:655.735**
statutory provisions applicable, **20:655.700(a)**
types of H-1B classification, **8:214.2(h)(4)(i)(A)**
whistleblower protection, **20:655.801**
willful violators, **20:655.736(f)**
working conditions, **20:655.732**

H-1B1 visas (Chile/Singapore FTA)

See also H visas, generally
enforcement, **20:655.800–655.855**
process for filing LCA, **20:655.730**. *See also* Labor condition applications (LCAs)
relevant provisions, **20:655.700(c)(4)**, **655.700(d)**

H-1C visas (registered nurses)

See also H visas, generally
Generally, **20:655.1100–655.1150**
adjustment of status. *See* Adjustment of status
administrative law judge proceedings
appeals of decisions, **20:655.1245**
computation of time, **20:655.1230**
conduct of, **20:655.1235**
decisions, **20:655.1240**
rules of practice for, **20:655.1225**
administrative record, **20:655.1250**
Administrator's findings
appeal of, **20:655.1220**
investigations, **20:655.1215**
admission, limitations on, **8:214.2(h)(13)(ii)**
appeals
of acceptances or rejections, **20:655.1135(a)**
administrative record, **20:655.1250**
Administrator's findings, **20:655.1220**
of ALJ decisions, **20:655.1245**
of BALCA decision, **20:655.1135(i)**
procedure, **20:655.1135**
applicability of regulations, **20:655.1100(c)**
approval of LC or filing of preference petition, **8:214.2(h)(16)(i)**
attestation, **20:655.1110**
appeal procedures. *See this heading:*
appeals
BALCA review of, **20:655.1101(e)**
criteria to determine whether to certify attestation, **20:655.1130**
DOL not guarantor for, **20:655.1130(e)**
expiration date of, **20:655.1130(f)**
filing fee, **20:655.1110(c)(2)**
Form ETA 9081, **20:655.1110(c)**
location and time of filing, **20:655.1110(b)**
number of H-1C nonimmigrants facility may employ, **20:655.1117**
public examination of, **20:655.1130(c)**
worksites limitations for, **20:655.1118**

H-1C visas (registered nurses)

attorney's fees not to be awarded, **20:655.1260**
back pay for violations, **20:655.1210**
BALCA decisions
on appeals, **20:655.1135(i)**
on consideration on the record or de novo hearing, **20:655.1135(h)**
certification, credentialing, and licensing, **8:212.15**, **214.2(h)(3)(v)**, **214.2(h)(4)(v)(D)**, **1212.15**
civil money penalties for violations, **20:655.1210**
classification, described, **8:214.2(h)(1)(ii)(A)**
class of nonimmigrant status, **22:41.12**
complaints, **20:655.1101(f)**
Administrator's responsibility for, **20:655.1205**
confidentiality of complainant or whistleblower, **20:655.1200(g)**
consideration on the record, **20:655.1135(f)**
BALCA decision on, **20:655.1135(h)**
debarment of facility based on finding of violation, **20:655.1255**
definitions, **20:655.1102**
de novo hearings, **20:655.1135(f)**
BALCA decision on, **20:655.1135(h)**
dismissals and stays, **20:655.1135(g)**
DOJ responsibilities, **20:655.1101(a)**
DOL responsibilities, **20:655.1101(a)**
DOS responsibilities, **20:655.1101(a)**, **655.1101(d)**
elements of attestation, **20:655.1110(d)**
eligible facilities/hospitals for seeking, **20:655.1110(a)**, **655.1111**
enforcement, **20:655.1200–655.1260**
Equal Access to Justice Act, not applicable, **20:655.1260**
extension of stay, **8:214.2(h)(15)(ii)(A)**
facility wage rate requirement, **20:655.1113**
Form ETA 9081, **20:655.1101(c)**, **655.1110(c)**
government agencies responsibilities, **20:655.1101(a)**
invalidation or suspension of attestation, appeals of, **20:655.1135(b)**
investigations, **20:655.1200(b)**
Administrator's findings, **20:655.1215**
Administrator's responsibility for, **20:655.1205**
labor dispute not in issue, **20:655.1115**
no adverse effect on wages and working conditions, **20:655.1112**
notice provided to registered nurses at facility, **20:655.1116**
notices in *Federal Register* of facilities with attestations, **20:655.1150(c)**
numerical limitations, **8:214.2(h)(8)(i)(E)**, **214.2(h)(8)(vi)**. *See also* H visas, generally

participating facilities' responsibilities, **20:655.1101(b)**
 penalties for violations, **20:655.1210**
 period of validity, **8:214.2(h)(9)(iii)(D)**
 petitions, **8:214.2(h)(3)**; **20:655.1101(c)**
 procedures for hiring, **20:655.1100(b)**
 public access to information, **20:655.1150**
 purpose of regulations, **20:655.1100(a)**
 recordkeeping requirements
 for facilities, **20:655.1200(c)**
 facility wage rate requirement and, **20:655.1113(d)**
 labor dispute not in issue and, **20:655.1115(d)**
 recruitment and retention of U.S. nurses
 requirement and, **20:655.1114(e)**
 recruitment of U.S. nurses, **20:655.1114**
 requirements for admission, extension,
 and maintenance of status, **8:214.2(h)(3)**
 retention of U.S. nurses, **20:655.1114**
 service
 of Administrator's findings, **20:655.1215(a)**
 of ALJ decisions, **20:655.1240(c)**
 suspension or invalidation of approved
 attestation, **20:655.1132**
 training of U.S. nurses, **20:655.1114(b)(1)**
 visa issuance, **20:655.1101(d)**
 waiver of nurse's rights, **20:655.1200(f)**
 whistleblower protection, **20:655.1200(d)**

H-2A visas (temporary agricultural workers)

See also H visas, generally
 Generally, **20:655.100–655.185**
 abandonment of employment, **20:655.122(n)**
 agents filing application forms, **20:655.133**
 appeal procedures, **20:655.171**
 applications for certification, **20:655.130–655.135**
 association filing application forms, **20:655.131**
 assurances in job offers, **20:655.135**
 audits, **20:655.180**
 classification, described, **8:214.2(h)(1)(ii)(C)**
 class of nonimmigrant status, **22:41.12**
 contract impossibility, **20:655.122(o)**
 contractual obligations, enforcement of, **29:501.0–501.47**
 accuracy of information, statements,
 and data, **29:501.8**
 administrative proceedings, **29:501.30**
 ALJ decision and order, **29:501.41**
 ALJ procedures, **29:501.40**
 civil penalties, **29:501.19, 501.22**
 concurrent actions, **29:501.17**
 cooperation with federal officials,
 29:501.7

coordination among federal agencies, **29:501.2**
 debarment of agent or attorney, **29:501.20(b)**
 debarment of associations acting as
 joint employers, **29:501.20(h)**
 debarment of associations acting as sole
 employers, **29:501.20(g)**
 debarment of employer, **29:501.20(a)**
 debarment of members of associations,
 29:501.20(f)
 definitions, **29:501.3**
 discrimination prohibited, **29:501.4**
 failure to cooperate with investiga-
 tions, **29:501.21**
 hearing procedures, **29:501.31–**
 501.33
 investigations, **29:501.6**
 post-hearing procedures, **29:501.41**
 purpose of regulations, **29:501.1**
 record, **29:501.46–501.47**
 referral for hearing, **29:501.37–**
 501.39
 representation of the Secretary,
 29:501.18
 review of ALJ decision, **29:501.42–**
 501.45
 revocation of temporary agricultural
 labor certification, **29:501.20(i)**
 rules of practice, **29:501.34–501.36**
 sanctions and remedies, **29:501.16**
 statute of limitations, **29:501.20(c)**
 surety bonds, **29:501.9**
 waiver of rights prohibited, **29:501.5**
 COVID emergency, change of employ-
 ers during, **8:214.2(h)(21)–(22),**
 274a.12(b)(28)
 debarment, **20:655.182**
 deductions from paychecks, **20:655.122(p)**
 definitions, **20:655.103**
 duration of job posting, **20:655.121(d)**
 earnings records, **20:655.122(j)**
 eligible countries, **8:214.2(h)(5)(i)(F)**
 emergency situations, **20:655.134**
 employer-provided tools, supplies, and
 equipment, **20:655.122(f)**
 enforcement of work contracts,
 20:655.185
 extension of stay, **8:214.2(h)(15)(ii)(C);**
 20:655.170
 fee not to paid by employee to get job,
 20:655.135(j)
 fraud or willful misrepresentation in
 applications, **20:655.184**
 frequency of pay, **20:655.122(m)**
 full-time job opportunity, **20:655.135(f)**
 herding and range livestock, labor certi-
 fication, **20:655.200–655.235**
 applications
 filing, **20:655.215**
 processing, **20:655.220**
 definitions, **20:655.201**
 job orders, **20:655.205, 655.210**

post-acceptance requirements,
 20:655.225
 purpose of regulations, **20:655.200**
 range housing, **20:655.230**
 standards, **20:655.235**
 scope of regulations, **20:655.200**
 wage rate, **20:655.211**
 hours and earnings statements,
 20:655.122(k)
 housing, **20:655.122(d)**
 integrity measures, **20:655.180–655.185**
 interstate clearance, **20:655.121(c),**
 655.150
 job offers, **20:655.122**
 job orders, **20:655.121, 655.150**
 job service complaint system,
 20:655.185
 labor certification determinations,
 8:214.2(h)(5)(ii); 20:655.160–
 655.167
 approval, effect of, **8:214.2(h)(16)(ii)**
 approved certification, **20:655.162**
 criteria, **20:655.161**
 denied certification, **20:655.164**
 document retention requirements,
 20:655.167
 fees, **20:655.163**
 herding and range livestock,
 20:655.200–655.235. See also this
 heading: herding and range live-
 stock, labor certification
 partial certification, **20:655.165**
 requests based on nonavailability of
 U.S. workers, **20:655.166**
 revocation, **20:655.181**
 labor contractor filing requirements,
 20:655.132
 layoffs, neither recent nor future,
 20:655.135(g)
 meals, **20:655.122(g), 655.173**
 non-discriminatory hiring practices,
 20:655.135(a)
 notice of worker rights, **20:655.135(l)**
 notice to H-2A worker of duty to leave
 U.S., **20:655.135(i)**
 offered wage rate, **20:655.120**
 OFLC Administrator's authority,
 20:655.101
 post-acceptance requirements,
 20:655.150–655.158
 post-certification procedures,
 20:655.170–655.174
 preferential treatment of aliens prohib-
 ited, **20:655.122(a)**
 prefiling procedures, **20:655.120–**
 655.122
 public disclosure, **20:655.174**
 purpose of regulations, **20:655.100**
 qualifications for job, **20:655.122(b)**
 rates of pay, **20:655.122(l)**
 recruitment of U.S. workers,
 20:655.135(c), 655.150–655.158
 additional positive recruitment,
 20:655.154

- duration of positive recruitment, **20:655.158**
 - former U.S. employees, contact with, **20:655.153**
 - recruitment report, **20:655.156**
 - referral of U.S. workers, **20:655.155**
 - SWA posting of job order, **20:655.150**
 - withholding of U.S. workers, **20:655.157**
 - requirements for admission, extension, and maintenance of status, **8:214.2(h)(5)**
 - scope of regulations, **20:655.100**
 - strike or lockout not allowed, **20:655.135(b)**
 - SWA review, **20:655.121(b)**
 - range sheep and goat herding and production of livestock. *See in this heading: herding and range livestock*
 - temporary and seasonal employment, **8:214.2(h)(5)(iv)**
 - consent and notification requirements, **8:214.2(h)(5)(vi)**
 - effect of DOL findings, **8:214.2(h)(5)(iv)(B)**
 - eligibility requirements, **8:214.2(h)(5)(iv)(A)**
 - extensions in exigent circumstances, **8:214.2(h)(5)(x)**
 - fees collected from beneficiary, effect, **8:214.2(h)(5)(xi)**
 - limits on stay, **8:214.2(h)(5)(viii)(C)**
 - period of admission, **8:214.2(h)(5)(viii)(B)**
 - status violations, effect of, **8:214.2(h)(5)(viii)(A)**
 - substitution of beneficiaries, **8:214.2(h)(5)(ix)**
 - training and education, **8:214.2(h)(5)(v)**
 - treatment upon revocation of labor certification, **8:214.2(h)(5)(xii)**
 - validity, **8:214.2(h)(5)(vii)**
 - temporary employment certification applications, **20:655.140–655.145**
 - amendments to applications, **20:655.145**
 - notice of acceptance, **20:655.143**
 - notice of deficiency, **20:655.141**
 - review of applications, **20:655.140**
 - submission of modified applications, **20:655.142**
 - third-party contracts prohibited, **20:655.135(k)**
 - three-fourths guarantee, **20:655.122(i)**
 - transportation, **20:655.122(h)**
 - unfair treatment not permitted, **20:655.135(h)**
 - violations, less than substantial, **20:655.183**
 - withdrawal of job order and application, **20:655.172**
 - workers' compensation, **20:655.122(e)**
- H-2B visas (temporary nonagricultural workers), 20:655.1–655.73**
- See also* H visas, generally
 - Generally, **20:655.1–655.73**
 - admission, limitations on, **8:214.2(h)(13)(iv)–(v)**
 - agents, **20:655.8**
 - agreements and notification requirements, **8:214.2(h)(6)(i)(F)**
 - athletes, traded professional, **8:214.2(h)(6)(vii)**
 - audits, **20:655.70**
 - authority, **20:655.2**
 - classification, described, **8:214.2(h)(1)(ii)(D)**
 - class of nonimmigrant status, **22:41.12**
 - CO-ordered assisted recruitment, **20:655.71**
 - COVID emergency, change of employers during, **8:214.2(h)(23), 274a.12(b)(27)**
 - debarment, **20:655.73**
 - definitions, **20:655.5**
 - document retention, **20:655.56**
 - special provisions
 - for FY 2018–21, **20:655.66**
 - for FY 2019–22, **20:655.67**
 - eligible countries, **8:214.2(h)(6)(i)(E)**
 - enforcement of obligations, **29:503.0–503.56**
 - accuracy of information, statements, and data, **29:503.8**
 - administrative proceedings, **29:503.40**
 - ALJ procedures, **29:503.49**
 - assurances and obligations of employers, **29:503.16**
 - civil money penalties, **29:503.23, 503.26**
 - concurrent actions with DOL, **29:503.21**
 - coordination among governmental agencies, **29:503.3**
 - debarment, **29:503.24**
 - deductions, **29:503.16(c)**
 - definitions, **29:503.4**
 - disclosure of job order, **29:503.16(f)**
 - document retention requirements, **29:503.17**
 - failure to cooperate with investigators, **29:503.25**
 - final decision of Administrative Review Board, **29:503.55**
 - Guam, **29:503.2**
 - hearing procedures, **29:503.41–503.43**
 - investigations, **29:503.7**
 - no layoffs, **29:503.16(v)**
 - non-discriminatory hiring practices, **29:503.16(r)**
 - no strikes or labor disputes, **29:503.16(u)**
 - post-hearing procedures, **29:503.50**
 - preferential treatment of foreign workers prohibited, **29:503.16(q)**
 - purpose of regulations, **29:503.1**
 - rate of pay, **29:503.16(a)**
 - record retention, **29:503.56**
 - recruitment disclosure, **29:503.16(aa)**
 - representation of Secretary, **29:503.22**
 - review of ALJ decision, **29:503.51–503.55**
 - rules of practice, **29:503.44–503.48**
 - sanctions and remedies, **29:503.20**
 - temporary need, **29:503.5**
 - termination of employment, **29:503.16(y)**
 - three-fourths guarantee, **29:503.16(f)**
 - transportation and visa fees, **29:503.16(j)**
 - validity of temporary labor certification, **29:503.18**
 - violations, **29:503.19**
 - waiver of rights prohibited, **29:503.6**
 - extension of stay, **8:214.2(h)(15)(ii)(C)**
 - fees collected from beneficiary, effect, **8:214.2(h)(6)(i)(B)**
 - foreign worker recruitment, disclosure, **20:655.8**
 - Guam, **20:655.3**
 - labor certification, **8:214.2(h)(6)(v)**
 - integrity
 - audits, **20:655.70**
 - CO-ordered assisted recruitment, **20:655.71**
 - debarment, **20:655.73**
 - revocation, **20:655.72**
 - labor certification
 - approval of certification, **20:655.52**
 - criteria, **20:655.51**
 - denial of certification, **20:655.53**
 - determinations, **20:655.50**
 - requests based on nonavailability of U.S. workers, **20:655.57**
 - partial certification, **20:655.54**
 - validity of temporary certification, **20:655.55**
 - labor certification (LC) process, **8:214.2(h)(6)(iv)**
 - approval, effect of, **8:214.2(h)(16)(ii)**
 - numerical limitations, **8:214.2(h)(8)(i)(C), 214.2(h)(8)(vii)**
 - period of validity, **8:214.2(h)(9)(iii)(B)**
 - persons and entities authorized to file, **20:655.7**
 - petition, **8:214.2(h)(6)(i)**
 - post-acceptance requirements
 - advertising, **20:655.41**
 - contact
 - bargaining representatives, **20:655.45**
 - former U.S. employees, **20:655.43**
 - employer-conducted recruitment, **20:655.40**
 - additional, **20:655.46**
 - posting, **20:655.45**
 - recruitment report, **20:655.48**
 - referrals of U.S. workers, **20:655.47**

post-certification activities
 administrative review, **20:655.61**
 disclosure, **20:655.63**
 extensions, **20:655.60**
 temporary employment certification,
 withdrawal of applications,
20:655.62

prefiling procedures
 assurance and obligations of employers,
20:655.20
 prevailing wage determinations,
20:655.10
 review, **20:655.13**
 registration of employers, **20:655.11**
 use of, **20:655.12**
 temporary employment certification
 applications, **20:655.15**
 electronic job registry, **20:655.34**
 emergency situations, **20:655.17**
 job contractors, **20:655.19**
 job orders, **20:655.16**
 notice of acceptance, **20:655.33**
 notice of deficiency, **20:655.31**
 prevailing wage rates to be used
 determinations, **20:655.10(b)**
 employer-provided survey,
20:655.10(f)
 procedures, **8:214.2(h)(6)(iii)**
 purpose of regulations, **20:655.1**
 reimbursement as condition to approval
 of future H-2B petitions,
8:214.2(h)(6)(i)(D)
 requirements for admission, extension,
 and maintenance of status,
8:214.2(h)(6)
 revocation, **20:655.72**
 revocation of petition, effect,
8:214.2(h)(6)(i)(C)
 scope of regulations, **20:655.1**
 supporting documentation,
8:214.2(h)(6)(vi)
 temporary employment certification
 applications
 amendments, **20:655.35**
 modification, **20:655.32**
 processing, **20:655.30**
 withdrawal, **20:655.62**
 job orders
 amendments, **20:655.35**
 assurances and contents, **20:655.18**
 modification, **20:655.32**
 processing, **20:655.30**
 temporary need, **20:655.6**
 “temporary services or labor,”
8:214.2(h)(6)(ii)
 intermittent need,
8:214.2(h)(6)(ii)(B)(4)
 one-time occurrence,
8:214.2(h)(6)(ii)(B)(1)
 peakload need, **8:214.2(h)(6)(ii)(B)(3)**
 seasonal need, **8:214.2(h)(6)(ii)(B)(2)**
 transition procedures, **20:655.4**
 transportation costs, liability for,
8:214.2(h)(6)(vi)(E)

H-3 visas (trainees)

See also H visas, generally
 admission, limitations on,
8:214.2(h)(13)(iv)–(v)
 approval of LC or filing of preference
 petition, **8:214.2(h)(16)(ii)**
 classification, described,
8:214.2(h)(1)(ii)(E)
 class of nonimmigrant status, **22:41.12**
 extension of stay, **8:214.2(h)(15)(ii)(D)**
 externs, **8:214.2(h)(7)(i)(A)**
 numerical limitations,
8:214.2(h)(8)(i)(D)
 nurses, eligibility for H-3,
8:214.2(h)(7)(i)(B)
 period of validity, **8:214.2(h)(9)(iii)(C)**
 requirements for admission, extension,
 and maintenance of status,
8:214.2(h)(7)
 special education exchange visitor pro-
 gram, **8:214.2(h)(7)(iv)**
 trainee, defined, **22:41.53(e)**

H-4 visas (dependents),

8:214.2(h)(9)(iv)
 class of nonimmigrant status, **22:41.12**
 employment authorization,
8:274a.12(c)(26)

Habeas corpus

Criminal Division, DOJ, role,
28:0.55(i)

Habitual residence

territories and possessions of U.S.,
8:214.7

Hague Convention on Protection of Children & Cooperation in Respect of Intercountry Adoption.
See Adoption**Hague Convention on the Civil Aspects of International Child Abduction**
visa exception for child otherwise ineligible, **22:40.103****Haitian Refugee Immigrant Fairness Act of 1998 (HRIFA)**

adjudication of applications,
8:245.15(o)–(p), **1245.15(o)–(p)**
 applications, **8:245.15(f)–(h)**,
1245.15(f)–(h)
 approval of applications, **8:245.15(q)**,
1245.15(q)
 continuity of presence in U.S. since
 Dec. 31, 1995, **8:245.15(j)**,
1245.15(j)
 definitions, **8:245.15(a)**, **1245.15(a)**
 dependents, eligibility of, **8:245.15(d)**,
1245.15(d)
 eligibility, **8:245.15(c)**, **1245.15(c)**
 employment authorization, **8:245.15(n)**,
1245.15(n)
 evidence, **8:245.15(k)–(m)**,
1245.15(k)–(m)
 grounds of inadmissibility, **8:245.15(e)**,
1245.15(e)

Haitians, adjustment for, **8:245.15**,
1245.15
 IJ action upon referral of decision,
8:245.15(s), **1245.15(s)**
 judicial review of HRIFA adjustment
 of status determinations,
8:245.15(v), **1245.15(v)**
 presence in U.S. on Dec. 31, 1995,
8:245.15(i), **1245.15(i)**
 review of denied applications,
8:245.15(r), **1245.15(r)**
 tolling of physical presence,
8:245.15(u), **1245.15(u)**

Haitians

adjustment under HRIFA, **8:245.15**,
1245.15
 entrant program, **45:401.1–401.12**
 parole of, **8:212.5(h)**
 refugee cash assistance, **45:400.62**

Hardship

See also Extreme hardship
 exchange visitors, waiver of two-year
 home-country physical presence
 requirement, **22:41.63(b)–(g)**

Hazardous cargo

D visas, **20:655.500(a)(2)**

Heads of state

diplomatic visas, **22:41.26(c)(1)**

Health-care workers

See also Nurses; Physical therapists;
 Physicians
 labor certification for visas, **22:40.53**

Health insurance

exchange program visitors, **22:62.14**
 international exchange program grant
 participants, **22:63.9(a)**

Health professionals

adjustment of status. *See* Adjustment of
 status
 certification, **8:212.15**, **214.1(i)**, **1212.15**
 change of nonimmigrant status to work
 as, **8:248.3(i)**
 extension of stay and change of status,
8:214.1(j)
 nurses. *See* H-1A visas; H-1C visas; H-3
 visas; Schedule A (labor certifica-
 tion)
 physicians. *See* Physicians
 TN visas, **8:214.1(i)(2)**

Health Professional Shortage Areas.

