Adjudicator’s Field Manual

Updated Through April 1, 2013
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<td>Ch. 22.3(t)(10), 22.3(u)(9)</td>
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<td>AD 11-26  (03-13-11)</td>
<td>Ch. 10.9</td>
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<td>AD11-22  (02-23-11)</td>
<td>Ch. 39.1(g)(3); 39.2(g)(3)</td>
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<td>AD11-21  (01-21-11)</td>
<td>Ch. 38.1(e)(12)</td>
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<td>AD11-19  (01-18-11)</td>
<td>Ch. 31.1(b); 31.3(h); 32.3(a); 32.4(a)</td>
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<td>AD11-16  (02-04-11)</td>
<td>Ch. 10.3(i)</td>
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<td>AD11-15  (01-27-11)</td>
<td>Ch. 38.1(e)(1); 40.9.2(a)(8); 40.9.2(b)(1)(F)(iii); 40.9.2(c)(1)(D); &amp; 40.9.2(c)(2)(C)</td>
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<td>AD11-14  (12-22-10)</td>
<td>Ch. 22.2(i)(1)(A); 22.2(ii)(1)(E)-F; 22.2(ii)(2)(A); 22.2(ii)(2)(A)-(B); 22.2(b)(5)(B); 22.2(b)(9)-10</td>
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<td>AD11-13  (12-16-10)</td>
<td>Ch. 40.1(c)</td>
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<td>AD11-12  (PM-602-0012) (12-14-10)</td>
<td>Ch. 36.4</td>
<td>Adds Ch. 36.4, Waivers of Inadmissibility and Grants of Status for Certain Aliens Seeking Nonimmigrant Status in the Commonwealth of the Northern Mariana Islands (CNMI).</td>
</tr>
<tr>
<td>AD11-10  (05-09-11)</td>
<td>Ch. 41.7; Appendix 41-5</td>
<td>Adds guidance on consideration of requests for expeditious adjudication of Forms I-601 filed overseas</td>
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<td>Memo No.</td>
<td>Date</td>
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<td>AD11-05</td>
<td>(11-18-10)</td>
<td>Ch. 10.9</td>
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<td>AD11-03</td>
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<td>AD11-01</td>
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<td>Ch. 22.3(b)(1); Appendix 22-04; 22-05</td>
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<td>AD10-53</td>
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<td>AD10-51</td>
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<td>Ch. 10.21(a)–(c); 21.2(h)(1)(C)</td>
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<td>AD10-49</td>
<td>(12-15-10)</td>
<td>Ch. 21.14(z); 21.15(z)</td>
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<td>AD10-48</td>
<td>(10-06-10)</td>
<td>Ch. 31.1(b); 31.3(h); 32.3(a); 32.4(a)</td>
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<td>AD10-47</td>
<td>(08-27-10)</td>
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<td>AD10-43</td>
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<td>Ch. 11.1</td>
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<td>AD10-42</td>
<td>(01-24-11)</td>
<td>Ch. 72.2(d)(3)</td>
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<td>AD10-41</td>
<td>(08/18/10)</td>
<td>Ch. 22.2(i)(1)(A), 22.2(i)(1)(E)-(F), 22.2(i)(2)(A), 22.2(i)(2)(A)-B, 22.2(b)(5)(B), 22.2(b)(9), 22.2(b)(1)</td>
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<td>AD10-38</td>
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<td>Ch. 23.5; 39</td>
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<td>AD10-36</td>
<td>(07/20/10)</td>
<td>Ch. 33.4(e)</td>
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<td>AD10-25</td>
<td>(08/26/10)</td>
<td>Ch. 10.7(b)</td>
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<td>AD10-19</td>
<td>(PM-602-0013) (12-15-10)</td>
<td>Ch. 36.3, 23.5(a)</td>
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<td>AD10-08</td>
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<td>Ch. 39.1(g)(2)(i)</td>
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<td>AD10-28</td>
<td>(03-11-10)</td>
<td>Ch. 33.6(d)</td>
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<tr>
<td>AD05-12 (10-31-05)</td>
<td>Ch. 21.14(q) on behalf of P-2 nonimmigrants</td>
<td>This update adds <em>AFM</em> Ch. 12.14(q) to provide guidance for adjudicating self-petitions by abused spouses, children, and parents when determining the citizenship or immigration status of the abuser.</td>
</tr>
<tr>
<td>AD10-31 (03-05-10)</td>
<td>Ch. 72.2(d), 74.2(b)(7); Appendix 72-21</td>
<td>This memorandum revises the <em>AFM</em> Chapters 72.2(d) and 74.2(b)(7) and Appendix 72-21 to revise and/or remove references to Form G-325B, Biographic Information</td>
</tr>
<tr>
<td>AD10-03 (11-24-09)</td>
<td>Ch. 24.2, 40.1, 41.3; Appendices: 41-1, 41-2, 41-3</td>
<td>This update revises the <em>AFM</em> to provide guidance that effective January 4, 2010, HIV infection will no longer make an alien inadmissible under section 212(a)(1)(A)(i) of the INA.</td>
</tr>
<tr>
<td>AD10-17 (02-17-10)</td>
<td>Ch. 21.5</td>
<td>This update revises <em>AFM</em> Ch. 21.5, Petition for an Orphan.</td>
</tr>
<tr>
<td>*AD10-47 (07-14-08)</td>
<td>Ch. 23.5(d)</td>
<td>This memorandum adds <em>AFM</em> Ch. 23.5(d), Section 245(k) of the Act: Exemptions to the 245(c)(2), (c)(7) and (c)(8) Bars to Adjustment for Certain Employment-Based Adjustment of Status Applicants and renumbers current <em>AFM</em> Ch. 23.5(d)–23.5(l) as 23.5(e)–23.5(m) respectively.</td>
</tr>
<tr>
<td>*AD10-29 (01-29-10)</td>
<td>Ch. 31.3(g), 31.5(j)</td>
<td>This memorandum revises <em>AFM</em> Ch. 31.3(g) and 31.5(j) to reflect the addition of an exemption to H-1B and H-2B caps when employment and services will be performed in the Commonwealth of the Northern Mariana Islands (CNMI) and/or Guam. These cap exemptions are a result of implementation of the Consolidated Natural Resources Act of 2008, Public Law 110-229 and valid only from 11/28/09 and until 12/31/14.</td>
</tr>
<tr>
<td>*AD10-23 (01-19-10)</td>
<td>Ch. 10.1(a)(2)</td>
<td>This memorandum revises <em>AFM</em> Ch. 10.1(a)(2) to provide guidance for valid signatures on applications and petitions.</td>
</tr>
<tr>
<td>*AD10-05 (01-15-10)</td>
<td>Ch. 39.1(c)(2)(v)</td>
<td>This memorandum adds <em>AFM</em> Ch. 39.1(c)(2)(v) pertaining to the denial of petitions for U nonimmigrant status for lack of required certification.</td>
</tr>
<tr>
<td>AD10-04 (09-02-10)</td>
<td>Ch. 22.3(a); 22.3(t)(8)-(9); 22.3(u)</td>
<