See H-1C visas; Medically under-
 served areas

Herding

H-2A visas. *See* H-2A visas (temporary
 agricultural workers)

High-tech industry. *See* H-1B visas**Higher-education institutions.** *See* Col-
leges and universities; F visas; J visas;
Professors**HIV.** *See* AIDS/HIV

Homeland Security Department (DHS)

access to records. *See* Access to records applications, petitions, and other documents, **8:103.2–103.10**

attorneys. *See* Attorneys and representatives

authority of immigration officers, **8:287.5**

authority of Secretary, **8:2.1**

authority to administer naturalization oaths and conduct examinations and hearings. *See* Naturalization

border patrol sector HQs and stations, **8:100.4(c)**

certification of case to other officials, **8:103.4, 1103.4**

Chief Security Officer, **6:7.10**

classified national security information, **6:7**. *See also* Classified national security information (DHS)

disclosure of information in litigation, **6:5**

definitions, **6:5.41**

expert or opinion testimony, prohibited, **6:5.49**

Headquarters to which requests should be sent, **6:5(Appx. A)**

purpose and scope of regulations, **6:5.41**

service of subpoenas, court orders, and other demands or requests for official information or action, **6:5.43**

service of summonses and complaints, **6:5.42**

testimony and production of documents, **6:5.45**

adverse ruling procedure, **6:5.47**

approval required, **6:5.44**

considerations to determine whether to comply, **6:5.48**

procedure when response required prior to receiving instructions, **6:5.46**

enforcement standards, **8:287.8**

expedited internal review process, **8:287.10**

scope, **8:287.12**

search warrants and firearms policies, **8:287.9**

Fees. *See* Fees

FOIA procedures, **19:103.2**

organization of department, **8:100.1**

ports of entry, **8:100.4(a)–(b)**

Privacy Act procedures, **19:103.2**

records systems, FOIA exceptions. *See* Freedom of Information Act

regulations, structure of CFR, **8:100.5**

requests for information for matters handled by CBP, ICE, or USCIS, **8:100.3**. *See also* Freedom of Information Act (FOIA)

security officer/security liaison of DHS components, **6:7.11**

Hong Kong

U.S. Consulate General employees given employment-based preference, **22:42.32(c)(7)(D), 42.34(c)(8)(ii)**

Hospitals

nurses. *See* Nurses

physicians. *See* Physicians

Host families

for *au pairs*, **22:62.31(h)–(i)**

for secondary school students, **22:62.25(j)–(m), 62(Appx. F)**

Host organizations and employers

exchange programs, **22:62.32(o)**

obligations for trainees and interns, **22:62.22(h)**

Hot pursuit

immigration officers seeking to apprehend fleeing suspects, **8:287.8(e)**

Hours of Service Act

actions under, **28:0.55(d)**

Household workers

Generally, *See* Domestic workers

au pairs. *See* *Au pairs*

temporary H-2B workers. *See* H-2B nonagricultural workers

Hungarian parolees

adjustment of status. *See* Adjustment of status

I

I visas (information media representatives)

change of status, **8:214.2(i)(3)**

Chinese nationals, **8:214.2(i)(1)(ii), 214.2(i)(4)**

class of nonimmigrant status, **22:41.12**

employment authorization, **8:274a.12(b)(10)**

information media representative, **22:41.52(b)**

requirements for admission, extension, and maintenance of status, **8:214.2(i)**

Identification cards. See Driver's licenses and identification cards**Illegal entrants and immigration violators**

Generally, **22:40.61–40.68**

aliens present without admission or parole, **22:40.61**

bar for aliens unlawfully present, **22:40.92, 40.93**

Displaced Persons Act, exception for misrepresentation, **22:40.63(b)**

failure to attend removal proceedings, **22:40.62**

falsely claiming citizenship, **22:40.63**

fraud or misrepresentation, **22:40.63**

refugee exception for misrepresentation or fraud, **22:40.63(a)**

smugglers, **22:40.65**

stowaways, **22:40.64**

student visa abusers, **22:40.67**

Immediate relatives. See Family-sponsored immigration**Immigrant Investor Pilot Program. See** EB-5 visas**Immigrant visas. See** Visas**Immigrants**

See also Lawful permanent residents (LPRs); Visas; *specific headings*

adjustment of status. *See* Adjustment of status

immigrant visa petitions, generally, **8:204.1–204.13**

revocation of approval, **8:205.1–205.2, 1205.1–1205.2**

labor certification. *See* Labor certification (LC)

Immigration and Customs Enforcement (ICE). See Homeland Security Department (DHS)**Immigration and Naturalization Act (INA)**

actions under, **28:0.55(d), 0.55(f)**

INS enforcement of, **28:0.105(a)**

Immigration and Naturalization Service (INS)

See also Homeland Security Department (DHS)

Convention between U.S. and Greece, implementation of, **28:0.110**

expenses of unforeseen emergencies, certificates for, **28:0.106**

general functions, **8:0.105**

Iron Curtain countries visit-exchange, **28:0.107**

redelegation of authority, **28:0.108**

Treaty of Friendship and General Relations between U.S. and Spain, implementation of, **28:0.109**

Immigration Emergency Fund

Generally, **28:65.80–65.85**

Immigration judges (IJs) and immigration courts

appointment, powers, and duties of IJs, **8:1003.10**

attorney discipline. *See* Attorneys and representatives

recusal, **8:1240.1(b)**

removal proceedings, IJ authority, **8:1240.1**

rules of procedure, **8:1003.12–1003.47**

§212(c) relief, special motions to seek, **8:1003.44**

in absentia hearings, **8:1003.26**

additional charges in removal hearings, **8:1003.30**

appeals to BIA. *See* Board of Immigration Appeals

biometrics, **8:1003.47(d)**

change of address, **8:1003.15**

change of venue, **8:1003.20**

- continuances, **8:1003.29**
for completion of investigation or examinations, **8:1003.47(f)**
custody/bond, **8:1003.19**
decisions, **8:1003.37**
definitions, **8:1003.13**
depositions and subpoenas, **8:1003.35**
evidence of criminal conviction, **8:1003.41**
fees, **8:1003.24**
filing documents, **8:1003.31–1003.33**
finality of decisions, **8:1003.39**
form of proceeding, **8:1003.25**
hearing, **8:1240.10**
interpreters and translators, **8:1003.22, 1003.33, 1240.5**
investigations, **8:1003.47**
jurisdiction and commencement of proceedings, **8:1003.14**
local rules, **8:1003.40**
motions to reopen or reconsider, **8:1003.23**
pre-hearing conferences and statements, **8:1003.21**
protective orders, **8:1003.46**
public access to hearings, **8:1003.27**
recording equipment, **8:1003.28**
record of proceeding, **8:1003.36**
representation and appearances, **8:1003.16–1003.17**
scheduling, **8:1003.18**
scope of, **8:1003.12**
show cause orders and NTAs, **8:1003.15**
telephonic or video hearings, **8:1003.25(c)**
voluntary departure, **8:1003.47(j)**
temporary IJs, **8:1003.10(e)**
- Immigration Reform and Control Act of 1986.** *See* IRCA
- Imports.** *See* Trade
- In absentia hearings**
immigration courts, **8:1003.26**
- In camera orders**
unfair employment and unfair employment practices proceedings, **28:68.42**
- INA.** *See* Immigration and Naturalization Act
- In-transit persons**
TWOV, procedures at ports of embarkation, **8:273.3(b)(3)(2)**
visas, **22:41.71**
- INA §212(c) relief**
application for exercise of discretion, **8:212.3, 1212.3**
special motion in immigration court, **8:1003.44**
- INA §245(i).** *See* Adjustment of status
- Inadmissibility.** *See* Admission and admissibility; Expedited removal; Inspection
- Income level**
criminal penalties for providing false information to SSA, **20:422.108**
- Incompetents**
commitment of, DOJ Criminal Division role, **28:0.55(o)**
detention of, **8:236.2, 1236.2**
naturalization of, **8:316.12**
passport applications, **22:51.27**
representation of in removal proceedings, **8:1240.4**
- Inflation adjustment.** *See* Sanctions, penalties, and fines
- Influence and control over job opportunities**
Schedule A occupations, **20:656.17(l)**
- Informants**
See also S visas; Whistleblower protection
immigration visas, **22:41.83**
- Information.** *See* Access to records; Records and information
- Information media representatives**
See also I visas
naturalization of spouse, **8:319.4**
- Injunctions**
unlawful employment, **8:274a.10(c)**
- INS.** *See* Immigration and Naturalization Service
- Inspection**
See also Admission and admissibility
Generally, **8:235, 1235**
deferred inspection, parole for, **8:235.2**
expedited removal. *See* Expedited removal
PORTPASS program, **8:235.7**
preinspection, **8:235.5**
detention, **8:235.3(a)**
in foreign territory, **8:235.5(b)**
outside U.S., **8:233.4**
in U.S. territories and possessions, **8:235.5(a)**
referral to immigration judge, **8:235.6, 1235.6**
severability of provisions relating to inspection, **8:235(c)**
scope of examination, **8:235.1**
site inspections, **8:287.8(f)**
- Institutions of higher education.** *See* Colleges and universities
- Integrated Automatic Fingerprint Identification System (IAFIS),** **6:37.45**
- INTELSAT**
officers and employees, their families and domestic servants, **22:41.24(c)**
- Intercountry Adoption Act of 2000 (IAA).** *See* Adoption
- Interest on bonds**
computation, **8:293.1**
rate, **8:293.2**
time of payment, **8:293.3**
- Interference with federally protected activities**
DOJ Criminal Division role, **28:0.55(t)**
- Interlocutory orders**
unfair employment and unfair employment practices proceedings, **28:68.53**
- International Boundary and Water Commission Treaty**
aliens entering U.S. pursuant to, **22:41.1(f), 53.2(b)(8)**
- International Broadcasting Bureau of U.S. Broadcasting Board of Governors**
special immigrants' petitions, broadcasters, **8:204.13**
- International conference attendees**
admission, **8:212.4(d)**
- International educational and cultural exchange program grants**
Generally, **22:63**
applicability to funding under special circumstances, **22:63.2**
assignment of federal employees to participate, **22:63.6**
definitions, **22:63.1**
to foreign participants to observe, consult, demonstrate special skills, or engage in specialized programs, **22:63.3**
to foreign participants to study, **22:63.5**
to foreign research and teaching participants, **22:63.4**
general administrative provisions, **22:63.9**
insurance for participants, **22:63.9(a)**
transportation of remains of participants, **22:63.9(b)**
to U.S. participants to consult, teach, engage in research, etc., **22:63.7**
to U.S. participants to study, **22:63.8**
- International organization employees**
employment-based preference immigrants, **22:42.32(d)(5)**
nonimmigrant visas, **22:41.24**
- International Organization Immunities Act**
designations, **8:316.20(c)**
- International organizations**
See also G visas; NATO; United Nations
naturalization of employee's spouse, **8:319.5**
- Internships with international organizations**
F-1 students, **8:214.2(f)(9)**
- Interpreters**
deportation (pre-April 1, 1997 hearings), **8:1240.44**

INDEX

immigration courts, **8:1003.33**
removal and removal proceedings,
8:1240.5
selection for naturalization applicant,
8:312.4

Interrogatories
Office of ALJs, **29:18.60**
unfair employment and unfair employ-
ment practices proceedings,
28:68.19

Intervention
unfair immigration-related employment
practices, **28:44.303(e)**, **68.15**
unlawful employment of aliens proceed-
ings, **28:68.15**

Intimidation
unfair immigration-related employment
practices, **28:44.200(a)(2)**

Intracompany transferees. *See* L visas

Investigations
D visas, **20:655.600**, **655.605(a)**
H-1B visas, **20:655.800(b)**
nonaggrieved party alleging violations,
20:655.807
random investigations, **20:655.808**
request for hearing after, **20:655.820**
types of, **20:655.805**
H-1C visas, **20:655.1200(b)**
Administrator's findings, **20:655.1215**
Administrator's responsibility for,
20:655.1205
unfair immigration-related employment
practices, **28:44.302**

Investors. *See* E-1/E-2 visas; EB-5 visas

Iraqi and Afghan special immigrant visas
no application fee, **22:22.1**

IRCA
adjustment of status, applications for,
8:245a.3
nationals of countries for which ex-
tended voluntary departure has
been made available, **8:245a.4**
benefits for aliens found ineligible under
LIFE Act, **8:245a.6**
confidentiality, **8:245a.2(t)**
declaration of intending citizen,
8:245a.2(w)
definitions, **8:245a.1**
legalization, **8:245a.1–245a.6**
public benefits, disqualification from re-
ceiving, **8:245a.5**
temporary residence
applications for, **8:245a.2**
termination of status, **8:245a.2(u)**

**Irish Peace Process Cultural and
Training Program Act (IPPCTPA).**
See Q visas

Iron Curtain countries
exchange programs, INS role, **28:0.107**

Israel-only endorsement
on passports, **22:51.63**

J

J visas & exchange visitor program

Generally, **22:62**
admission and readmission,
8:214.2(j)(1)(i)–(iii)
annual reports, **22:62.15**
appeals
of sanctions, **22:62.50(g)–(h)**
of program suspension, **22:62.50(g)–(h)**
applications procedure, **22:62.5**
au pairs, **22:62.31**
camp counselors, **22:62.30**
canceled programs, **8:214.2(j)(3)**
categories of participant eligibility,
22:62.4
change in ownership or control,
22:62.60(e)
change of category, **22:62.41**
class of nonimmigrant status, **22:41.12**
clinical exchange programs for physi-
cians, **22:62.27(b)**
college and university students, **22:62.23**
compensation
au pairs, **22:62.31(j)**
camp counselors, **22:62.30(f)**
summer work travel, **22:62.32(i)**
computation of time for, **22:62.50(j)**
cross-cultural activities, **22:62.8(d)**
short-term scholars, **22:62.21(e)**
cultural exchange, **22:62.32(f)**
definitions, **22:62.2**
designation as sponsor, **22:62.6**
duration of program, **22:62.8(b)**
EduCare program for *au pairs*, **22:62.31**
educational and cultural exchange pro-
grams. *See* International educational
and cultural exchange program grants
educational component for *au pairs*,
22:62.31(k)
educational privacy, **8:214.1(h)**
employment and compensation,
22:62.16
employment authorization,
8:274a.12(b)(11), **274a.12(c)(5)**
spouses and children, **8:214.2(j)(1)(v)**
extension of duration of status,
8:214.2(j)(1)(vi)
extension of program participation,
22:62.43
extensions of stay, **8:214.2(j)(1)(iv)**
fees and charges, **22:62.17**
financial responsibility of sponsors,
22:62.9(e)
Form DS-2019, **22:62.10(d)**, **62.11(e)**,
62.12
government visitors, **22:62.29(f)**
international visitors, **22:62.28(e)**
specialists, **22:62.26(g)**
former exchange visitor, intracompany
transferees (executives, managers,
and specialists), **22:41.54(f)**
government visitors, **22:62.29**

J visas & exchange visitor program

graduate medical education or training,
8:214.2(j)(1)(B)(viii)(2)
host employers, **22:62.32(o)**
host families
for *au pairs*, **22:62.31(h)–(i)**
for secondary school students,
22:62.25(j)–(m), **62(Appx. F)**
host organization obligations for trainees
and interns, **22:62.22(h)**
information furnished to Department of
State, **22:62.10(f)**
insurance of visitors, **22:62.14**
internal controls, **22:62.32(k)**
international visitors, **22:62.28**
Iron Curtain countries, INS role,
28:0.107
medical students. *See this heading:* physi-
cians and medical students
monitoring of exchange visitors,
22:62.10(e)
au pairs, **22:62.31(l)**
summer work travel, **22:62.32(j)**
nonclinical exchange programs for phy-
sicians, **22:62.27(c)**
notification requirements, **22:62.13**
obligations of sponsors, **22:62.9**
occupational trainees, **22:62.22**
orientation
of exchange visitors, **22:62.10(c)**
of summer work travel, **22:62.32(e)**
participant placement, **22:62.32(g)**
physicians and medical students,
8:214.2(j)(4); **22:62.27**
pre-arrival information for exchange
visitors, **22:62.10(b)**
preventive medicine programs for phy-
sicians, **22:62.27(d)**
professors, **22:62.20**
program administration, **22:62.10**
public health programs for physicians,
22:62.27(d)
purpose of regulations, **22:62.1**
Q visas. *See* Q visas
readmission to complete unexpired peri-
ods of previous visits, **8:214.1(b)**
reciprocity, **22:62.8(c)**
recordkeeping requirements,
22:62.10(g)
redesignation
application, denial of, **22:62.50(e)**
as sponsor, **22:62.7**
reinstatement to valid program status,
22:62.45
requirements for admission, extension,
and maintenance of status,
8:214.2(j)
research scholars, **22:62.20**
responsible officer's duties, **22:62.11**
revocation of designation, **22:62.50(d)**,
62.61
responsibilities of sponsor upon,
22:62.63
sanctions, **22:62.50**
for *au pair* sponsors, **22:62.31(n)**

secondary school students, 22:62.25
 selection of visitors, 22:62.10(a)
au pairs, 22:62.31(d)
 camp counselors, 22:62.30(c)
 college and university students, 22:62.23
 government visitors, 22:62.29(c)
 international visitors, 22:62.28(b)
 secondary school students, 22:62.25(e)
 specialists, 22:62.26(e)
 summer work travel, 22:62.32(d)
 teachers, 22:62.24(e)
 trainees and interns, 22:62.22(d)
 service of notice, 22:62.50(j)
 SEVIS. *See* SEVIS
 short-term scholars, 22:62.21
 size of program, 22:62.8(a)
 specialists, 22:62.26
 sponsors
 eligibility, 22:62.3
 trainees and interns, 22:62.22(f)
 student employment
 college and university students, 22:62.23(g)
 secondary school students, 22:62.25(i)
 summer work travel, 22:62.32
 suspension of program, 22:62.50(i)
 teachers, 22:62.24
 termination of designation, 22:62.60, 62.62
 responsibilities of sponsor upon, 22:62.63
 termination of participation, 22:62.40
 third parties
 summer work travel, 22:62.32(l)
 training program conducted by, 22:62.22(g)
 vetting, 22:62.32(m)–(n)
 trainees and interns, 22:62.22
 certificate of eligibility of J-1 status, 22:62.22(m)
 unskilled occupations, 22:62 (Appx. E)
 transfer from one program to another, 22:62.42
 two-year home-country physical presence requirement, 22:41.63
 waiver, 45:50.1–50.8
 health care service waiver, 45:50.5
 personal hardship and persecution, 45:50.7
 research waiver, 45:50.4
 submission of application to HHS, 45:50.6
 violations or infractions by visitors, 22:62.45
 voluntary termination, 22:62.60(a)
 waiver of inadmissibility grounds, documentary requirements, 8:212.7(c), 1212.7(c)

Japanese citizens

admission, 8:101.1(e), 1101.1(e)
 renunciation of U.S. nationality, 8:349.1

Journalists. *See* I visas

Judicial assistance services

DOS fees, 22:22.1

Judicial proceedings

certificate of nationality for person to establish U.S. nationality, 22:50.10

Judicial review. *See* Appeal and review

Jurisdiction

DOJ Criminal Division, exclusive or concurrent jurisdiction, 28:0.56

DOJ disagreements, 28:0.195–0.197 of INS, 28:0.105(e)

unfair employment and unfair employment practices proceedings, 28:68.39(b)

Justice Department (DOJ)

alien terrorist removal procedures, 28:200

eligibility for protection under CAT, 28:200.1

aviation training for aliens, 28:105.10–105.14. *See also* Aviation training for aliens

BIA. *See* Board of Immigration Appeals
 Civil Rights Division, 28:0.50–0.53

certifications under 18 U.S.C. § 3503, 28:0.52

general functions of, 28:0.50

Immigrant and Employee Rights Section, 28:0.53

leadership and coordination of nondiscrimination laws, 28:0.51

Special Counsel for Immigration-Related Unfair Employment Practices, 28:0.53

Criminal Division, 28:0.55 to 0.64-6

aliens, admission and naturalization of, 28:0.63

delegations of authority, 28:0 (Appx. to Part 0, Subpart K)

denial of info. requests, 28:0 (Appx. to Part 0, Subpart K)

exclusive or concurrent jurisdiction, 28:0.56

foreign-government data, designated authority on access to, 28:0.64-6

general functions of, 28:0.55

juvenile prosecutions, 28:0.57

law enforcement officers (state or local) killed or injured when apprehending persons suspected of federal crimes, duties as to, 28:0.58

organized crime depositions. *See* Organized crime, *subhead*: certifications under 18 USC §3503

temporary transfers, in custody of prisoner-witnesses from foreign country to U.S. to testify in federal or state criminal proceedings, 28:0.64-4

Tick Inspectors of Agriculture Dep't allowed to carry and use firearms, 28:0.64-3

transfer of offenders to or from foreign countries, 28:0.64-2

treaties and executive agreements on mutual assistance in criminal matters, role, 28:0.64-1

emergency federal law enforcement assistance, 28:65

EOIR. *See* Executive Office for Immigration Review

H-1B visas, role, 20:655.705(b)

H-1C visas, role, 20:655.1101(a)

Immigration Emergency Fund, 28:65.80–65.85

assistance required by Attorney General, 28:65.83

Attorney General's procedures when seeking state or local assistance, 28:65.84

definitions, 28:65.81

procedure for requesting Presidential determination of immigration emergency, 28:65.82

purpose of regulations, 28:65.80

State or local governments applying for funding, 28:65.85

INS. *See* Homeland Security Department (DHS); Immigration and Naturalization Service

jurisdictional disagreements, 28:0.195–0.197

criminal proceedings or investigations promising nondeportation or other immigration benefits, 28:0.197

mail or case assignment disagreements, procedures for resolving, 28:0.196

procedure, 28:0.195

Office of Chief Administrative Hearing Officer, 28:0.118

Office of Community Oriented Policing Services, 28:0.119–0.121

Office of Federal Detention Trustee, 28:0.123

Office on Violence Against Women, 28:0.122

security risk assessments, 28:105. *See also* National security

Trafficking Victims Protection Act, inter-agency coordination, 22:104.1–104.2; 28:1100.25–1100.37

unfair immigration-related employment practices, 28:44. *See also* Employment

unlawful employment practices proceedings, 28:68. *See also* Employment

Justices of highest national courts

diplomatic visas, 22:41.26(c)(1)

official visas, 22:41.27(c)(1)

Juvenile court dependents

special immigrant status,

22:42.32(d)(6)

Juvenile delinquency and crimes

moral turpitude involved,

22:40.21(a)(2)

multiple criminal convictions, 22:40.22(a)
 prosecutions by DOJ Criminal Division, 28:0.57
 questions arising as to, DOJ Criminal Division role, 28:0.55(o)
Juveniles. *See* Children and minors; Special immigrant juveniles

K

K visas (fiancé(e)s and spouses awaiting immigrant visas)
 adjustment of status, 8:214.2(k)(6), 245.1(i), 1245.1(i)
 children of beneficiary, 8:214.2(k)(3)
 class of nonimmigrant status, 22:41.12
 documentary requirements, 8:212.1(h), 1212.1(h)
 eligibility, petition, and supporting documents for K-3s and K-4s, 8:214.2(k)(7)
 employment authorization, 8:214.2(k)(9), 274a.12(a)(6)
 extension of stay for K-3s and K-4s, 8:214.2(k)(10)
 fiancés, 22:41.2(j)
 notification, 8:214.2(k)(4)
 period of admission for K-3s and K-4s, 8:214.2(k)(8)
 petition and supporting documents, 8:214.2(k)(1)
 petitioner and K-1 beneficiary to have met, 8:214.2(k)(2)
 reapplication for admission after removal, 8:212.2(c), 1212.2(c)
 termination of status for K-3s and K-4s, 8:214.2(k)(11)
 validity of approval, 8:214.2(k)(5)

L

L visas (intracompany transferees)
 admission, 8:214.2(l)(1), 214.2(l)(11)
 amended petitions, 8:214.2(l)(7)(i)(C)
 appeal of denial or revocation, 8:214.2(l)(10)
 approval of petitions, 8:214.2(l)(7)
 spouses and dependents, 8:214.2(l)(7)(ii)
 blanket petitions, 8:214.2(l)(4)
 approval of petitions, 8:214.2(l)(7)(i)(B)
 Canadians, 8:214.2(l)(17)
 certification and admission procedures, 8:214.2(l)(5)
 denial of petitions, 8:214.2(l)(8)(ii)
 extension of validity, 8:214.2(l)(14)(iii)
 fees, 22:22.1
 use of Forms I-797 and I-129S, 8:214.2(l)(13)(ii)
 Canadians

blanket petitions under NAFTA, 8:214.2(l)(7)
 labor disputes, denial of status, 8:214.2(l)(18)
 class of nonimmigrant status, 22:41.12
 copies of supporting documents, 8:214.2(l)(6)
 definitions, 8:214.2(l)(1)(ii)
 denial of petitions, 8:214.2(l)(8)
 effect of filing or approval of LC, preference petition, or adjustment application, 8:214.2(l)(16)
 employment authorization, 8:274a.12(b)(12)
 evidence for individual petitions, 8:214.2(l)(3)
 executives, managers, and specialists, 22:41.54
 extension of stay, 8:214.2(l)(15)
 extension of validity, 8:214.2(l)(14)
 filing of petitions, 8:214.2(l)(2)
 Forms I-797 and I-129S, use of at port of entry, 8:214.2(l)(13)
 intracompany transferees (executives, managers, and specialists), 22:41.54
 limitation on period of stay, 8:214.2(l)(12)
 Mexicans, labor disputes, denial of status, 8:214.2(l)(18)
 period of stay, limitations, 8:214.2(l)(13)
 revocation of approval, 8:214.2(l)(9)
 strike or labor dispute, effect of, 22:41.54(d)

Labor certification (LC)

See also specific visa types
 Generally, 20:656, 656.10
 agricultural workers. *See* H-2A visas
 alien influence and control over job opportunity, 20:656.17(l)
 applicability, 8:1212.8
 attestations, 20:656.10(c)
 audit procedures, 20:656.20
 burden of proof upon applicant, 20:656.2(b)
 criminal indictment or information naming employer or agent, 20:656.31(c)
 debarment, 20:656.31(f)
 definitions, 20:656.3
 determination of need for alien's labor skills, 22:40.51(b)
 determinations of, 20:656.24
 DOL role, 20:656.2(c)
 domestic workers, 20:656.19
 filing instructions, 20:656.10(a)
 fraud or misrepresentation, 20:656.31
 health-care workers, 22:40.53
 improper commerce and payment, 20:656.12
 INA, description of, 20:656.2(a)
 invalidation, 20:656.30
 Northern Mariana Islands, employment in (CW-1), *see* Northern Mariana Islands (CNMI)
 nurses, 22:40.53

performing arts, exceptional ability in, 20:656.5(b)(2)
 physical therapists, 20:656.5(a)(1)
 prevailing wage. *See* Prevailing wage determinations
 professional nurses, 20:656.5(a)(2)
 purpose of regulations, 20:656.1
 recruitment
 advertising requirements, 20:656.17(f), 656.21
 college and university teachers, 20:656.18
 conditions of employment, 20:656.17(j)
 job duties and requirements, 20:656.17(h)
 layoffs, 20:656.17(k)
 minimum job requirements, 20:656.17(i)
 pre-filing recruitment, 20:656.17(e)
 report, 20:656.17(g)
 supervised, 20:656.21
 refiling procedures, 20:656.17(d)
 representation, 20:656.10(b)
 revocation, 20:656.32
 Schedule A, 20:656.5. *See also* Schedule A
 science or arts, exceptional ability in, 20:656.5(b)
 sciences and arts, exceptional ability in, 20:656.5(b)
 scope of regulations, 20:656.1
 shepherders, 20:656.16
 spouse or children, certification not required, 22:40.51(c)
 substitutions and modifications to applications, 20:656.11
 supervised recruitment, 20:656.21
 temporary workers. *See* H-1A visas; H-2A visas; H-2B visas
 unqualified physicians, 22:40.52
 validity, 20:656.30
 for visas, 22:40.51–40.53
 determination of need for alien's labor skills, 22:40.51(b)
 no adverse effect on wages and conditions of similarly employed U.S. workers, 22:40.51(b)(2)
 no U.S. workers available, 22:40.51(b)(1)
 sciences and arts, exceptional ability in, 22:40.51(b)(1)
 teaching profession, 22:40.51(b)(1)

Labor condition applications (LCAs)

E-3 visas. *See* E-3 visas
 H-1B visas, 20:655.700(b), 655.705(c)(1)
 actions taken on, 20:655.740(a)
 attestations in, 20:655.730(d)
 authorized deductions, 20:655.731(e)(9)
 benefits and benefits provided as compensation for services, 20:655.731(c)(3)–(c)(6)

burden of proof on employer, **20:655.740(c)**
 cash wages paid, **20:655.731(c)(2)**
 change in corporate structure or identity of employer, **20:655.730(e)**
 filing process, **20:655.730**
 labor dispute not in issue, **20:655.732**
 nonproductive status wage obligation, **20:655.731(c)(7)**
 notice requirement, **20:655.734**
 prevailing wage determination, **20:655.731(a)**
 withdrawal of certified applications, **20:655.750(b)**
 working conditions requirement, **20:655.732**
 H-1B1 visas, **20:655.700(b)(3) & (c), 655.730**

Labor Department (DOL)

Employment and Training Administration. *See* Employment and Training Administration
 H-1B visas, role, **20:655.705(a)**
 H-1C visas, role, **20:655.1101(a)**
 permanent employment of aliens, labor certification for, **20:656.2(c)**

Labor disputes

effect on D visas, **20:655.510(e)**
 effect on F visas, **8:214.2(f)(14)**
 effect on H visas, **8:214.2(h)(17)**
 effect on H-1B visas, **20:655.733**
 effect on H-1C visas, **20:655.1115**
 effect on L visas, **22:41.54(d)**
 effect on O visas, **8:214.2(o)(14)**
 effect on P visas, **8:214.2(p)(16)**
 effect on TN visas, **8:214.6(k)**
 intracompany transferees, denial of status to Canadians and Mexicans in case of labor disputes, **8:214.2(l)(18)**
 professionals under NAFTA, **22:41.59(d)**

Labor-Management Reporting and Disclosure Act of 1959

criminal actions under, **28:0.55(l)**

Laotians

adjustment of status, **8:245.21, 1245.21**

Law enforcement officers

emergency federal law enforcement assistance, **28:65**
 state or local officers killed or injured when apprehending persons suspected of federal crimes, **28:0.58**

Lawful permanent residents (LPRs)

adjustment of status. *See* Adjustment of status
 application for creation of permanent record, **8:264.2**
 Canadian-born American Indians. *See* American Indians
 children or LPRs. *See* V visas
 conditional permanent residents, **8:216, 1216.1–1216.6**

admission of conditional residents, **8:235.11, 1235.11**
 condition to remove conditional status, termination of status, **8:216.3, 1216.3**
 definition, **8:216.1**
 notification requirements, **8:216.2, 1216.2**
 petition to remove conditional status
 EB-5 entrepreneurs, **8:216.6, 1216.6**
 marriage-based petitions, **8:216.4, 216.5, 1216.4, 1216.5**
 diplomats, persons born to, **8:101.3, 1101.3**
 employment authorization, **8:274a.12(c)(16)**
 green cards. *See* Permanent Resident Cards
 immigrant documentation
 passports not required for, **22:42.2(b)**
 passports not required for relatives of, **22:42.2(c)**
 immigrant visas not required, **22:42.1(a)**
 medical examinations, **8:232.2**
 registration procedure, **8:101.4, 1101.4**
 removal proceedings, IJ authority to grant respondent LPR status, **8:1240.11(a), 1240.49(a)**
 spouses of LPRs. *See* V visas
 transportation letter for, DOS fees, **22:22.1**
 V visas for spouses and children of, **22:41.86**

“**Lawfully present**”. *See* Unlawful presence

Layoffs

Schedule A occupations, **20:656.17(k)**

Legal assistance

unfair employment and unfair employment practices proceedings, **28:68.34**

Legal Immigration Family Equity Act.

See LIFE Act and LIFE Act Amendments

Legal service providers. *See* Attorneys and representatives

Legalization. *See* Family Unity Program; IRCA; LIFE Act and LIFE Act Amendments

Legislative members of foreign countries

diplomatic visas, **22:41.26(c)(1)**
 official visas, **22:41.27(c)(1)**

Letters of determination

unfair immigration-related employment practices, **28:44.303**

Letters rogatory

DOS processing fees, **22:22.1**

Libyans

restrictions on available benefits, **8:214.5**

LIFE Act and LIFE Act Amendments

See also V visas

employment authorization, **8:274a.12(c)(24)**
 family unity provisions of LIFE Act Amendments, **8:245a.30–245a.37**
 eligibility, **8:245a.31, 245a.32**
 employment eligibility, **8:245a.34**
 filing, **8:245a.33**
 motions to reopen cancellation of removal, **8:1003.43**
 period of unauthorized stay, **8:245a.34**
 removal, protection from, **8:245a.34**
 termination of family unity benefits, **8:245a.37**
 travel outside U.S., **8:245a.35**
 legalization under LIFE Act, **8:245a.10–245a.22**
 citizenship skills, **8:245a.17**
 class membership in CSS, LULAC, and Zambrano lawsuits, **8:245a.14**
 confidentiality, **8:245a.21**
 continuous physical presence, **8:245a.16**
 continuous residence in unlawful status, **8:245a.15**
 decisions, appeals, motions, and certifications, **8:245a.20**
 definitions, **8:245a.10**
 eligibility to adjust status, **8:245a.11**
 filing and application procedures, **8:245a.12, 245a.13**
 inadmissibility grounds, **8:245a.18**
 interviews, **8:245a.19**
 IRCA benefits for aliens found ineligible under LIFE Act, **8:245a.6**
 rescission, **8:245a.22**
 stay of final order of exclusion, deportation, or removal, **8:245a.13(f)**
 travel, **8:245a.13(e)**

Liquor

laws relating to, enforcement, **28:0.55(d)**
 offers in compromise and tax liability relating to, **28:0.55(e)**

Literacy requirements. *See* English-language requirements

Livestock

H-2A visas. *See* H-2A visas (temporary agricultural workers)

Local government assistance

Immigration Emergency Fund
 Attorney General’s procedures when seeking State or local assistance, **28:65.84**
 State or local governments applying for funding, **28:65.85**

Lockouts. *See* Labor disputes

Locomotive inspection

laws relating to, enforcement, **28:0.55(d)**

Longshore work

performed by alien crewmembers, **20:655.500–655.550.** *See also* D visas

INDEX

Loss of nationality. *See* Citizenship and nationality

LULAC class action

class membership, **8:245a.14.** *See also* LIFE Act and LIFE Act Amendments

M

M visas (vocational students)

admission, **8:214.2(m)(1)**
approval of schools for enrollment, **8:214.3.** *See also* Colleges and universities; Schools, primary and secondary
border commuter students, **8:214.2(m)(19)**
change of name or address, **8:214.2(m)(18)**
class of nonimmigrant status, **22:41.12**
designated school officials (DSOs), **8:214.3(l)**
educational objective, change in, **8:214.2(m)(12)**
educational privacy, **8:214.1(h)**
employment, **8:214.2(m)(13)**
employment authorization, **8:274a.12(c)(6)**
extension of stay, **8:214.2(m)(10)**
fees. *See* Fees
Form I-20 ID copy, **8:214.2(m)(2)**
full course of study, **8:214.2(m)(9)**
Libyans, restrictions on availability of visas, **8:214.5**
online course and distance education, **8:214.2(m)(9)(v)**
period of stay, **8:214.2(m)(5)**
practical training, **8:214.2(m)(14)–(15)**
readmission to complete unexpired periods of previous visits, **8:214.1(b)**
reinstatement to student status, **8:214.2(m)(16)**
school transfer, **8:214.2(m)(11)**
SEVIS. *See* SEVIS
spouse and children, **8:214.2(m)(17)**
admission of, **8:214.2(m)(3)**
temporary absences, **8:214.2(m)(4)**
vocational students (M-1 visas), **22:41.61**

Machine-readable documents

border crossing cards. *See* Border crossing cards (BCCs)

Mail handling

disagreements involving, DOJ procedures for resolving, **28:0.196**

Managers

multinational executives and managers (EB-1C/EB-1-3), **8:204.5(j)**

Manifests, arrival and departure. *See*

Common carriers

Marinel Cubans. *See* Cuba

Marine radio licenses

DOS fees, **22:22.1**

Marriage

child's marital status for valid immigrant visa, **22:42.72(d)**
immigrant petitions by spouses. *See* Family-sponsored immigration
naturalization of spouses of citizens. *See* Naturalization
of U.S. citizens abroad, documents originally issued by U.S. embassy or consulate, fees, **22:22.1**
women who have lost U.S. citizenship by now-terminated marriage, **8:324.3**

Marshall Islands. *See* Territories and possessions of U.S.

Media representatives. *See* I visas

Medicaid

Cuban/Haitian entrant medical assistance, **45:401.12**
refugee medical assistance, **45:400.90–400.107**

Medical conditions

AIDS/HIV, **8:212.4(f)**, **1212.4(f)**
inadmissibility. *See* Admission and admissibility

Medical examinations

adjustment of status, **8:245.5**, **1245.5**
applicability of regulations, **42:34.1**
arriving aliens, **8:232.3**
convening of review boards, **42:34.8**
death of alien, **42:34.7**
definitions, **42:34.2**
detention of aliens, **8:232.1–232.3**
expert witnesses, **42:34.8**
foreign quarantine regulations
applicability, **42:34.6**
health measures at POEs, **42:71.29–71.40**

immigrant visa applicants, **22:42.66**
medical and other care, **42:34.7**
sexual abuse and harassment of unaccompanied children, **45:411.91–411.93**

medical notifications, **42:34.4**
nonimmigrant visa applications, **22:41.108**

Office of Administrative Law Judges, **29:18.62**

postponement of medical examination, **42:34.5**

reexamination, **42:34.8**
refugees, **8:207.2(b)**
state required screenings, **45:400.107**
reports, **42:34.8**

scope of examinations, **42:34.3**
sexual abuse and harassment of unaccompanied children, **45:411.21**

Medical ineligibility

for visas, **22:40.11**

Motions in ALJ proceedings

Medically underserved areas

H-1C nurses. *See* H-1C visas
national interest waivers. *See* EB-2 visas
physician as exchange visitor seeking waiver of two-year home-country presence requirement, **22:41.63(c)(4)**
physicians. *See* Physicians

Mental examinations

See also Medical examinations
detention of aliens, **8:232.1–232.3**
Office of Administrative Law Judges, **29:18.62**
sexual abuse and harassment of unaccompanied children, **45:411.91–411.93**

Merchant mariner document (MMD)

scope of examination at port of entry, **8:235.1(b)(2)**

Mergers

H-1B visas, **20:655.730(e)**

Mexico

border crossing cards (BCCs), **8:212.6**, **1212.6**; **22:41.2(f)**
documentary requirements for nonimmigrants, **8:212.1(c)**, **1212.1(c)**
documentation of nonimmigrants, waiver for special circumstances, **22:41.3(a)**
entry documentation, **22:41.2(f)**

Micronesia. *See* Territories and possessions of U.S.

Military. *See* Armed Forces of the U.S.

Military expatriates

immigrant visas, **22:42.23(b)**

Minors. *See* Children and minors

Misrepresentation. *See* Fraud and misrepresentation

Mongolia

military members of, no visa or passport waiver for, **22:41.3(e)**

Motions in ALJ proceedings

Office of ALJs, **29:18.33**
amendment after referral, **29:18.36**
consent findings, **29:18.70(c)**
decision and order, **29:18.70(d)**
to dismiss, **29:18.70(c)**
disposition without hearing, **29:18.70**
opening of record, **29:18.90(b)**
post-hearing procedures, **29:18.90(c)**
reconsideration, **29:18.92**
to remand, **29:18.70(b)**, **18.94(c)**
representations, **29:18.35(b)**
ruling barred by pending petition for relief, **29:18.94**
sanctions, **29:18.35(c)**
service of process, **29:18.30**
signatures, **29:18.35(a)**
unfair employment and unfair employment practices proceedings, **28:68.11**
compel response to discovery, **28:68.23**

dismissal for failure to state a claim upon which relief can be granted, 28:68.10
summary decision, 28:68.38

Multinational executives or managers.
See Executives or managers

N

N visas (parents and children of special immigrants)

class of nonimmigrant status, 22:41.12
employment authorization, 8:274a.12(a)(7)
requirements for admission, extension, and maintenance of status, 8:214.2(n)

NAFTA (North American Free Trade Agreement)

blanket L petitions for Canadians, 8:214.2(l)(17)
B visa visitors, admission pursuant to, 8:214.2(b)(4)
employment authorization, 8:274a.12(b)(19)
TN visas, 8:214.6
admission procedures, 8:214.6(e)
change or addition of employers, 8:214.6(i)
classifications, 8:214.6(d)
class of nonimmigrant status, 22:41.12
definitions, 8:214.6(b)
employment authorization, 8:274a.12(a)(19)
extension of stay, 8:214.6(h)
health care workers, 8:214.1(i)(2)
readmission, 8:214.6(g)
specific professions and requirements, 8:214.6(c)
spouse and children, 8:214.6(j)
strike, effect of, 8:214.6(k)
visas for professionals under, 22:41.59

Name change

certificates of naturalization, 8:343a.1(b)
F visas (academic students), 8:214.2(f)(17)
M visas (vocational students), 8:214.2(m)(18)
during naturalization process, 8:337.4, 338.2, 338.12, 1337.4

Names

entry under erroneous name, 8:101.2, 1101.2
passport applicants, 22:51.25

Narcotic Addict Rehabilitation Act of 1966
DOJ Criminal Division role, 28:0.55(r)

Narcotics. *See* Controlled substances; Dangerous drugs

National Crime Information Center (NCIC)
criminal history information, limitations on use of, 22:40.5

National De-classification Center (NDC), 6:7.29

National Endowment for Democracy (NED)

access to records, 22:66.5
annual reports, 22:66.8
appeals of denials of information requests, 22:66.5(a)(2)
board of directors, 22:67.2
definitions, 22:66.5(c)
description of and substantive rules and statement of general applicability, 22:66.2
exempt records and information, 22:66.6
limitation of exemptions, 22:66.7
fees for access to information, 22:66.5(d)–(h)
final opinions, orders, policies, interpretations, manuals, and instructions, 22:66.4
forms and instructions, where to obtain, 22:66.3
functions and procedures of, 22:67.4
index available to public information, 22:66.4(b)
management, 22:67.3
organization, 22:67
privacy, deletions in information to protect, 22:66.4(a)
purpose of NED, 22:67.1
purpose of regulations, 22:66.1
records and information, 22:66
time limits to respond to information requests, 22:66.5(b)

National interest waiver (NIW)

See also EB-2 visas
physicians serving in medically underserved areas, 8:204.12

National security

aviation training for aliens, 28:105.10–105.14
definitions, 28:105.10(a)
Flight Training Candidate Checks Program, 28:105.14
no security risk assessment required, 28:105.11
notification for candidates eligible for expedited processing, 28:105.12
not eligible for expedited processing, 28:105.13
purpose of regulations, 28:105.10(b)
risk assessment for candidates, 28:105.14
scope of regulations, 28:105.10(b)
classified information of DHS, 6:7. *See also* Classified national security information (DHS)

grounds of inadmissibility. *See* Admission and admissibility
security risk assessments, 28:105

Nationality procedures

See also Citizenship and nationality
birth abroad. *See* Birth
card of identity, 22:50.9
definitions, 22:50.1
determination of U.S. nationality of persons abroad, 22:50.2
loss of nationality
certification of, 22:50.40
review of finding, 22:50.51
registration application, 22:50.3
renunciation of nationality, 22:50.50
resumption of nationality, 22:50.30
retention of nationality, 22:50.20

Native Americans. *See* American Indians

NATO (North Atlantic Treaty Organization)

employment authorization, 8:274a.12(c)(7)
employment-based preference immigrant status for NATO civilian employees, 22:42.32(d)(5)
member's military personnel coming to U.S. on official business, exempt from passport or visa requirements, 22:41.1(d), 41.1(e)
as public international organization of which U.S. is a member, 8:316.20(b)
naturalization of spouse, 8:319.5
representatives, officials, and employees, 22:41.25
visas

application procedures, 8:214.2(s)(5)
background, 8:214.2(s)(1)(i)
bilateral employment agreements
applicability for dependents, 8:214.2(s)(4)
dependent employer requirements, 8:214.2(s)(3)
classifications, 8:214.2(s)(1)(i)(A)
class of nonimmigrant status, 22:41.12
definitions, 8:214.2(s)(2)
employment, 8:214.2(s)(6), 214.2(s)(9)
appeals, 8:214.2(s)(8)
employment authorization, 8:274a.12(b)(17)–(18)
income tax and Social Security liability, 8:214.2(s)(7)
for nonimmigrant status, 22:41.12

Natural disasters

card of identity issued for U.S. citizens in, 22:50.9

Naturalization

See also Citizenship and nationality
adjudication, 8:316.14
alien enemies, 8:331.1–331.4
application requirements, 8:334.1–334.11
authority, 8:310.1–310.5

- administrative, *§*:310.1
- judicial, *§*:310.4
- certificates of naturalization, *§*:338.1–338.13
 - administrative cancellation, *§*:342.1–342.9
 - correction, *§*:338.5
 - delivery, *§*:338.3
 - execution and issuance, *§*:338.1, 338.11
 - foreign states, recognition by, *§*:343b.1–343b.11
 - name changes, *§*:338.2, 338.12, 343a.1(b)
 - replacement of lost or destroyed certificates, *§*:343a.1–343a.2
 - spoiled certificates, *§*:338.13
 - clerk of court duties, *§*:339.1–339.5
- Communist or other totalitarian parties, ineligibility, *§*:313.1–313.4, 316.11(c)
- Constitution, required attachment to principles of, *§*:316.11
- declaration of intention, *§*:334.11
- definitions, *§*:316.1
- denial, *§*:336.1–336.9
 - hearing, *§*:336.2
 - judicial review, *§*:336.9
 - notice, *§*:336.1
- derogatory information received after grant, *§*:335.5
- determination on application, *§*:335.3
- documents required, *§*:316.4
- DOJ Criminal Division role, *28*:0.63
- education requirements, *§*:312.1–312.5
 - civics knowledge requirement, *§*:312.2
 - failure to meet requirements, *§*:312.5
 - interpreters, *§*:312.4
 - literacy and English-language requirements, *§*:312.1
 - standardized testing, *§*:312.3
- effective date, *§*:337.9, 1337.9
- eligibility, generally, *§*:316.2
- failure to appear for examination, *§*:335.6
- failure to prosecute application after initial examination, *§*:335.7
- former citizens, *§*:324.1–324.5
 - authorization by private law, *§*:324.5
 - at birth or by naturalization, *§*:324.2
 - foreign-state armed forces, citizenship lost through service in, *§*:327.1–327.2
 - who lost citizenship through service in foreign-state armed forces, *§*:343.1
- forms, *§*:332.5
- good-moral-character requirement, *§*:316.10
- during incompetency, *§*:316.12
- information organization employee's spouse, *§*:319.4
- INS to provide textbooks and other services for preparing candidates for, *28*:0.105(f)
- investigation and examination of applicant, *§*:335.1–335.13
- judicial review, *§*:310.5
- jurisdiction to accept applications, *§*:310.2
 - relinquishment of, *§*:339.3
- military service. *See* Armed Forces of the U.S.
- monthly reports, *§*:339.2
- NATO employee's spouse, *§*:319.5
- oath of allegiance, *§*:310.3, 337.1–337.10, 1337.1–1337.10
 - administration of, *§*:332.1, 337.2, 339.1, 1337.2
 - expedited procedures, *§*:337.3, 1337.3
 - court ceremony, *§*:337.7–337.8, 1337.7–1337.8
 - failure to appear, *§*:337.10, 1337.10
 - with requests for name change, *§*:337.4, 1337.4
 - selection of site for administration of oath, *§*:337.7, 1337.7
 - women expatriates to take, *22*:50.30(b)
- photographs naturalization attachment to documents, *§*:333.2
- requirement, *§*:333.1
- record of examination, *§*:335.4
- records, *§*:339.4–339.5
 - certification of, *§*:343c.1
- residence requirement, *§*:316.5
- revocation, *§*:340.2
- seamen, *§*:330.1–330.2
- spouses of U.S. citizens, *§*:319.1–319.11
 - citizen spouse employed abroad, *§*:319.2
 - eligibility, *§*:319.1
 - employment in organizations engaged in disseminating information, *§*:319.6
 - filing applications, *§*:319.11
 - widow(er)s of servicemembers, *§*:319.3
- transfer of petition, *§*:335.9
- U.S. nationals who are not U.S. citizens, *§*:325.2–325.4
- V visa holders, *§*:214.15(k)
- withdrawal of application, *§*:335.10
- women restored to U.S. citizenship by act of June 25, 1936, *§*:324.4
- women who have lost U.S. citizenship by now-terminated marriage, *§*:324.3
- Nazi persecutions and genocide** participants, *22*:40.35[reserved]
- NCIC (National Crime Information Center)** criminal history information, limitations on use of, *22*:40.5
- NED.** *See* National Endowment for Democracy
- Neutrality laws** enforcement, *28*:0.55(d)
- News media representative.** *See* I visas
- NEXUS program**
 - Canadian citizens, *22*:41.2(a)(1)
 - passport exceptions, *22*:53.2(b)(4)
 - scope of examination at port of entry, *§*:235.1(b)(4)
- Nicaraguans**
 - NACARA adjustment, *§*:1245.13
- Nonagricultural temporary workers.** *See* H-2B visas
- Nonimmigrant visas (NIVs).** *See* Visas
- Nonproductive status wage obligation** H-1B visas, *20*:655.731(c)(7)
- Nonprofit organizations**
 - See also* Colleges and universities; Research scholars and institutions
 - fees, exemption from H-1B additional fee, *§*:214.2(h)(19)(iii)(B), 214.2(h)(19)(iv)
 - nonimmigrant application fees, exemption from, *22*:41.107(c)
- North Atlantic Treaty Organization.** *See* NATO
- North Korea**
 - military members of, no visa or passport waiver for, *22*:41.3(e)
- Northern Ireland**
 - diversity immigrants, eligibility determination, *22*:42.33(a)(5)
- Northern Mariana Islands (CNMI)**
 - See also* Territories and possessions of U.S.
 - agreements between transportation lines and DHS, *§*:233.6
 - asylum and withholding of removal, *§*:208.1(a)(2), 208.2(c)(1)(iii)–(iv), 208.4(a)(2)(ii), 208.5(a) & (b)(1)(iii), 208.30(a), 1208.1(a)(2), 1208.2(c)(1)(iii)–(iv), 1208.4(a)(2)(ii), 1208.5(a) & (b)(1)(iii)
 - adjustment of status, *§*:209.2(a)(3), 1209.2(a)(3)
 - credible-fear determinations, *§*:1208.30(a)
 - CW-1 workers
 - labor certification process
 - Generally, *20*:655.400–655.499
 - application procedures, *20*:655.420–655.429
 - determinations, *20*:655.450–655.459
 - integrity measures, *20*:655.470–655.499
 - post-acceptance requirements, *20*:655.440–655.449
 - post-certification activities, *20*:655.460–655.469
 - prefiling procedures, *20*:655.410–644.419
 - processing applications, *20*:655.430–655.439
 - requirements for admission, extension, and maintenance of status, *§*:214.2(w)

E-2 visas (treaty investors), 8:214.2(e)(23)
 employment authorization, 8:274a.12(b)(22)–(23), 274a.12(c)(12)
 acceptable documents, 8:274a.2(b)(1)(v)(D)
 Guam-CNMI Visa Waiver Program, 8:212.1(q), 1212.1(q)
 identification card, 8:235.9, 1235.9
 petition fee, 8:106.2(4)

Notarial services
 DOS fees, 22:22.1

Notice of intent to fine (NOIF). *See* Sanctions, penalties, and fines

Notice to appear (NTA)
 cancellation of NTA, 8:239.2, 1239.2
 commencement of removal proceeding, 8:1239.1(a)
 effect of filing NTA, 8:239.3, 1239.3
 issuance, 8:239.1(a)
 regarded as arrest warrant, 8:318.1
 service, 8:239.1(b), 1239.1(b)

NRDAA (Nursing Relief for Disadvantaged Areas Act of 1999). *See* H-1C visas (registered nurses)

Numerical limitations
See also Priority dates
 cancellation of removal and suspension of deportation, 8:240.21(a), 1240.21
 H visas. *See* H visas, generally *and specific H visas*
 immigrant rules of chargeability, 22:42.12
 exceptions, 22:42.12(b)–(e)
 immigrant visas, 22:42.31–42.33
 Department control of numerical limitations, 22:42.51
 diversity immigrants, 22:42.33
 employment-based preference immigrants, 22:42.32
 family-sponsored immigrants, 22:42.31
 order of consideration, 22:42.54
 reports on numbers and priority dates of applications on record, 22:42.55
 refugees, 8:207.6
 replacement visa for alien subject to numerical limitation, 22:42.74(b)
 T visas, 8:214.11(j)
 U visas, 8:214.14(d)

Nurses
See also Adjustment of status; H-3 visas
 H-1C visas, 20:655.1100–655.1150. *See also* H-1C visas (registered nurses)
 labor certification
 for permanent employment, 20:656.5(a)(2)
 for temporary visas, 22:40.53

Nursing Relief for Disadvantaged Areas Act of 1999 (NRDAA). *See* H-1C visas (registered nurses)

O

O visas (persons of extraordinary ability)

admission, 8:214.2(o)(10)
 appeal of denial or revocation of petition, 8:214.2(o)(9)
 approval and validity of petition, 8:214.2(o)(6)
 classifications, 8:214.2(o)(1)
 class of nonimmigrant status, 22:41.12
 consultation, 8:214.2(o)(5)
 definitions, 8:214.2(o)(1)(ii)
 effect of approval of LC or filing of preference petition, 8:214.2(o)(13)
 employment authorization, 8:274a.12(b)(13)
 extension of stay, 8:214.2(o)(12)
 extension of visa petition validity, 8:214.2(o)(11)
 I-797 approval notice, use of, 8:214.2(o)(15)
 nonimmigrant status, 22:41.12, 41.55
 O-1, alien of extraordinary ability or achievement, 8:214.2(o)(3)
 O-2 accompanying aliens, 8:214.2(o)(4)
 petitions, 8:214.2(o)(2)
 return transportation requirement, 8:214.2(o)(16)
 revocation of petition, 8:214.2(o)(8)
 strike, effect of, 8:214.2(o)(14)

OALJ. *See* Office of Administrative Law Judges

Oath of allegiance. *See* Naturalization

Oaths
 immigrant visa applications, 22:42.67(a)(2)

Obstruction of Justice Statute
 DOJ Criminal Division role, 28:0.55(p)

Offers of proof
 unfair employment and unfair employment practices proceedings, 28:68.40(e)

Office of Administrative Law Judges
 administrative law judges
 authority, 29:18.12(b)
 disqualification of
 judge's initiative, 29:18.16(a)
 requests, 29:18.16(b)
 proceedings before, 29:18.12
 substitution of
 following hearing, 29:18.15(b)
 during hearing, 29:18.15(a)
 amicus curiae briefs, 29:18.24
 business records, 29:18.60(d)
 consent findings, 29:18.71
 motions, 29:18.70(c)
 decision and order, 29:18.92
 motions, 29:18.70(d)
 review of decision, 29:18.95
 definitions, 29:18.11
 depositions, 29:18.55
 oral examination, 29:18.64

waiver of objections, 29:18.55(d)
 written questions, 29:18.65

discovery
 business records, 29:18.60(d)
 compelling, 29:18.57(a)
 conference, 29:18.50(b)
 depositions, 29:18.55
 oral examination, 29:18.64
 waiver of objections, 29:18.55(d)
 written questions, 29:18.65
 experts, 29:18.51(d)
 supplementation, 29:18.53(b)
 failure to cooperate, 29:18.57(b)–(e)
 general provisions, 29:18.50
 hearing preparation, 29:18.51(c)–(d)
 interrogatories, 29:18.60
 limitations on, 29:18.51(b)
 medical examinations, 29:18.62
 mental examinations, 29:18.62
 physical examinations, 29:18.62
 privileges, 29:18.51(e)
 production of documents and things, 29:18.61
 protective orders, 29:18.52
 requests for admissions, 29:18.63
 required disclosure, 29:18.50(c)
 sanctions, 29:18.57(f)
 scope of, 29:18.51(a)
 signatures, 29:18.50(d)
 stipulations, 29:18.54
 subpoenas, 29:18.56
 duties, 29:18.56(d)
 protection of persons subject to, 29:18.56(c)
 service, 29:18.56(b)
 supplementation, 29:18.53
 timing, 29:18.50(a)

disposition without hearing
 consent findings, 29:18.71
 motions, 29:18.70
 settlement, 29:18.71
 summary decision, 29:18.72

exhibits
 hearings, 29:18.82
 privacy protection, 29:18.31

ex parte communications, 29:18.14
 filing of papers, 29:18.30(b)
 amendment after referral, 29:18.36
 format, 29:18.34
 privacy protection, 29:18.31
 protective orders, 29:18.31(e)
 redaction, 29:18.31(a)
 exemptions, 29:18.31(b)
 reference list, 29:18.31(c)
 representations, 29:18.35(b)
 sanctions, 29:18.35(c)
 service of process, 29:18.30
 signatures, 29:18.35(a)
 waiver of protection identifiers, 29:18.31(d)

hearings
 change of location of hearing, 29:18.41
 conduct in hearing room, 29:18.86
 exhibits, 29:18.82

formal hearing, 29:18.81
 misconduct, 29:18.87(b)
 notice of hearing, 29:18.40
 official notice, 29:18.84
 open to public, 29:18.81(a)
 party participation, 29:18.81(c)
 prehearing statement, 29:18.80
 privileged, sensitive, or classified material, 29:18.85
 separate hearings, 29:18.43(b)
 standards of conduct, 29:18.87
 stipulations, 29:18.83
 testimony, 29:18.81(b)
 transcripts, 29:18.88(a)
 corrections, 29:18.88(b)
 interrogatories, 29:18.60
 legal assistance, 29:18.17
 medical examinations, 29:18.62
 mental examinations, 29:18.62
 modification of rules, 29:18.10(c)
 motions, 29:18.33
 amendment after referral, 29:18.36
 consent findings, 29:18.70(c)
 decision and order, 29:18.70(d)
 to dismiss, 29:18.70(c)
 disposition without hearing, 29:18.70
 opening of record, 29:18.90(b)
 post-hearing procedures, 29:18.90(c)
 reconsideration, 29:18.92
 to remand, 29:18.70(b), 18.94(c)
 representations, 29:18.35(b)
 ruling barred by pending petition for relief, 29:18.94
 sanctions, 29:18.35(c)
 service of process, 29:18.30
 signatures, 29:18.35(a)
 parties
 Generally, 29:18.20
 appearance, 29:18.21
 failure to appear, 29:18.21(c)
 participation, 29:18.21
 hearings, 29:18.81(c)
 waiver, 29:18.21(b)
 physical examinations, 29:18.62
 post-hearing procedures
 briefs, 29:18.91
 closing of record, 29:18.90
 decision and order, 29:18.92
 motions, 29:18.90(c)
 reconsideration, 29:18.93
 ruling barred by pending petition for relief, 29:18.94
 review of decision, 29:18.95
 prehearing procedures
 change of location of hearing, 29:18.41
 consolidation, 29:18.43(a)
 continuances, 29:18.41
 expedited proceedings, 29:18.42
 notice of hearing, 29:18.40
 prehearing conference, 29:18.44
 separate hearings, 29:18.43(b)
 production of documents and things, 29:18.61
 protective orders, 29:18.52

 filing of papers, 29:18.31(e)
 purpose, 29:18.10
 reconsideration motions, 29:18.93
 representatives, 29:18.22
 attorneys, 29:18.22(b)(1)
 disqualification of, 29:18.23
 duties, 29:18.22(c)
 exclusion, review of, 29:18.87(c)
 non-attorneys, 29:18.22(b)(2)
 notice of appearance, 29:18.22(a)
 prohibited actions, 29:18.22(d)
 withdrawal of appearance, 29:18.22(e)
 requests for admissions, 29:18.63
 scope of regulations, 29:18.10
 service of process, 29:18.30(a)
 settlement
 approval of, 29:18.71
 judges, 29:18.13
 proceedings, 29:18.13
 stipulations
 discovery, 29:18.54
 hearings, 29:18.83
 subpoenas, 29:18.56
 duties, 29:18.56(d)
 protection of persons subject to, 29:18.56(c)
 service, 29:18.56(b)
 summary decision, 29:18.72
 suspension of rules, 29:18.10(c)
 time
 additional time, 29:18.32(c)
 computation of, 29:18.32(a)
 extension of, 29:18.32(b)
 transcripts, 29:18.88(a)
 corrections, 29:18.88(b)
 waiver of rules, 29:18.10(c)

Office of Chief Administrative Hearing Officer (OCAHO)
 DOJ, 28:0.118

Office of Chief Immigration Judge (OCIJ)

See also Immigration judges (IJs) and immigration courts
 administrative control, 8:1003.11
 functions of, 28:0.117
 limit on authority of, 8:1003.9(c)
 organization, 8:1003.9(a)
 powers of, 8:1003.9(b)

Office of Community Oriented Policing Services
 organization and functions of, 28:0.119–0.121

Office of Federal Detention Trustee
 functions of, 28:0.123

Office of International Affairs
 asylum jurisdiction, 8:1208.2(a)

Office of Refugee Resettlement (ORR)
 placement of UACs. *See* Care and placement of unaccompanied alien children
 sexual abuse and harassment of UACs in ORR facilities. *See* Sexual abuse and harassment of unaccompanied children

Office on Violence Against Women
 functions of, 28:0.122

Officers

acting on recommendations of U.S. consular officers for waiver of visa and passport requirements, nonimmigrants' documentary requirements, 8:212.1(j), 1212.1(j)
 cancellation of visas, nonimmigrants' documentary requirements, 8:212.1(k), 1212.1(k)

Official visas

foreign government officials, 22:41.27

One-year filing deadline. *See* Asylum

Optional practical training. *See* Foreign students

Organized crime

certifications under 18 U.S.C. § 3503, 28:0.52, 0.59
 civil proceedings, 28:0.55(s)
 enforcement activities against, 28:0.55(d), 0.55(g)

Organized Crime Control Act of 1970

See also Organized crime
 civil proceedings under, 28:0.55(s)
 forfeiture and penalty actions under, 28:0.55(d)

Orphans

See also Adoption
 petition to classify as immediate relative (INS I-600), fees, 22:22.1

P

P visas (athletes, artists, entertainers)

Generally, 22:41.56
 admission, 8:214.2(p)(12)
 appeal of denial or revocation of petition, 8:214.2(p)(11)
 approval and validity, 8:214.2(p)(8)
 classifications, 8:214.2(p)(1)
 class of nonimmigrant status, 22:41.12
 consultation, 8:214.2(p)(7)
 definitions, 8:214.2(p)(3)
 effect of approval of LC of filing of preference petition, 8:214.2(p)(15)
 employment authorization, 8:274a.12(b)(14)
 extension of stay, 8:214.2(p)(14)
 extension of visa petition validity, 8:214.2(p)(13)
 filing of petition, 8:214.2(p)(2)
 Form I-797, use of approval notice, 8:214.2(p)(17)
 notification, 8:214.2(p)(9)
 P-1 (internationally recognized) classification and requirements, 8:214.2(p)(4)
 P-2 (reciprocal exchange program) classification and requirements, 8:214.2(p)(5)

P-3 (culturally unique program) classification and requirements, 8:214.2(p)(6)
 requirements for admission, extension, and maintenance of status, 8:214.2(p)
 return transportation requirement, 8:214.2(p)(18)
 revocation of approval, 8:214.2(p)(10)
 strike, effect of, 8:214.2(p)(16)

Panama Canal employees
 special immigrant visas, 22:42.32(d)(3)

Pardons

moral turpitude, crimes involving, 22:40.21(a)(5)
 multiple criminal convictions, 22:40.22(c)

Parents' visas. *See* Family-sponsored immigration

Parole

advance parole. *See* Advance parole of aliens into U.S., 8:212.5, 1212.5
 crewmembers, 8:253.1–253.2
 deferred inspection, 8:235.2
 DOJ Criminal Division role
 criminals, 28:0.55(o)
 excludable aliens, 28:0.55(f)
 employment authorization, 8:274a.12(c)(11)
 for entrepreneurs, 8:212.19
 biometric information, collection of, 212.19(e)
 derivatives, parole for 8:212.19(h)
 employment authorization, 8:212.19(g), 274a.12(b)(37), 274a.12(c)(34)
 fees, 8:106.2(a)(50)
 Mariel Cubans, 8:212.12, 1212.12
 of minors, 8:212.5(b)
 termination of, 8:212.5(e)
 witnesses and informants, 8:212.14, 1212.14

Parties

Office of Administrative Law Judges
 Generally, 29:18.20
 appearance, 29:18.21
 failure to appear, 29:18.21(c)
 participation, 29:18.21
 hearings, 29:18.81(c)
 waiver, 29:18.21(b)

Passports

adjudication and issuance, 22:51.5
 amendment of, 22:51.9
 applications, 22:51.20–51.28
 affidavit of identifying witness, 22:51.24
 agents, 22:51.22
 execution of, 22:51.21
 identity of applicant, 22:51.23
 incompetents, 22:51.27
 by mail
 persons abroad, 22:51.21(c)
 persons in U.S., 22:51.21(b)
 minors, 22:51.28

names, 22:51.25
 nationality procedures, 22:50.4
 by personal appearance, 22:51.21(a)
 photographs, 22:51.26
 requirements, 22:51.20
 attempt of citizen to enter without, 22:53.3
 convicted drug traffickers, denial of, 22:51.61
 definitions, 22:42.64(a), 51.1
 denial of, 22:51.60
 convicted drug traffickers, 22:51.61
 diplomatic passports, 22:51.3(d)
 period of validity, 22:51.4(e)
 documentary requirements, 8:211.2, 212.1, 1212.1
 evidence of U.S. citizenship or nationality, 22:51.40–51.46. *See also* Evidence
 fees, 22:22.1, 51.50–51.56
 execution fee not refundable, 22:51.55
 expedited passport processing, 22:51.56
 refunds, 22:51.53
 replacement passports, 22:51.54
 foreign government officials, exceptions to passport validity requirement (A, C, G, and NATO classes), 22:41.21(b), 41.21(c)
 invalidity, 22:51.4(g)
 nationals only to receive, 22:51.2
 notification of denial or withdrawal of passport, 22:51.65
 official passports, 22:51.3(c)
 period of validity, 22:51.4(d)
 optional use of, 22:53.4
 passport card, 22:51.3(e)
 proof of resumption or retention of U.S. citizenship, 22:51.44
 property of U.S. government, 22:51.7
 regular passports, 22:51.3(a)
 limited duration of, 22:51.4(f)
 period of validity, 22:51.4(b)
 release of information from, 22:51.6
 replacement passports, 22:51.10
 requirement, 22:53.1
 exceptions, 22:53.2
 restricted areas
 invalid for travel into or through, 22:51.63
 special validation for travel to, 22:51.64
 review of denials and revocations, 22:51.70–51.74
 revocation or restriction of, 22:51.60, 51.62
 scope of examination at port of entry, 8:235.1(b)(1)
 service passports, 22:51.3(b)
 period of validity, 22:51.4(c)
 submission of currently valid passport, 22:51.8
 surrender of, 22:51.66
 types of, 22:51.3
 validity of, 22:51.4
 verification of, 22:51.6

Patrol of borders. *See* Borders

Pay. *See* Income level; Prevailing wage determinations

Peace Corps volunteers

DOS fees, 22:22.1

Penalties. *See* Sanctions, penalties, and fines

Performing arts

See also P visas
 labor certification for exceptional ability, 20:656.5(b)(2)

PERM. *See* Labor certification (LC)

Permanent employment of aliens

See also specific visa types
 labor certification for, 20:656. *See also* Labor certification (LC)

Permanent Resident Cards (green cards)

expiration, 8:211.3
 replacement cards
 application for, 8:264.5
 fee, 8:106.2(a)(1)
 surrender upon rescission of adjustment, 8:246.9, 1246.9

Permanent residents. *See* Lawful permanent residents (LPRs)

Persecution

See also Asylum; Refugees
 exchange visitors, waiver of two-year home-country physical presence requirement, 22:41.63(b)–(g)

Personal appearance. *See* Appearance

Petitions. *See specific types of visas and actions*

Philippines

admission of Philippine citizens, 8:101.1(f), 1101.1(f)

Photocopying

DOS fee, 22:22.1

Photographs

See also Biometrics
 immigrant visas
 applications, 22:42.65(f)
 attached photograph, 22:42.73(a)(6)
 diversity immigrants, 22:42.33(b)(2)
 nonimmigrant visa applications, 22:41.105(a)(3)
 passport applications, 22:51.26

Physical and mental examinations. *See* Medical examinations

Physical presence

adjustment applicants, evidence demonstrating, 8:245.22, 1245.22
 LIFE Act legalization, 8:245a.16
 refugees, 8:207.8
 T nonimmigrants, 8:214.11(g)

Physical therapists

adjustment of status for health care workers. *See* Adjustment of status certification and credentialing, 8:212.15, 1212.15

- labor certification, Schedule A. *See* Schedule A (labor certification)
- permanent employment of aliens, labor certification for, **20:656.5(a)(1)**
- Physicians**
- adjustment of status, **8:245.1(e)(1)**, **1245.1(e)(1)**
- derivative third and sixth preference and nonpreference immigrants, **8:1212.9**
- detention of aliens for physical and mental examinations, **8:232.2(a)–(c)**
- exchange programs
- See also* J visas
- clinical exchange programs for physicians, **22:62.27(b)**
- non-clinical exchange programs for physicians, **22:62.27(c)**
- preventive medicine programs for physicians, **22:62.27(d)**
- public health programs for physicians, **22:62.27(d)**
- pursuing graduate medical education or training, **22:62.27**
- waiver of two-year home-country presence requirement, **22:22.1**, **41.63(c)(4)**
- H-1B visas, criteria and documentary requirements, **8:214.2(h)(4)(viii)**
- physicians of national or international renown, **8:214.2(h)(4)(viii)(C)**
- labor certification for unqualified physicians, **22:40.52**
- medically underserved areas, service in, **8:204.12**, **245.18**, **1245.18**
- reducing reliance on alien physicians, **45:51.1–51.4**
- Veterans Affairs facility, service in, **8:245.18**, **1245.18**
- Pilot programs**
- Visa Waiver Pilot Program [now permanent], **8:212.1(i)**, **1212.1(i)**
- Pleadings**
- See also* Answers; Complaints
- unfair employment and unfair employment practices proceedings
- amendment of pleadings, **28:68.39(e)**
- form of pleadings, **28:68.7**
- Pleasure visitors.** *See* Temporary visitors
- Police.** *See* Law enforcement officers
- Police certificates**
- nonimmigrant visa applications, **22:41.105(a)(4)**
- Polish and Hungarian parolees**
- adjustment of status. *See* Adjustment of status
- Political activities**
- See also* Elections
- asylum. *See* Asylum
- enforcement by DOJ Criminal Division, **28:0.55(m)(1)**
- offenses. *See* Political offenses
- Political offenses**
- involving moral turpitude, **22:40.21(a)(6)**
- multiple criminal convictions, **22:40.22(d)**
- Polygamists**
- ineligible aliens for visas, **22:40.101**
- Portability**
- adjustment of status to LPR for employment-based immigrant when changing jobs, **8:245.25**
- PORTPASS program**
- automated inspection, **8:235.7**
- fees, **8:103.7(d)(7)**
- Ports of entry**
- See also* Admission and admissibility; Borders; Common carriers; Fees for aliens arriving by aircraft, **8:100.4(b)**
- for aliens arriving by vessel or land transportation, **8:100.4(a)**
- detention of aliens for physical and mental examinations, **8:232.3**
- D visas, ports for which attestations may be filed, **20:655.510(c)(3)**
- Post-secondary institutions.** *See* Colleges and universities; F visas; J visas
- Pre–April 1, 1997 hearings.** *See* Deportation
- Precedent decisions**
- binding nature of, **8:103.10**
- Pre-Columbian artifacts**
- laws relating to, enforcement, **28:0.55(d)**
- Pre-enrolled access lane (PAL)**
- at Service checkpoints, **8:287.11**
- Preference immigrants**
- employment-based preference immigrants, **22:42.32**
- immigrant visas and priority date, **22:42.53(a)**
- Prefiling procedures**
- temporary agricultural workers. *See* H-2A visas
- Prehearing conferences**
- Office of Administrative Law Judges, **29:18.44**
- Prehearing statements**
- unfair employment and unfair employment practices proceedings, **28:68.12**
- Preinspection.** *See* Inspection
- Premium processing.** *See* Expedited processing
- Prevailing practice exception**
- D visas, **20:655.500(a)(1)**
- attestation element, **20:655.510(d)**
- automated vessel exception, **20:655.520(b)**, **655.610(c)**
- Federal Register* notice of determination of prevailing practice, **20:655.670**
- Prevailing wage determinations**
- application process, **20:656.40(a)**
- H-1B visas, **20:655.731(a)**
- violations, **20:655.731(d)**
- H-2B nonagricultural workers determinations, **20:655.10(b)**
- employer-provided survey, **20:655.10(f)**
- institutions of higher education and research entities, **20:656.40(e)**
- labor certification, **20:656.40**
- BALCA review, **20:656.41(d)**
- NPC determinations, **20:656.40(b)**
- professional athletes, **20:656.40(f)**
- similarly employed, defined, **20:656.40(d)**
- validity period, **20:656.40(c)**
- Previously removed aliens**
- asylum and withholding applicants ineligible to proceedings under INA §240, **8:208.2(c)(1)(v)**, **1208.2(c)(1)(v)**
- Priority dates**
- employment-based immigration, **8:204.5(d)–(f)**
- employment-creation visas, **8:204.6(d)**
- for immigrant visas, **22:42.53**, **42.55**
- Prisons and prisoners**
- overseas prisoners, DOS fees for visits, **22:22.1**
- prison-made goods, enforcement of laws relating to, **28:0.55(d)**
- questions arising as to, DOJ Criminal Division role, **28:0.55(o)**
- temporary transfers, in custody of prisoner-witnesses from foreign country to U.S. to testify in federal or state criminal proceedings, **28:0.64–4**
- Privacy.** *See* Confidentiality
- Privacy Act**
- appeals, **6:5.25**
- classified information, **6:5.22(e)**, **5.24**
- contracts for operation of record systems, **6:5.32**
- court-ordered disclosures, **6:5.30(a)**
- definitions, **6:5.20(b)**
- DHS procedures, **19:103.2**
- DHS records, exemption for, **6:5(App. C)**
- emergency disclosures, **6:5.30(b)**
- fees for records, **6:5.21(c)**, **5.29**
- FOIA. *See* Freedom of Information Act
- general provisions, **6:5.20**
- notice of court-ordered and emergency disclosures, **6:5.30**
- other rights and services, **6:5.36**
- penalties, **6:5.35**
- preservation of records, **6:5.28**
- purpose and scope of regulations, **6:5.20(a)**

requests
 access to records, 6:5.21
 accounting of record disclosures, 6:5.27
 amendment or correction of records, 6:5.26
 responses to requests, 6:5.23
 responsibility for, 6:5.22
 security of systems of records, 6:5.31
 Social Security numbers, use and collection of, 6:5.33
 standards of conduct for administration of, 6:5.34

Private immigration bills

INS to prepare reports on, 28:0.105(h)

Privileged communications

See also Classified national security information (DHS); Confidentiality unfair employment and unfair employment practices proceedings, 28:68.42(a)

Probation

DOJ Criminal Div. role, 28:0.55(o)

Production of documents and things

Office of Administrative Law Judges, 29:18.61

Professional athletes

See also P visas
 prevailing wage determinations, 20:656.40(f)
 visas, 22:41.56

Professors

exchange visitor program, 22:62.20. *See also* J visas
 immigrant visas (E12), 22:42.11
 international exchange program grants, 22:63. *See also* International educational and cultural exchange program grants
 labor certification, 22:40.51(b)(1)
 optional special recruitment, 20:656.18

Program fraud civil remedies. *See* Sanctions, penalties, and fines**Prostitution and commercialized vice**

prostitution, defined, 22:40.24(b)
 visas, 22:40.24

Protective orders

fraud hearings, 6:13.24
 immigration courts, 8:1003.46
 Office of ALJs, 29:18.52
 filing of papers, 29:18.31(e)
 unfair employment and unfair employment practices proceedings, 28:68.18(c), 68.42

Public access to records. *See* Access to records; Freedom of Information Act (FOIA); Privacy Act; Records and information**Public assistance.** *See* Public charge; Welfare benefits**Public charge**

admission, extension, and maintenance of status, requirements for, 8:214.1(a)(3)(iv)
 bonds, 8:213.1
 definitions, 22:40.41(b)–(d)
 inadmissibility determination, 22:40.41(a)
 prearranged employment, 22:40.41(f)
 public benefits, receipt of, 22:40.41(c)–(e)

Public Health Service

detention of aliens for physical and mental examinations, 8:232.1–232.3
 medical examination of aliens, 42:34.
See also Medical examinations

Puerto Rico

departing from, documentation requirements, 22:41.1(c)
 entering from, documentation requirements, 22:42.1(c)

Q

Q visas & cultural exchange program

admission, 8:214.2(q)(2)
 approval of petition, 8:214.2(q)(7)
 class of nonimmigrant status, 22:41.12
 denial of petition, 8:214.2(q)(8)
 employment authorization, 8:214.2(q)(11), 274a.12(b)(15)
 extension of stay, 8:214.2(q)(10)
 federal employees in, 22:64
 international cultural exchange visitors, 8:214.2(q)(3); 22:41.57
 petitions, 8:214.2(q)(5)
 Q-2 visas (Irish Peace Process Program), 8:214.2(q)(15), 1212.1(n)
 readmission to complete unexpired periods of previous visits, 8:214.1(b)
 requirements for admission, extension, and maintenance of status, 8:214.2(q)
 revocation of approved petition, 8:214.2(q)(9)
 substitutions, 8:214.2(q)(6)
 supporting documentation, 8:214.2(q)(4)

Quarantine regulations

health measures at POEs, 42:71.29–71.40
 medical examination of aliens, applicability, 42:34.6

Quotas. *See* Numerical limitations

R

R visas (religious workers)

admission and change of status, 8:214.2(r)(4)
 appeal of petition denial, 8:214.2(r)(17)
 appeal of revocation, 8:214.2(r)(19)
 attestation, 8:214.2(r)(8)
 change or addition of employers, 8:214.2(r)(13)

class of nonimmigrant status, 22:41.12
 definitions, 8:214.2(r)(3)
 denial of petition, 8:214.2(r)(17)
 employment authorization, 8:274a.12(a)(16)
 evidence, 8:214.2(r)(9)–(12)
 extension of stay or readmission, 8:214.2(r)(5)
 jurisdiction and procedures, 8:214.2(r)(7)
 limitations on total stay, 8:214.2(r)(6)
 multiple employers, 8:214.2(r)(2)
 nonimmigrant intent, 8:214.2(r)(15)
 obligation of employer, 8:214.2(r)(14)
 religious occupations, 22:41.58
 requirements for admission, extension, and maintenance of status, 8:214.2(r)
 revocation of approved petition, 8:214.2(r)(18)
 verification by USCIS, 8:214.2(r)(16)

Racketeering. *See* Organized crime**Radio Free Europe**

naturalization of employee's spouse, 8:319.6

Radio Liberty Committee, Inc.

naturalization of employee's spouse, 8:319.6

Railroad lines. *See* Common carriers**Range livestock**

H-2A visas. *See* H-2A visas (temporary agricultural workers)

Rates of pay. *See* Prevailing wage determinations**REAL ID Act**

driver's licenses. *See* Driver's licenses and identification cards
 identification requirements, 6:37

Reciprocity

D visas exception, 20:655.500(a)(1)
 exchange visitor program, 22:62.8(c)
 nonimmigrant application fees, 22:41.107(a)

Recognized organizations; accreditation of representatives. *See* Attorneys and representatives**Reconsideration**

Office of Administrative Law Judges, 29:18.93

Records and information

See also Access to records; Disclosure of records and information; Documents and documentation
 asylum records, disclosure toward third parties, 8:208.6
 certification of records, authority of USCIS Director, 8:106.5
 disclosure issues. *See* Freedom of Information Act (FOIA); Privacy Act
 diversity immigrants, 22:42.33(h)
 exchange visitor program, 22:62.10(g)
 Freedom of Information Act, 6:5.9

INDEX

H-1B visas, **20**:655.734(c), 655.760(c)
immigrant visas
 applications, **22**:42.52
 post records of visa applications,
 22:42.52
Privacy Act, **6**:5.28. *See also* Privacy
 Act
proof of official records, **8**:287.6, 1287.6
public access to records. *See* Access to
 records; Freedom of Information
 Act (FOIA); Privacy Act
trafficking in persons, interagency infor-
 mation sharing on, **22**:104.1–104.2;
 28:1100.25–1100.37
unfair employment and unfair employ-
 ment practices proceedings,
 28:68.48
visas, information for court proceedings,
 22:40.4

Recruitment
H-1B occupations, **20**:655.739
H-2A agricultural workers. *See* H-2A
 agricultural workers
H-2B temporary nonagricultural work-
 ers, recruitment disclosure,
 29:503.16(aa)
permanent workers. *See* Labor certifica-
 tion (LC)
U.S. nurses, H-1C visas attestations,
 20:655.1114
verification of employment eligibility,
 8:247a.2(a)(1), 274a.2(d)

Reentry permits
expiration, **8**:211.3
purpose, processing, and validity,
 8:223.1–223.3

**Refugee, Asylum, and International
Operations (RAIO)**
asylum jurisdiction, **8**:208.2(a)

Refugee Relief Act
exception for misrepresentation,
 22:40.63(b)

Refugees
Generally, **8**:207.1–207.9
adjustment of status, **8**:209.1, 1209.1
approved application, **8**:207.4
cash assistance, **45**:400.45–400.69
 federal funding for, **45**:400.203
child welfare services, **45**:400.110–
 400.120
derivatives, **8**:207.7
eligibility, **8**:207.1
emergency cash assistance, **45**:400.52
employability services and employment,
 45:400.70–400.83
exception for misrepresentation or fraud,
 22:40.63(a)
INS responsibilities for asylum applica-
 tions, **28**:0.105(k)
medical assistance, **45**:400.90–400.107
 federal funding for, **45**:400.204
numerical accounting, **8**:207.6
physical presence in the U.S., **8**:207.8

processing, **8**:207.2
processing fees, **22**:22.1
resettlement program, **45**:400
 administration, **45**:400.22–400.28
 definitions, **45**:400.2
 documentation of refugee status,
 45:400.43
 federal funding, **45**:400.200–400.220
 immigration status and identification of
 refugees, **45**:400.40–400.44
 information sharing and safeguarding,
 45:400.27
 purpose of program, **45**:400.1
 records and reports, **45**:400.28
 residency requirements, **45**:400.25
 state grants, **45**:400.4–400.13
 time-eligibility of refugees, **45**:400.211,
 400.220
 waivers and withdrawals of states from
 program, **45**:400.300–400.301
social services, **45**:400.140–400.156
 federal funding for, **45**:400.206
targeted assistance, **45**:400.310–400.319
termination of status, **8**:207.9
travel documents
 expiration, **8**:211.3
 purpose, processing, and validity,
 8:223.1–223.3
unaccompanied children
 child welfare services, **45**:400.110–
 400.120
 federal funding for, **45**:400.205
 ORR placement. *See* Care and place-
 ment of unaccompanied alien chil-
 dren (UACs)
 sexual abuse and harassment of. *See*
 Sexual abuse and harassment of
 unaccompanied children
waiting lists and priority handling,
 8:207.5
waivers of inadmissibility, **8**:207.3,
 1207.3

Refunds

DOS fees, **22**:22.6
nonimmigrant application fees,
 22:41.107(d)
passport fees, **22**:51.53
execution fee not refundable, **22**:51.55

Regional offices

unfair immigration-related employment
 practices, **28**:44.305

Registered nurses

H-1C visas, **20**:655.1100–655.1150. *See*
 also H-1C visas

Registration of aliens

fingerprinting waiver, **8**:264.1(e)
forms, **8**:264.1(a)–(b)
INS responsibility, **28**:0.105(g)
LPRs, **8**:101.4, 1101.4
replacement of registration, **8**:264.1(c)
surrender of registration, **8**:264.1(d)

Rehabilitation Act

Section 504 enforcement, **28**:0.51(b)(3)

Removal and removal proceedings

Reinstatement of removal. *See* Removal
 and removal proceedings

Relatives. *See* Family-sponsored immigra-
 tion

Release from detention. *See* Detention
 and custody

Religious workers

employment authorization,
 8:274a.12(b)(16)
employment-based preference immi-
 grants, **22**:42.32(d)(1)
nonimmigrants. *See* R visas
special immigrants, **8**:204.5(m)
visas, **22**:41.58

Remand

Office of ALJs, motions to remand,
 29:18.70(b), 18.94(c)

Remedies

See also specific remedy

back pay. *See* Back pay liability
fraud, **6**:13

H-1B visas, **20**:655.810

Removal and removal proceedings

See also Deportation; Deportation (pre-
 April 1, 1997 hearings); Detention
 and custody

additional charges, **8**:1003.30

ancillary matters, **8**:1240.11

appeals to BIA. *See* Board of Immigra-
 tion Appeals

asylum and withholding applicants
 effect of asylum grant on removal pro-
 ceeding, **8**:208.22, 1208.22

immigration court procedure once
 claimed, **8**:1240.11(c)

ineligibility for proceedings under INA
 §240, **8**:208.2(c), 1208.2(c)

attorney conduct. *See* Attorneys and rep-
 resentatives

authority of IJs and conduct of hearing,
 8:1240.1

burdens of proof, **8**:1240.8

cancellation of removal. *See* Cancellat-
 ion of removal

countries to which aliens may be re-
 moved, **8**:241.15

BIA and IJs without jurisdiction to re-
 view DHS determinations,
 8:1241.15

health or safety concerns, **8**:241.14,
 1241.14

removal to country ordered unlikely, spe-
 cial review procedures, **8**:241.13–
 241.14, 1241.14

special circumstances, continued deten-
 tion of removable aliens on ac-
 count of, **8**:1241.14

U.S.-Canada safe third country agree-
 ment, **8**:1240.11(g)

decision of IJ and notice, **8**:1240.12–
 1240.13

finality of order, **8**:1240.14

DHS counsel, **8**:1240.2

distress, aliens in, **8:250.1–250.2**
 evidence, **8:1240.7**
 exceptions, **22:40.91(e)**, **40.93**
 failure to attend removal proceedings, **22:40.62**
 final order of removal, **8:241.1**, **1241.1**
 5-year bar for inadmissible aliens, **22:40.91(a)**
 IIRAIRA transition-rule application, **8:1240.16**
 incompetent respondents, **8:1240.4**
 interpreters, **8:1240.5**
 LIFE. *See* LIFE Act and LIFE Act Amendments
 LPR status, IJ authority to grant to respondent, **8:1240.11(a)**
 notice to appear. *See* Notice to appear (NTA)
 notice to transportation lines, **8:241.9**, **241.24**
 costs of detention and maintenance, **8:241.12**
 special care and attention due, **8:241.10**
 permanent bar of inadmissible aliens, **22:40.91(d)**
 postponement and adjournment of hearing, **8:1240.6**
 pre–April 1, 1997 hearings. *See* Deportation
 procedure of hearing, generally, **8:1240.10**. *See also* Immigration judges (IJs) and immigration courts
 record, contents of, **8:1240.9**
 reinstatement of removal, **8:241.8**, **1241.8**
 withholding applicants ineligible to proceedings under INA §240, **8:208.2(c)(2)(i)**, **1208.2(c)(2)(i)**
 representation, right to, **8:1240.3**
 S-5, S-6, and S-7 nonimmigrants, **8:236.4**, **1236.4**
 self-removal, **8:241.7**, **1241.7**
 special circumstances, continued detention of removable aliens on account of, **8:1241.14**
 stay of removal, aliens under final order or removal, **8:241.6**, **1241.6**
 stowaways, **8:241.11**
 suspension of deportation. *See* Deportation (pre-April 1, 1997 hearings)
 10-year bar
 aliens unlawfully present, **22:40.92(b)**
 inadmissible aliens, **22:40.91(b)**
 10-year bar or more, after previous immigration violations, **22:40.93**
 3-year bar for aliens unlawfully present, **22:40.92(a)**
 20-year bar for inadmissible aliens, **22:40.91(c)**
 Visa Waiver Program, **8:217.4**
 voluntary departure. *See* Voluntary departure (VD)
 waiver for aliens unlawfully present, **22:40.92(c)**

warrant of removal, **8:241.2**, **1241.2**
 withholding of removal. *See* Asylum

Renouncing citizenship

Generally, **22:50.50**
 to avoid taxation, **22:40.105**
 documentation fees for formal renunciation of U.S. citizenship, **22:22.1**

Reopening or reconsideration of case

appeal and review, **8:103.5**
 Board of Immigration Appeals (BIA), **8:1003.2**
 IJs and immigration courts, rules of procedure, **8:1003.23**
 LIFE Act Amendments, motions to reopen cancellation of removal, **8:1003.43**

Repatriation

loans, DOS fees for, **22:22.1**
 women expatriates, certification of repatriation, **22:50.30(c)**

Replacement documents. *See specific documents*

Representation of parties

unfair employment and unfair employment practices proceedings, **28:68.33**

Requests for admissions

Office of Administrative Law Judges, **29:18.63**

Requests for records and information.

See Access to records; Freedom of Information Act (FOIA); Privacy Act; Records and information

Research scholars and institutions

American institutions of research, listing of, **8:316.20(a)**
 exchange visitor program, **22:62.20**. *See also* J visas, Q visas
 fees, exemption from H-1B additional fee, **8:214.2(h)(19)(iii)(C)**
 immigrant visas (E12), **22:42.11**
 international exchange program grants, **22:63**. *See also* International educational and cultural exchange program grants

Resettlement of refugees. *See* Refugees

Residency requirement

exchange visitor (J visa) seeking waiver of two-year home-country presence requirement, **45:50.1–50.8**
 fees, **22:22.1**
 medical personnel, **22:41.63**

Responsible officers. *See* J visas

Restricted areas, passports for

invalid for travel into or through, **22:51.63**
 special validation for travel to, **22:51.64**

Retaliation

See also Whistleblower protection
 H-1B visas, **20:655.801**

sexual abuse and harassment of unaccompanied children, protection against retaliation for reporting, **45:411.67**
 unfair immigration-related employment practices, **28:44.200(a)(2)**

Return checks

DOS processing fee, **22:22.1**

Returning resident aliens

DOS fees for determination of status, **22:22.1**
 under GI Brides Act, **22:42.22(c)**
 visas, **22:42.22**

Returning residents

waiver of required document upon entry, **8:211.4**, **1211.4**

Review. *See* Appeal and review

Revocation of visas. *See* Visas

Riots

forcible interference with persons engaged in business during, **28:0.55(m)(3)**

Royalty

diplomatic visas, **22:41.26(c)(1)**

Rural hospitals

nurses. *See* H-1C visas
 physicians. *See* Medically underserved areas

S

S visas (witnesses)

adjustment of status, **8:245.11**, **1245.11**.
See also Adjustment of status
 admission, **8:214.2(t)(9)**
 advance parole, **8:245.11(f)**, **1245.11(f)**
 annual report, **8:214.2(t)(8)**
 application for exercise of discretion under §212(d)(1), **8:212.4(j)**, **1212.4(i)**
 asylum and withholding applicants ineligible to proceedings under INA §240, **8:208.2(c)(1)(vi)**, **1208.2(c)(1)(vi)**
 change of classification, **8:214.2(t)(12)**
 change of status, special provisions, **8:248.3(h)**
 class of nonimmigrant status, **22:41.12**
 conditions of status, **8:214.2(t)(7)**
 in counterterrorism matter, **8:214.2(t)(2)**
 in criminal matter, **8:214.2(t)(1)**
 decision on application, **8:214.2(t)(5)**
 documentary requirements for admission, **8:212.1(m)**, **1212.1(m)**
 employment, **8:214.2(t)(10)**
 employment authorization, **8:245.11(f)**, **1245.11(f)**
 failure to maintain status, **8:214.2(t)(11)**
 parole determinations, **8:212.14**, **1212.14**
 removal for conviction of crime of moral turpitude, **8:245.11(h)**, **1245.11(h)**
 removal of S-5, S-6, and S-7 nonimmigrants, **8:236.4**, **1236.4**

- request for, 8:214.2(t)(4)
 spouses and children, 8:214.2(t)(3)
 witnesses and informants, 22:41.83
- Safety Appliance Act**
 actions under, 28:0.55(d)
- St. Thomas.** *See* Virgin Islands
- Sanctions, penalties, and fines**
 access to records, 19:103.34
 aircraft and vessels. *See* Common carriers
 attorney sanctions. *See* Attorneys and representatives
 document fraud, 8:270.3, 1270.3
 D visas, 20:655.620
 exchange visitor program, 22:62.50
 for *au pair* sponsors, 22:62.31(n)
 fraud, 6:13.3, 13.31
 H-1B visas, 20:655.810(b)
 H-1C visas, 20:655.1210
 inflation adjustment, 8:280.53
 civil penalties, 28:85.1–85.5
 mitigation or remission of fines, 8:280.5, 280.51
 notice of intent to fine (NOIF)
 administrative procedures not exclusive, 8:280.1, 1280.1
 answer and request, 8:280.12
 order for interview, 8:280.12
 procedures, 8:280.11–280.15
 unlawful employment, 8:274a.9(d)
 Office of Administrative Law Judges, discovery, 29:18.57(f)
 payment of fines, 8:280.52
 practice before BIA and immigration courts, sanctions, 8:1003.101–1003.111
 Privacy Act, 6:5.35
 removal from U.S. *See* Removal and removal proceedings
 seizure and forfeiture of conveyances, 8:274.1–274.2
 Social Security numbers, wrongful use or misrepresentation, 20:422.108
 transportation lines. *See* Common carriers
 unfair employment and unfair employment practices proceedings, 28:68.52
 unlawful employment, 8:274a.10, 1274a.10
 notice of intent to fine (NOIF), 8:274a.9(d)
- Savings Bonds certificates**
 DOS fees for endorsing, 22:22.1
- Savings clause**
 of INA Amendments of 1976, 8:204.7
- Schedule A (labor certification),** 20:656.5
 applications for, 20:656.15
 attestations, 20:656.10(c)
 BALCA decisions, 20:656.27
 BALCA review of determinations, 20:656.26
- determinations of, 20:656.24
 documentation, 20:656.15
 evidence, submission of, 20:656.10(e)
 notice of filing, 20:656.10(d)
 process for, 20:656.17
 recordkeeping requirements, 20:656.10(f)
- SCHIP (State Children’s Health Insurance Program)**
 Cuban/Haitian entrant medical assistance, 45:401.12
 refugee medical assistance, 45:400.90–400.107
- Scholars.** *See* Research scholars and institutions
 exchange visitor programs. *See* J visas
- Schools, post-secondary.** *See* Colleges and universities; F visas; J visas; M visas
- Schools, primary and secondary**
 approval of schools for enrollment of F and M students, 8:214.3
 Form I-17 fee, 8:103.7(d)(2)
 denial of certification or recertification, 8:214.4
 designated school officials (DSOs), 8:214.3(l)
 enrollment in SEVIS, 8:214.12
 exchange programs for secondary school students, 22:62.25
 INS cooperation with for naturalization education, 28:0.105(f)
 postsecondary. *See* Colleges and universities
 students. *See* F visas; J visas; M visas
- Sciences or arts, persons of exceptional ability in.** *See* Exceptional ability aliens
- Scientists.** *See* Research scholars and institutions; *specific types of visas*
- Seals**
 fee for authenticating, 22:22.1
 Form OF-155B, 22:42.73(d)
- Seamen**
 crewmen, nonimmigrant visas, 22:41.41
 DOS fees for services relating to, 22:22.1
 D visas. *See* D visas
- Searches**
 border patrol and immigration enforcement officers, 8:287.5(d)
 cross-gender viewing and searches, limits when unaccompanied minors, 45:411.14
- Search warrants**
 border patrol and immigration enforcement officers executing, 8:287.5(e)(1), 287.9(a)
- Secondary displacement of U.S. workers**
 H-1B visas, 20:655.738(d)
- Secondary schools.** *See* Schools, primary and secondary
- Section 504, Rehabilitation Act**
 enforcement, 28:0.51(b)(3)
- Security**
See also Admission and admissibility; Classified national security information (DHS)
 classes of inadmissible aliens, 22:40.31–40.35
 grounds of inadmissibility. *See* Admission and admissibility
 immigrant visa security surcharge, 22:22.1
 investigations relating to applications for immigration relief, protection, or restriction on removal, 8:1003.47
 Privacy Act requirements for records systems, 6:5.31
- Seizure and forfeiture of conveyances**
 aircraft, seizure of, 8:280.21
 authority, 8:274.1–274.2
- Self-petitions.** *See* Children and minors; Family-sponsored immigration; Spouse
- Sentencing**
 DOJ Criminal Division role, 28:0.55(o)
- SENTRI program**
 Canadian citizens, 22:41.2(a)(3)
 passport exceptions, 22:53.2(b)(4)
 scope of examination at port of entry, 8:235.1(b)(4)
- Sept. 11, 2001 terrorist attacks**
 immigrant visas for children, 22:42.21(c)
 special immigrant status for victims, 22:42.32(d)(9)
- Service**
 arrest warrants for nonimmigration violations, 8:287.5(e)(4)
 attorneys and representatives, 8:292.5, 1292.5
 BIA decisions, 8:1003.1(f)
 of decisions and other notices, 8:103.8
 D visas, 20:655.655(h)
 administrative law judge proceedings, 20:655.640, 655.650(c)
 exchange programs, 22:62.50(j)
 fraud complaints, 6:13.8
 fraud hearings, 6:13.26
 H-1B visas, ALJ proceedings on, 20:655.830
 H-1C visas, Administrator’s determination, 20:655.1215(a)
 Homeland Security (DHS) service subpoenas, court orders, and other demands or requests for official information or action, 6:5.43
 summonses and complaints, 6:5.42
 Office of Administrative Law Judges, 29:18.30(a)
 unfair employment and unfair employment practices proceedings
 service of complaint, 28:68.3
 service of documents, 28:68.6

Settlement

Office of Administrative Law Judges approval of, **29:18.71**
judges, **29:18.13**
proceedings, **29:18.13**

SEVIS (Student & Exchange Visitor Information System)
See also J visas
approval and enrollment of schools. *See* Colleges and universities; Schools, primary and secondary fees. *See* Fees
mandatory use of, **8:214.2(j)(1)(vii)**
preliminary enrollment in, **8:214.12**
student visas, clearance requirements, **22:41.61(d)**

Sexual abuse and harassment of unaccompanied children
See also Care and placement of unaccompanied alien children (UACs)
Generally, **45:411**
access to attorneys or legal representatives, **45:411.55**
accommodations for children with disabilities and children with limited English proficiency, **45:411.15**
care provider facilities, **45:411.10**
hiring and promotion decisions of, **45:411.16**
interventions and discipline, **45:411.81–411.83**
reporting procedures, **45:411.51–411.55**
training and education of staff, **45:411.31–411.34**
upgrades to facilities, **45:411.17**
confidential support services, availability of, **45:411.53**
contracting with or having grant to be care provider facility, **45:411.12**
cross-gender viewing and searches, limits on, **45:411.14**
data collection and review, **45:411.101–411.115**
definitions, **45:411.5**
sexual abuse and sexual harassment, **45:411.6**
forensic medical examinations, **45:411.21**
grievances, **45:411.52**
investigation of allegations, **45:411.22**
medical and mental health care, **45:411.91–411.93**
Office of Refugee Resettlement, **45:411.10**
incident monitoring and evaluation, **45:411.71–411.72**
post-allegation protection, **45:411.68**
Prevention of Sexual Abuse Coordinator, **45:411.11**
prevention planning, **45:411.11–411.17**
response following report, **45:411.61–411.68**
responsive planning, **45:411.21–411.22**

retaliation, protection against, **45:411.67**
risk assessment, **45:411.41–411.42**
supervision and monitoring of unaccompanied children, **45:411.13**
victim advocacy, **45:411.21**
zero tolerance, **45:411.11**

Shepherders

labor certification, **20:656.16**

Short-term placement

H-1B visas, at worksites not on intended employment list, **20:655.735**

Short-term scholars

exchange visitor program, **22:62.21**

Siblings

immigrant visas. *See* Family-sponsored immigration

Sickness

medical examination of aliens, **42:34.**
See also Medical examinations

Signatures

Form OF-155B, **22:42.73(d)**
Forms DS-160 and DS-156, **22:41.103(b)(3)**
immigrant visa applications, **22:42.67(a)(2)**
passports, **22:51.4(a)**

Skilled workers

employment-based preference immigrants, **22:42.32(c)**
immigrant visas (EW3), **22:42.11**

Small employers

three or fewer employees, exception for unfair immigration-related employment practices, **28:44.200(b)(1)**

Smugglers

as illegal entrants and immigration violators, **22:40.65**

“Snitch” visa. *See* S visas

Social Security Administration

agreement with other government agencies to accept applications for social security numbers, **20:422.106**
criminal penalties, **20:422.108**
individual’s request for change in record, **20:422.110**
organization and procedures, **20:422**
scope of regulations, **20:422.101**

Social Security benefits

definition of “lawfully present” for purposes of applying for benefits, **8:1.3**

Social Security numbers

cards, **20:422.103(d)**
criminal penalties for wrongful use or misrepresentation, **20:422.108**
driver’s licenses or DMV ID cards provision of, by applicant, **6:37.11(e)**
unique number, not SSN, **6:37.17(d)**
eligibility for, **20:422.104**
evidence requirements for applications, **20:422.107**

Form SS-5, application for SSN card, **20:422.103**
government agencies authorized to accept applications for, **20:422.106**
for nonwork purposes, **20:422.104**
Privacy Act on use and collection of, **6:5.33**
purpose of, **20:422.103**
replacement of lost or damaged cards, **20:422.103(e)**
state agencies authorized to accept applications for, **20:422.106**

Soviet and Indochinese parolees

Foreign Operations Appropriations Act of 1990, adjustment of status, **8:245.7, 1245.7**

Spain

deserters from Spanish ships of war, **8:252.5**
Treaty of Friendship and General Relations between U.S. and Spain, **28:0.109**

Special agricultural workers (SAWs)

adjustment of status, **8:210.5**
definitions, **8:210.1**
eligibility, **8:210.3**
status and benefits, **8:210.4**
temporary resident status application for, **8:210.2**
termination of, **8:210.4(d)**
verification of employment eligibility, **8:247a.2(a)(1)**

Special Counsel for Immigration-Related Unfair Employment Practices

appointment and role of, **28:0.53**
complaints on own initiative, **28:44.304(b)**
investigations on own initiative, **28:44.304(a)**

Special education exchange visitor program

H-3 visas (trainees), **8:214.2(h)(7)(iv)**

Special immigrant juveniles

definitions, **8:204.11(a)**
general requirements, **8:204.11**

Special immigrants

See also Armed Forces of the U.S.; EB-4 visas; G visas; NATO; Panama Canal employees; Physicians; Religious workers; Special immigrant juveniles; Terrorism
Armed Forces special immigrants, **8:204.9**
broadcasters, petitions, **8:204.13**
employment-based preference immigrants, **22:42.32(d)**
immigrant visa classification, **22:42.11**
international organization employees, **22:42.32(d)(5)**
juvenile court dependents, **22:42.32(d)(6)**

- LPR returning from temporary visit abroad [INA 101(a)(27)(A)], issuance of new visa, **22:42.74(a)**
- NATO civilian employees, **22:42.32(d)(5)**
- Panama Canal employees, **22:42.32(d)(3)**
- reacquisition of citizenship [INA 101(a)(27)(B)], issuance of new visa, **22:42.74(a)**
- religious workers, **22:42.32(d)(1)**
- Sept. 11, 2001 terrorist attack victims, **22:42.32(d)(9)**
- spouse and children of foreign medical graduates, **22:42.32(d)(4)**
- U.S. government workers abroad, **22:42.34**
- U.S. international broadcasting employees, **22:42.32(d)(8)**
- U.S. military alien members recruited abroad, **22:42.32(d)(7)**
- Specialty occupations requiring specialized knowledge**
- Generally, **20:655.700–655.760**. *See also* H-1B visas
- employment authorization, **8:274a.12(b)(25)**
- exchange visitor program. *See* J visas, Q visas
- Speedy hearings**
- unfair employment and unfair employment practices proceedings, **28:68.32**
- Sponsors for exchange programs.** *See* J visas
- Spouse**
- See also* Marriage; Women; *specific visas*
- immigrant visas
- deceased U.S. citizen's surviving spouse, **22:42.21(b)**
 - entitlement to status, **22:42.21(a)**
 - rules of chargeability, exception for, **22:42.12(c)**
 - self-petition spouse of U.S. citizen, visa symbol (IB), **22:42.11**
 - labor certification for visas, **22:40.51(c)**
 - nonimmigrants' documentary requirements, generally, **8:212.1(h), 1212.1(h)**
- State agencies**
- Social Security number applications, authorized to accept, **20:422.106**
- State assistance**
- Immigration Emergency Fund
- Attorney General's procedures when seeking state or local assistance, **28:65.84**
 - State or local governments applying for funding, **28:65.85**
- State Children's Health Insurance Program (SCHIP)**
- Cuban/Haitian entrant medical assistance, **45:401.12**
- refugee medical assistance, **45:400.90–400.107**
- State Department (DOS)**
- administrative services fees, **22:22.1**
- Affidavit of Support Review fees, **22:22.1**
- appeals
- certificate of identity for travel to U.S. to apply for admission, **22:50.11(b)**
 - exchange visitor program
 - of sanctions, **22:62.50(g)–(h)**
 - of suspension of program, **22:62.50(g)–(h)** - arrest and prison visits, fees, **22:22.1**
 - assistance in locating U.S. citizen overseas, fees, **22:22.1**
 - asylum application, comments on applicant's eligibility, **8:1208.11**
 - audio-visual materials. *See* Audio-visual materials, trade in
 - authentication services, **22:22.2(b)**
 - audio-visual materials. *See* Audio-visual materials, trade in
 - fees, **22:22.1**
 - bill of sale of vessel purchased abroad, fees, **22:22.1**
 - birth abroad of U.S. citizen. *See* Birth
 - border crossing cards. *See* Border crossing cards (BCCs)
 - certification fees, **22:22.1**
 - certified copies fees, **22:22.1**
 - as conservator of estate, acting in provisional role for U.S. citizens, fees, **22:22.1**
 - consular mortuary certificate on behalf of non-U.S. citizen, fees, **22:22.1**
 - consular time charges, hourly fee for, **22:22.1**
 - crewmen. *See* Seamen
 - death and estate services fees, **22:22.1**
 - departure of aliens from U.S., **22:46**
 - depositions fees, **22:22.1**
 - diplomatic passports. *See* Foreign diplomats
 - diversity visas. *See* Diversity visas
 - documentary services fees, **22:22.1**
 - emergency dietary assistance loans, fees for, **22:22.1**
 - estate services fees, **22:22.1**
 - exchange visitor program. *See* J visas, Q visas
 - fees, **22:22**
 - collection and return of, **22:22.7**
 - list of amounts for services, **22:22.1**
 - passports, **22:51.50–51.56**
 - refund of, **22:22.6**
 - remittances
 - to Foreign Service posts, **22:22.5**
 - in U.S., **22:22.3** - requests for services
 - Foreign Service, **22:22.4**
 - in U.S., **22:22.2** - special immigrant visas, **22:42.34(b)(1)** - file search and verification of U.S. citizenship, fees, **22:22.1**
 - fingerprinting. *See* Biometrics
 - foreign government officials, **22:41.21–41.27**. *See also* Foreign government officials
 - Foreign Service Immunities Act (FSIA)
 - judicial assistance cases, fees, **22:22.1** - foreign students, **22:65**. *See also* Foreign students
 - H-1B visas, role, **20:655.705(b)**
 - H-1C visas, role, **20:655.1101(a), 655.1101(d)**
 - immigrant and special visa services, fees, **22:22.1**
 - immigrant visa security surcharge, **22:22.1**
 - international educational and cultural exchange program grants, **22:63**. *See also* International educational and cultural exchange program grants
 - judicial assistance services, fees, **22:22.1**
 - letters rogatory, processing fees, **22:22.1**
 - marine radio license, fees, **22:22.1**
 - marriage documentation. *See* Marriage
 - National Endowment for Democracy. *See also* National Endowment for Democracy (NED)
 - organization, **22:67**
 - records and information, **22:66** - nationality procedures, **22:50**. *See also* Nationality procedures
 - birth abroad. *See* Birth - nonemergency telephone calls fees, **22:22.1**
 - nonimmigrant visas. *See* Visas
 - notarial service fees, **22:22.1**
 - officials. *See* Official visas
 - overseas citizen services fees, **22:22.1**
 - passport fees, **22:22.1**
 - passports. *See* Passports
 - Peace Corps volunteers, fees, **22:22.1**
 - petitions
 - to classify orphan as immediate relative (INS I-600), fees, **22:22.1**
 - to classify status of alien relative for visa (INS I-130 petition), fees, **8:106.2(a)(6), 22:22.1**
 - diversity immigrants, **22:42.33(b)–(e)**
 - H-1C visas, **20:655.1101(c)**
 - immigrant visas, **22:42.41–42.43** - photocopying fee, **22:22.1**
 - records in U.S., requests for, **22:22.2(a)**
 - refugees. *See* Refugees
 - repatriation loans, fees for, **22:22.1**
 - return check processing fee, **22:22.1**
 - Returning Resident Status, fees for determination of, **22:22.1**
 - seamen. *See* Seamen

- temporary visas under INA 212(d)(3)(A), 22:40.301
- temporary visitors, 22:41.31–41.33. *See also* Temporary visitors
- Torture Convention in extradition cases, 22:95. *See also* Convention Against Torture (CAT)
- Trafficking Victims Protection Act, interagency coordination, 22:104.1–104.2; 28:1100.25–1100.37
- transportation charges, fees, 22:22.1
- transportation letter for legal permanent residents of U.S., fees, 22:22.1
- travel letters, fees, 22:22.1
- trust account, fees for setting up and maintaining, 22:22.1
- U.S. government personnel stationed or traveling officially in foreign country, fees, 22:22.1
- U.S. Savings Bonds certificates, fees for endorsing, 22:22.1
- vessels and seamen, fees for services relating to, 22:22.1
- visa requirements. *See* Visas
- vocational students, M-1 visas, 22:41.61
- waiver of immigrant visa ineligibility (IV Waiver), fees, 22:22.1
- waiver of two-year residency requirement (J Waiver), fees, 22:22.1
- women expatriates. *See* Women expatriates
- world-wide flow of audio-visual materials, 22:61. *See also* Audio-visual materials, trade in
- State Legalization Impact Assistance Grants**
- Generally, 45:402
- administration of grants, 45:402.20–402.26
- definitions, 45:402.2
- records and reports, 45:402.50–402.51
- state allocations, 45:402.30–402.34
- state applications, 45:402.40–402.45
- use of funds, 45:402.10–402.12
- Stateless persons**
- passports not required for, 22:42.2(d)
- Statute of limitations**
- fraud or misrepresentation, 6:13.47
- Stay of proceedings**
- fraud hearings, 6:13.40, 13.41
- H-1C visas, 20:655.1135(g)
- unfair employment and unfair employment practices proceedings, 28:68.53(b)
- Stipulations**
- Office of Administrative Law Judges
- discovery, 29:18.54
- hearings, 29:18.83
- Stowaways**
- asylum and, 8:241.11(d)
- credible-fear determinations, 8:208.30, 1208.30
- duty owed aliens upon request, 8:208.5(b), 1208.5(b)
- ineligible to proceedings under INA §240, 8:208.2(c)(1)(i), (ix), 1208.2(c)(1)(ii)
- detention and removal, 8:241.11
- as illegal entrants and immigration violators, 22:40.64
- medical treatment, parole for, 8:241.11(b)
- Northern Mariana Islands (CNMI) nationals, 8:208.30(a)
- repatriation of, 8:241.11(c)
- Strikes.** *See* Labor disputes
- Student & Exchange Visitor Information System.** *See* SEVIS
- Students.** *See* Foreign students; F visas; J visas; M visas
- Subpoenas**
- field officers, power and duties, 8:287.4, 1287.4
- fraud hearings, 6:13.23
- immigration court rules of procedure, 8:1003.35
- Office of Administrative Law Judges, 29:18.56
- duties, 29:18.56(d)
- protection of persons subject to, 29:18.56(c)
- service, 29:18.56(b)
- unfair employment and unfair employment practices proceedings, 28:68.25
- Sugar Act of 1948**
- actions under, 28:0.55(d)
- Summary decision**
- Office of Administrative Law Judges, 29:18.72
- Summer work travel**
- exchange visitor program, 22:62.32
- Surety bonds.** *See* Bonds
- Symbols**
- immigrant visa classifications, 22:42.11
- nonimmigrant visa classifications, 22:41.12
- Syrians**
- adjustment, 8:1245.20
- T**
- T visas (victims of trafficking in persons)**
- See also* Trafficking in persons
- adjustment of status. *See* Adjustment of status
- admission, documentary requirements for T-2 to T-4, 8:212.1(o), 1212.1(o)
- advance parole, 8:245.23(j)
- age-out protections, 8:214.11(k)(5)
- annual cap, 8:214.11(j)
- application procedures, 8:214.11(d)
- aliens in pending proceedings, 8:1214.2(a)
- aliens with final orders of exclusion, deportation, or removal, 8:214.11(d)(9)
- decision, 8:214.11(d)(8)
- denial, 8:214.11(d)(10)
- eligible family members, 8:214.11(k)
- evidentiary standards and burden of proof, 8:214.11(d)(5)
- personal interview, 8:214.11(d)(6)–(7)
- class of nonimmigrant status, 22:41.12
- definitions, 8:214.11(a)
- disclosure of information, restrictions on, 8:214.11(p)
- eligibility, 8:214.11(b)
- employment authorization, 8:214.11(d)(11), 274a.12(a)(16), 274a.12(c)(25)
- evidence, 8:214.11(f)
- extension of status, 8:214.11(f)
- extreme hardship, evidence of, 8:214.11(i)
- ineligibility, 8:214.11(c)
- law enforcement, compliance with requests by, 8:214.11(h)
- numerical restrictions, 8:214.11(j)
- period of admission, 8:214.11(c)
- physical presence, 8:214.11(g)
- referral by government, 8:214.11(o)
- removal from waiting list, 8:214.11(j)(3)
- removal proceedings, 8:214.11(n)
- requirements for admission, extension, and maintenance of status, 8:214.14
- revocation of status, 8:214.11(m)
- severe forms of trafficking, 8:214.11
- stay of final orders of exclusion, deportation, or removal, 8:214.11(e)(3)
- stay of final removal order, 8:1214.2(b)
- trafficking in persons, victims of, 22:41.84
- unlawful presence, 8:214.11(j)(2)
- waivers, 8:212.16, 1212.16
- in connection with adjustment application, 8:212.18
- Tax evasion**
- former U.S. citizens who renounced citizenship to avoid taxation, 22:40.105
- Teachers**
- See also* EB-1 visas (priority workers); Professors
- exchange visitor program, 22:62.24. *See also* J visas
- international exchange program grants, 22:63. *See also* International educational and cultural exchange program grants
- Telephone calls from overseas**
- nonemergency, DOS fees, 22:22.1
- Telephonic or video hearings**
- immigration judges (IJs) and immigration courts, 8:1003.25(c)

Temporary absence
 F visas (academic students), 8:214.2(f)(4), 214.2(f)(13)
 M visas (vocational students), 8:214.2(m)(4)

Temporary agricultural labor certification. *See* H-2A visas

Temporary Assistance for Needy Families (TANF)
 refugee cash assistance, 45:400.45–400.69

Temporary employment of aliens
 athletes, artists, and entertainers (P visas), 22:41.56
 authority of OFLC administrator, 20:655.00
 D visas, 20:655.500–655.550. *See also* D visas
 exceptional abilities, persons of (O visas), 22:41.55
 fashion models, 20:655.700–655.760. *See also* H-1B visas
 H-2A agricultural workers. *See* H-2A agricultural workers
 H-2B workers. *See* H-2B nonagricultural workers
 international cultural exchange visitors (Q visas), 22:41.57
 intracompany transferees (executives, managers, and specialists), 22:41.54
 longshore work performed by alien crewmembers, 20:655.500–655.550. *See also* D visas
 occupations other than agriculture, logging, or registered nursing (H-2B workers). *See* H-2B nonagricultural workers
 occupations other than agriculture or registered nursing (H-2B workers), 20:655.1–655.73
 O visas, 22:41.55
 purpose of regulations, 20:655.0
 P visas, 22:41.56
 Q visas, 22:41.57
 registered nurses (H-1C visas), 20:655.1100–655.1150. *See also* H-1C visas
 scope of regulations, 20:655.0
 specialty occupations requiring specialized knowledge, 20:655.700–655.760. *See also* H-1B visas
 trainees, 22:41.53

Temporary immigration judges, 8:1003.10(e)

Temporary protected status (TPS)
 Generally, 8:244, 1244
 AAU decision, 8:244.10, 1244.10
 annual registration, 8:1244.17
 appeals, 8:244.10–244.11, 1244.10–1244.11
 appearance, 8:244.8, 1244.8
 application, 8:244.6–244.7, 1244.6–1244.7

charging documents, issuance of, 8:244.18, 1244.18
 confidentiality, 8:244.16, 1244.16
 decision by director, 8:244.10, 1244.10
 definitions, 8:244.1, 1244.1
 detention, 8:244.18, 1244.18
 eligibility, 8:244.2, 244.4, 1244.2, 1244.4
 employment authorization, 8:244.12, 274a.12(a)(12), 274a.12(c)(19), 1244.12
 evidence, 8:244.9, 1244.9
 fees, 8:244.17
 inadmissibility grounds, applicability of, 8:244.3, 1244.3
 registration periodically, 8:244.17
 renewal of application, 8:244.11, 1244.11
 temporary treatment benefits, 8:244.5, 1244.5
 termination, 8:244.13, 1244.13
 travel abroad, 8:244.15, 1244.15
 withdrawal of TPS, 8:244.14, 1244.14

Temporary visitors
 Generally, 22:41.31–41.33
 for business or pleasure, 22:41.31
 extensions, 8:214.2(b)

Temporary Worker Visa Exit Program
 departure at end of stay, 8:215.9

Temporary workers. *See specific visa types*

Termination of status
 nonimmigrants, 8:214.1(d)

Territories and possessions of U.S.
 CNMI Visa Waiver Program. *See* Visa Waiver Program (VWP)
 departure controls, 8:215.6, 1215.6
 employment authorization, 8:274a.12(a)(8)
 entry into areas under U.S. administration, 22:40.3
 Guam. *See* Guam
 habitual residence, 8:214.7
 Northern Mariana Islanders. *See* Northern Mariana Islands (CNMI)
 preinspection, 8:235.5(a)

Terrorism
See also Sept. 11, 2001 terrorist attacks
 admission, application for exercise of discretion under §212(d)(3)(B), 8:212.4(b), 1212.4(b)
 alien terrorist removal procedures, 28:200
 eligibility for protection under CAT, 28:200.1
 classes of inadmissible aliens, 22:40.32[reserved]
 immigrant visas, terrorist acts of Sept. 11, 2001, effect of, 22:42.21(c)
 readmission restrictions on nonimmigrant visa holders from countries supporting, 22:41.112(d)(3)

Textbooks
 INS to provide for preparing candidates for naturalization, 28:0.105(f)

Therapists
See also Physical therapists
 adjustment for health care workers. *See* Adjustment of status
 certification and credentialing, 8:212.15, 1212.15

Third parties
 exchange programs and, 22:62.32(l)
 training program conducted by, 22:62.22(g)
 vetting, 22:62.32(m)–(n)

Tick Inspectors
 carrying/using firearms, 28:0.64-3

Time
 computation of time
 exchange visitor program, 22:62.50(j)
 fraud hearings, 6:13.27
 unlawful employment and unfair employment practices proceedings, 28:68.8
 speedy hearings in unfair employment and unfair employment practices proceedings, 28:68.32

TN visas. *See* NAFTA

Toll roads
 unauthorized entry, prevention efforts by owners of railroad lines, bridges, and toll roads, 8:271.1

Torture. *See* Convention Against Torture (CAT)

Totalitarian party members
See also Communists
 naturalization ineligibility, 8:313.1–313.4, 316.11(c)
 visas, 22:40.34

Tour guides
 admission and admissibility, 8:214.2(b)(4)

Tourists. *See* Temporary visitors

Trade
 audio-visual materials. *See* Audio-visual materials, trade in
 Controlled Substances Import and Export Act, criminal and civil litigation under, 28:0.55(c)
 Export Control Act of 1949, actions under, 28:0.55(d)

Trade secrets
 FOIA request procedures, 6:5.12

Trafficking in persons
 continued presence, 8:214.11(d)–(h), 245.23(g)(1); 28:1100.35
 interagency coordination of activities and information sharing, 22:104.1–104.2; 28:1100.25–1100.37
 services for victims, 28:1100.33
 T visas. *See* T visas

Trafficking Victims Protection Act of 2000 (TVPA), 22:104.1–104.2; 28:1100.25–1100.37

Trainees
See also H-3 visas; J visas & exchange visitor program; M visas (vocational students)
 aviation training. *See* Aviation training for aliens
 exchange visitor program, 22:62.22
 unskilled occupations, 22:62(Appx. E)
 of U.S. nurses as part of H-1C visa program, 20:655.1114(b)(1)

Transcripts
 Office of Administrative Law Judges, 29:18.88(a)
 corrections, 29:18.88(b)

Transit, aliens in. *See* C visas (aliens in transit)

Transit without visa (TWOV)
 fees, responsibility for, 8:286.3(g)
 passport and visa not required, 8:1212.1(f)(1)
 procedures at ports of embarkation, 8:273.3(b)(3)

Transportation
 DOS charges and fees, 22:22.1

Transportation letters
 for legal permanent residents, DOS fees, 22:22.1

Transportation lines. *See* Common carriers

Travel
See also Advance parole; Reentry permits; Visa Waiver Program (VWP); *specific headings*
 APEC (Asia-Pacific Economic Cooperation) Business Travel Card, 8:235.13
 asylum and withholding of removal, 8:208.8, 1208.8
 cancellation of removal and suspension of deportation applicants, 8:240.21(b)(5)
 detained aliens, 8:241.4(g)
 Family Unity Program beneficiary, 8:236.16, 245a.35
 HRIFA adjustment, 8:245.15(t), 1245.15(t)
 IRCA legalization, 8:245a.2(n)
 LIFE legalization, 8:245a.13(e)
 special agricultural workers, 8:210.4(b)
 TPS-granted aliens, 8:244.15, 1244.15
 Vietnamese, Cambodian, and Laotian adjustment of status, 8:245.21(i), 1245.21(j)
 by V nonimmigrants, 8:214.15(i)

Travel letters
 DOS fees, 22:22.1

Treasury Department
 access to records. *See* Access to records

Treaties
See also specific treaties and conventions
 citizenship by. *See* Citizenship and nationality
 on mutual assistance in criminal matters, role of DOJ Criminal Division, 28:0.64-1

Treaty aliens in specialty occupations
 E-3 visas, 22:41.51(c)

Treaty of Friendship and General Relations between U.S. and Spain
 INS implementation of, 28:0.109

Treaty traders and investors
 admission and admissibility, 8:212.1(l), 1212.1(l)
 requirements for admission, extension, and maintenance of status, 8:214.2(e)

visas
 Canadian nationals, 22:41.2(l)
 E-1 visas, 22:41.51(a)
 E-2 visas, 22:41.51(b)

Trust accounts
 DOS fees for setting up and maintaining, 22:22.1

Trust Territory of the Pacific Islands
 visa and passport not required for entry to U.S., 22:41.2(g)

Trusted Traveler Programs
 passport exceptions, 22:53.2(b)(4)

Turks and Caicos Islands
 passport not required, 22:41.2(d)

Twenty-Eight Hour Law
 actions under, 28:0.55(d)

TWOV. *See* Transit without visa

U

U visas (victims of crimes)
 adjustment of status. *See* Adjustment of status
 admission, documentary requirements, 8:212.1(p)
 advance parole, 8:245.24(j)
 application procedures, 8:214.14(c)
 biometrics, 8:214.14(c)(3)
 class of nonimmigrant status, 22:41.12
 definitions, 8:214.14(a)
 disclosure of information, 8:214.14(e)
 duration of status, 8:214.14(g)
 eligibility, 8:214.14(b)
 employment authorization, 8:214.14(c)(7), 274a.12(a)(19), 274a.12(a)(20)
 evidentiary standards and burden of proof, 8:214.14(c)(4)
 family members, admission of, 8:214.14(f)
 interim relief, 8:214.14(c)(6)
 numerical restrictions, 8:214.14(d)
 removal proceedings, 8:214.14(i)

revocation of approved petitions, 8:214.14(h)
 victims of criminal activity, 22:41.12
 waivers, 8:212.17

Unaccompanied alien children (UACs).
See Care and placement of unaccompanied alien children; Children and minors; Sexual abuse and harassment of unaccompanied children

Unemployment insurance
 quality control in federal-state system
 Employment Security Manual (Part V, Sections 6010–6015 reprint), 20:602(Appx. A)
 federal law requirements, 20:602.10
 federal responsibilities
 management, 20:602.30
 oversight, 20:602.31
 grants to states, 20:602.40–602.43
 effect of failure to implement quality control program, 20:602.42
 funding, 20:602.40
 incentives or sanctions not to be used, 20:602.43
 proper expenditure of funds, 20:602.41
 purpose of regulations, 20:602.1
 scope of regulations, 20:602.2
 Secretary's interpretation, 20:602.11, 602(Appx. A)
 state responsibilities
 exceptions, 20:602.22
 organization, 20:602.20
 standard methods and procedures, 20:602.21

Unfair immigration-related employment practices. *See* Employment

Unforeseen emergency
 nonimmigrants' documentary requirements, 8:212.1(g), 1212.1(g)

United Nations
 International Organizations Immunity Act designation, 8:316.20(c)
 nonimmigrant application fees, exemption from, 22:41.107(c)
 officials, diplomatic visas for, 22:41.26(c)(2)
 as public international organization of which U.S. is a member, 8:316.20(b)
 naturalization of spouse, 8:319.5
 transit aliens on way to, 22:41.71

Universities. *See* Colleges and universities; F visas; J visas

Unlawful employment
 cease and desist orders, 8:274a.10
 complaints, filing of, 8:274a.9(a)
 continuing employment of unauthorized aliens, 8:274a.3
 enforcement, 8:274a.9, 1274a.9
 fines, 8:274a.10
 good faith defense, 8:274a.4
 hearing before ALJ, 8:274a.9(e)–(f)

- indemnity bonds, prohibition of, **8:274a.8**
injunctions for pattern or practice viola-
tions, **8:274a.10(c)**
investigation, **8:274a.9(b)**
labor contracts, **8:274a.5**
notice of intent to fine, **8:274a.9(d)**
penalties, **8:274a.9(d)**, **274a.10**,
1274a.10
pre-enactment provisions for employees
hired before 11/7/86 (or CNMI tran-
sition program eff. date), **8:274a.7**
state employment agencies, **8:274a.6**
verification of employment authoriza-
tion, **8:274a.1–274a.10**, **1274a.1**
definitions, **8:274a.1**
electronic retention of Form I-9,
8:274a.2(e)–(f)
electronic signatures, **8:274a.2(h)–(i)**
I-9 form and verification requirements,
generally, **8:274a.2**
rehiring previously employed individ-
ual, **8:274a.2(c)**
security of electronic system,
8:274a.2(g)
warning notice, **8:274a.9(c)**
- Unlawful presence**
LIFE Act and LIFE Act Amendments,
8:245a.15, **245a.34**
Social Security benefits, definition of
“lawfully present” for purposes of
applying, **8:1.3**
V nonimmigrants, **8:214.15(i)(3)**
waiver for immediate relatives, **8:212.7(e)**
- U.S. Asia-Pacific Economic Coopera-
tion (APEC) Business Travel Card**,
8:235.13
- U.S. citizen identification card**
no longer issued, **8:235.10**, **1235.10**
- U.S. Citizenship and Immigration Ser-
vices (USCIS)**. *See* Homeland Secu-
rity Department (DHS)
- U.S. government employees**. *See* Federal
employees
- U.S. government employees abroad**
employment-based preference immi-
grants, **22:42.34**
- U.S. Savings Bonds certificates**
DOS fees for endorsing, **22:22.1**
- U.S. territories**. *See* Territories and pos-
sessions of U.S.
- U.S. workers unavailable**. *See* Recruitment
- V**
- V visas (spouses and children of LPRs
awaiting adjustment)**
aliens abroad, **8:214.15(a)**
aliens already in U.S., **8:214.15(b)**
application process, **8:214.15(f)**
classification process, **8:214.15(e)**
class of nonimmigrant status, **22:41.12**
eligibility, **8:214.15(c)**
employment authorization, **8:214.15(h)**,
274a.12(a)(15)
naturalization, **8:214.15(k)**
pending petition, **8:214.15(d)**
period of admission, **8:214.15(g)**
removal proceedings, aliens in,
8:214.15(l), **1214.3**
requirements for admission, extension,
and maintenance of status, **8:214.15**
spouses and children of LPRs, **22:41.86**
termination of status, **8:214.15(j)**
travel abroad, **8:214.15(i)**
unlawful presence, **8:214.15(i)(3)**
- Verification of employment authoriza-
tion**. *See* Unlawful employment
- Verification of U.S. citizenship
fees**, **22:22.1**
- Vessels**
See also Common carriers; Seamen
access to records
cargo, **19:103.31a**
importer security filing information,
19:103.31a
manifests, **19:103.31**
automated vessel exception (D visas),
20:655.500(a)(1), **655.520**,
655.610
bill of sale purchased abroad, DOS
fees, **22:22.1**
DOS fees for services relating to,
22:22.1
longshore work performed by alien
crewmembers, **20:655.500–**
655.550. *See also* D visas
smugglers, **22:40.65**
stowaways. *See* Stowaways
- Victims**
of criminal activity. *See* U visas
of sexual abuse and harassment, unac-
companied minors as. *See* Sexual
abuse and harassment of unaccom-
panied children
of trafficking in persons. *See* T visas;
Trafficking in persons
- Video hearings**
immigration judges (IJs) and immigra-
tion courts, **8:1003.25(c)**
- Vietnam**
adjustment of status, **8:245.21**, **1245.21**
Amerasian immigrants, **22:42.11**
military members of, no visa or pass-
port waiver for, **22:41.3(e)**
- Virgin Islands**
See also Territories and possessions of
U.S.
aliens departing from, exempt from
passport or visa requirements,
22:41.1(c)
aliens entering from, immigrant visa
not required, **22:42.1(c)**
citizenship and nationality, **8:306.1–**
306.12
entry documentation, **22:41.2(e)**
- Visa Bond Pilot Program**
appeal of bond breach determination,
22:41.11(c)(5)
bond waiver authority, **22:41.11(c)(3)**
effect on other laws, **22:41.11(c)(6)**
parameters, **22:41.11(c)(2)**
procedures, **22:41.11(c)(4)**
summary of program, **22:41.11(c)(1)**
- Visa Waiver Program (VWP)**
Generally, **8:212.1(i)**, **214.2(b)**, **217**,
1212.1(i); **22:41.2(k)**
asylum and withholding applicants in-
eligible to proceedings under INA
§240, **8:208.2(c)(1)(iii)–(iv)**,
1208.2(c)(1)(iii)–(iv)
carrier agreements, **8:217.6**
definitions, **8:217.2(a)**
designated counties, **8:217.2(a)**
electronic data transmission require-
ment, **8:217.7**
Electronic System for Travel Authori-
zation (ESTA), **8:217.5**
duration, **8:217.5(d)**
fee, **8:217.5(h)**
eligibility, **8:217.2**
Guam-CNMI Visa Waiver Program,
8:212.1(q), **1212.1(q)**
agreements between transportation
lines and DHS, **8:233.5**, **233.6**
inadmissibility and deportability,
8:217.4
maintenance of status, **8:217.3**
scope, **8:217.1**
- Visas**
See also Admission and admissibility;
Family-sponsored immigration; *spe-
cific type of visa*
basis for refusal of visa, **22:40.6**
business and media visas, **22:41.51–**
41.59
athletes, artists, and entertainers,
22:41.56
extraordinary abilities, **22:41.55**
former exchange visitor, intracompany
transferees (executives, managers,
and specialists), **22:41.54(f)**
information media representative,
22:41.52
international cultural exchange visitors,
22:41.57
intracompany transferees (executives,
managers, and specialists),
22:41.54
NAFTA, professionals under, **22:41.59**
religious occupations, **22:41.58**
temporary workers and trainees,
22:41.53
treaty aliens in specialty occupations,
22:41.51(c)
treaty investor, **22:41.51(b)**
change of status. *See* Change of status
(NIVs)

- classes of inadmissible aliens, 22:40.9
- aliens entitled to A, E, or G nonimmigrant classification, 22:40.203
- aliens unlawfully present, 22:40.92
- after previous immigration violations, 22:40.93
- amnesty, effect on crimes involving moral turpitude, 22:40.21(a)(5)
- bonds, posting of, to remove likelihood of becoming public charge, 8:213.1
- conviction *in absentia*, effect
- moral turpitude, crimes involving, 22:40.21(a)(4)
- multiple criminal convictions, 22:40.22(b)
- criminal grounds, 22:40.21–40.25
- controlled substance violators, 22:40.21(b)
- conviction in *absentia*, 22:40.22(b)
- moral turpitude and controlled substance violators, 22:40.21
- multiple criminal convictions, 22:40.22
- waiver of ineligibility, 22:40.21(a)(7)
- drug traffickers, 22:40.23[reserved]
- education or work experience requirement not met, 22:40.205
- failure of application to comply with INA, 22:40.201
- former citizens who renounced citizenship to avoid taxation, 22:40.105
- former exchange visitors, 22:40.202
- frivolous applications, 22:40.206
- ineligible for citizenship, 22:40.81
- military service, departure from U.S. to avoid, 22:40.82
- juvenile crimes
- moral turpitude involved, 22:40.21(a)(2)
- multiple convictions, 22:40.22(a)
- medical grounds of ineligibility, 22:40.11
- military service, departure from U.S. to avoid, 22:40.82
- pardons, effect
- moral turpitude, crimes involving, 22:40.21(a)(5)
- multiple criminal convictions, 22:40.22(c)
- political offenses
- moral turpitude, crimes involving, 22:40.21(a)(6)
- multiple convictions, 22:40.22(d)
- polygamists, 22:40.101
- prearranged employment, 22:40.41(f)
- previously inadmissible aliens, 22:40.91
- 5-year bar, 22:40.91(a)
- 10-year bar, 22:40.91(b)
- 20-year bar, 22:40.91(c)
- permanent bar, 22:40.91(d)
- prostitution and commercialized vice, 22:40.24
- public charge. *See* Public charge
- reconsideration of refusals, 22:40.201(b)
- security and related grounds, 22:40.31–40.35
- serious criminal activity, aliens asserting immunity from prosecution, 22:40.25[reserved]
- smugglers, 22:40.65
- stowaways, 22:40.64
- subject of civil penalty, 22:40.66
- totalitarian party membership, 22:40.34
- voting by alien as cause, 22:40.104
- waiver of ineligibility
- controlled substance violators, 22:40.21(b)(2)
- criminal grounds, 22:40.21(a)(7)
- fraud and misrepresentation, aliens engaging in, 22:40.63(c)
- medical grounds of ineligibility, 22:40.11
- multiple criminal convictions, 22:40.22(e)
- prostitution, 22:40.24(d)
- smugglers, 22:40.65(b)
- waiver under INA 212(d)(3)(A), 22:40.301
- classification of immigrants, 22:42.11
- classification of nonimmigrants
- borderline cases, posting of bonds in, 22:41.11(b)(2)
- burden of proof on applicant, 22:41.11(a)
- entitlement to nonimmigrant status, 22:41.11
- symbols, 22:41.12
- definitions, 22:40.1
- diplomatic visas. *See* A visas
- documentation requirements
- Generally, 8:212.1, 1212.1
- for immigrants. *See this heading:* immigrant documentation
- for nationals, 22:40.2
- for nonimmigrants. *See this heading:* nonimmigrant documentation
- duplicate visas, issuance of, 22:42.74(d)
- eligibility exceptions
- child involved in international child abduction, 22:40.103
- guardian required to accompany excluded alien, 22:40.102
- employment-based preference immigrants, 22:42.32
- classification symbol, 22:42.11
- employment to be prearranged, 22:40.41(f)
- entry into areas under U.S. administration, 22:40.3
- expiration of immigrant visas, 8:211.3
- fees, *see* Fees
- fiancé(e) of U.S. citizen and derivative children, 22:41.81
- general provisions, 22:40
- illegal entrants and immigration violators, 22:40.61–40.68. *See also* Illegal entrants and immigration violators
- immigrant documentation, 22:40.71, 42, 42.63
- classification symbols, 22:42.11
- passports not required for certain aliens, 22:42.2
- stateless persons, passports not required for, 22:42.2(d)
- waiver of passport requirement, 22:42.2(g)
- immigrant visas. *See also* Family-sponsored immigration; *specific visa types*
- applications, 22:42.61–42.68
- authenticity of records and documents, 22:42.65(e)
- definitions, 22:42.65(c)
- execution of, 22:42.67(a)
- fees, 22:42.67(a)(1)
- fingerprinting required, 22:42.67(c)
- forms, 22:42.63
- informal evaluation of family members if preceded by principal applicant, 22:42.68
- interview of applicant, 22:42.62(b)
- medical examination, 22:42.66
- oath and signature, 22:42.67(a)(2)
- passport requirements, 22:42.64
- personal appearance of applicant, 22:42.62(a)
- photographs, 22:42.65(f)
- place of application, 22:42.61
- registration, 22:42.67(b)
- supporting documents, 22:42.65
- authority to issue, 22:42.71(a)
- classification symbols, 22:42.11
- discontinuance of granting IV pursuant to INA 243(d), 22:42.84
- documentation. *See this heading:* Immigrant documentation
- duration of visas, 22:42.72
- fees, 22:42.71(b)
- former U.S. citizens, 22:42.23
- immediate relatives, 22:42.21
- informants and witnesses, 22:41.83
- issuance of, 22:42.71–42.74
- military expatriates, 22:42.23(b)
- notice of revocation, 22:42.82(c)
- to Department, 22:42.82(e)
- provisional revocation, 22:42.82(b)
- notice of termination of registration, 22:42.83(c)
- not required for certain categories of aliens, 22:42.1
- petitions, 8:204.1–204.13; 22:42.41–42.43
- effect of approved petition, 22:42.41
- for immediate relative or preference status, 22:42.42

- suspension or termination of action, 22:42.43
 - photograph to be attached, 22:42.73(a)(6)
 - post records of visa applications, 22:42.52
 - preference applicants and priority date, 22:42.53(a)
 - priority date of individual applicants, 22:42.53, 42.55
 - procedure for issuing, 22:42.73
 - quotas, 22:42.31–42.33
 - Department control of numerical limitations, 22:42.51
 - diversity immigrants, 22:42.33
 - employment-based preference immigrants, 22:42.32
 - family-sponsored immigrants, 22:42.31
 - order of consideration, 22:42.54
 - reports on numbers and priority dates of applications on record, 22:42.55
 - reconsideration of refusal of, 22:42.81(e)
 - reconsideration of revocation of, 22:42.82(g)
 - records of visa applications, 22:42.52
 - refusal of, 22:42.81
 - reinstatement of registration, 22:42.83(d)
 - replacement visas, 22:42.74
 - returning resident aliens, 22:42.22
 - review of refusal of, 22:42.81(c)–(d)
 - revocation of, 22:42.82
 - rules of chargeability, 22:42.12
 - spouse or child of principal alien, derivative priority date of, 22:42.53(c)
 - symbol classification, 22:42.73(a)(1)
 - termination of registration, 22:42.83
 - validity of visas, 22:42.72
 - violators. *See* Illegal entrants and immigration violators
 - waiting list, 22:42.52(a)
- ineligibility grounds. *See* Admission and admissibility
 - labor certification. *See* Labor certification (LC)
 - National Crime Information Center (NCIC) criminal history information, limitations on use of, 22:40.5
 - nationals, documentation of, 22:40.2
 - new visas, issuance of, 22:42.74
 - nonimmigrant documentation, 22:40.72, 41
 - business and media visas, 22:41.51–41.59. *See also this heading:* business and media visas
 - consular office authorization to waive, 22:41.3(g)
 - definitions, 22:41.0
 - emergent circumstances of well known alien, 22:41.3(d)
 - exemption by law or treaty, 22:41.1
 - foreign government restrictions precluding, 22:41.3(c)
 - military members of foreign countries on official business in U.S., 22:41.3(e)
 - passport extension facilities unavailable, 22:41.3(b)
 - waiver by joint action of consular and immigration officers, 22:41.3
 - waiver by Secretary of State and Attorney General of passport or visa requirements, 22:41.2
 - nonimmigrant visas (NIVs)
 - See also specific visa types*
 - Generally, 8:214
 - A nonimmigrants. *See* A visas
 - applications, 22:41.101–41.108
 - combined border crossing cards and nonimmigrant visas, 22:41.107(e)
 - documentation. *See this heading:* nonimmigrant documentation
 - fees, 22:41.107
 - filing of, 22:41.103
 - fingerprinting, 22:41.105(b)
 - medical examination, 22:41.108
 - personal appearance of applicant, 22:41.102. *See also* Appearance
 - photographs required, 22:41.105(a)(3)
 - place of application, 22:41.101
 - police certificates required, 22:41.105(a)(4)
 - processing, 22:41.106
 - supporting documents, 22:41.105(a)
 - surcharge, 22:41.107(e)
 - authority to issue visa, 22:41.111
 - B nonimmigrants. *See* B visas
 - change of status. *See* Change of status (NIVs)
 - classes of nonimmigrants, 8:214.1(a)(1)
 - criminal activity, 8:214.1(g)
 - D nonimmigrants. *See* D visas
 - debarment and, 8:214.1(k)
 - denial of petition, 8:214.1(k)
 - discontinuance of visa grants to nationals of countries that deny or delay accepting aliens, 22:41.123
 - documentation. *See this heading:* nonimmigrant documentation
 - duration of visa, 22:41.112
 - E nonimmigrants. *See* E visas
 - extensions of stay, 8:214.1(c)
 - F nonimmigrants. *See* F visas
 - false information and willful failure to register, 8:214.1(f)
 - Form DS-156, 22:41.103
 - G nonimmigrants. *See* International organization employees
 - H nonimmigrants. *See* H-1A visas; H-1B1 visas; H-1C visas; H-2A agricultural workers; H-2B nonagricultural workers; H-3 visas; H visas, generally
 - I nonimmigrants. *See* I visas
 - issuance of, 22:41.111–41.113
 - J nonimmigrants. *See* J visas
 - K nonimmigrants. *See* K visas
 - L nonimmigrants. *See* L visas
 - M nonimmigrants. *See* M visas (vocational students)
 - notice of revocation, 22:41.122(c)
 - provisional revocation, 22:41.122(b)
 - O nonimmigrants. *See* Exceptional ability aliens
 - passport requirements for applicants, 22:41.104
 - P nonimmigrants. *See* P visas
 - period of stay, 8:214.1(l)
 - procedures in issuing, 22:41.113
 - Q nonimmigrants. *See* Q visas
 - R nonimmigrants. *See* R visas
 - readmission to complete unexpired periods of previous visits for F, J, M, or Q-2 visas, 8:214.1(b)
 - refusal of, 22:41.121
 - registration for diplomats, 8:264.1(e)
 - requirements for admission, extension, and maintenance of status, 8:214.1, 214.2, 1214.1
 - review of refusal of, 22:41.121(c)–(d)
 - revocation of, 22:41.122
 - services fees, 22:22.1
 - S nonimmigrants. *See* S visas
 - T nonimmigrants. *See* T visas (victims of trafficking in persons)
 - validity of visa, 22:41.112, 41.113
 - automatic extension at ports of entry, 22:41.113(d)
 - limitation, 22:41.113(c)
 - number of applications, 22:41.113(b)
 - significance of period, 22:41.113(a)
 - V nonimmigrants (spouses & children of LPRs). *See* V visas
- official visas, 22:41.27(c)
 - records and information for court proceedings, 22:40.4
 - replacement visas, 22:42.74
 - revocation of approved immigrant petitions, 8:205.1, 205.2, 1205.1, 1205.2
 - special visa services, fees, 22:22.1
 - spouse of LPR and derivative children, 22:41.86
 - spouse of U.S. citizen and derivative children, 22:41.81
 - students
 - academic and nonacademic, 22:41.61
 - posting of bond, 22:41.61(c)

temporary stay of professionals under NAFTA, 22:41.59(c)
 trafficking in persons, victims of, 22:41.84; 28:1100.35(b)
 transit aliens, 22:41.71
 victims of trafficking in persons, 22:41.84
 Visa Bond Pilot Program, 22:41.11(c)
 waiver program, 8:212.1(i), 1212.1(i); 22:41.2(k)
 witnesses and informants, 22:41.83

Visitors

business visitors. *See* Business visas
 exchange programs. *See* J visas, Q visas
 pleasure visitors. *See* Temporary visitors

Vocational students. *See* M visas

Voluntary departure (VD)

appeals of denial, 8:240.25(e)
 authority of DHS, 8:240.25
 authority of EOIR, 8:1240.26
 Family Unity Program, 8:236.15
 immigration court rules of procedure, 8:1003.47(j)
 juveniles, 8:1236.3(g)
 nationals of countries for which extended voluntary departure has been made available, adjustment under IRCA legalization, 8:245a.4
 pre-April 1, 1997, 8:1240.55–1240.58
 removal proceedings, VD applications during, 8:1240.11(b)

Voting

See also Elections
 enforcement by DOJ Criminal Division, 28:0.55(m)(2)
 unlawful voting by alien as cause of ineligibility, 22:40.104

W

Wages. *See* Income level; Prevailing wage determinations

Waiting lists

immigrant visas, 22:42.52(a)

Waivers

See also Admission and admissibility; *specific headings; specific type of visa, right, or requirement*
 criminal and related grounds of inadmissibility, 8:212.7, 1212.7
 fee waivers, *see* Fees
 immediate relatives, unlawful presence waiver, 8:212.7(e)
 INA §212(c) relief. *See* INA §212(c) relief
 INA §212(d)(1) and (3), application for exercise of discretion, 8:212.4, 1212.4
 INA §212(h) waivers, 8:249.1–249.3, 1249.1–1249.3
 INA §212(k) waivers, 8:212.10, 1212.10
 national interest waivers. *See* EB-2 visa procedure and effect, 8:212.7(a), 1212.7(a)
 refugees, 8:207.3, 1207.3
 termination of application for lack of prosecution, 8:212.7(a)(2), 1212.7(a)(2)
 of visa requirement for immigrants, 8:211.1(b)
 for returning residents, 8:211.4, 1211.4

War materials

laws relating to, enforcement, 28:0.55(d)

Welfare benefits

Cuban/Haitian entrant cash assistance, 45:401.12
 Family Unity Program beneficiaries, 8:236.17
 IRCA legalization beneficiaries, 8:245a.5
 public charge, immigrant likely to become. *See* Public charge
 refugee cash assistance, 45:400.45–400.69

Well-founded fear of persecution. *See* Asylum

Well-known aliens

nonimmigrant documentation, emergent circumstances of, 22:41.3(d)

Whistleblower protection

D visas, 20:655.600(d)
 H-1B visas, 20:655.801
 H-1C visas, 20:655.1200(d)

Widow(er)s

deceased U.S. citizen's surviving spouse, 22:42.21(b)
 immigrant petitions. *See* Family-sponsored immigration

Willful misrepresentation. *See* Fraud and misrepresentation

Willful violators

H-1B visas, 20:655.736(f)

Withdrawal of accepted attestation

D visas, 20:655.510(j)
 Alaska exception, 20:655.541

Withdrawal of certified applications

H-1B visas, 20:655.750(b)

Withholding of removal. *See* Asylum

Witnesses

See also Expert witnesses; S visas
 employment authorization, 8:274a.12(c)(21)
 fraud hearings, 6:13.33
 immigration visas, 22:41.83
 temporary transfers, in custody of prisoner-witnesses from foreign country to U.S. to testify in federal or state criminal proceedings, 28:0.64-4

Women

See also Marriage; Spouse
 abused. *See* Abused spouses and children
 Office on Violence Against Women, 28:0.122

Women expatriates

certification of repatriation, 22:50.30(c)
 nationality procedures, 22:50.30

Working conditions

H-1B visas, 20:655.732

Z**Zambrano class action**

class membership, 8:245a.14. *See also* LIFE Act and LIFE Act Amendments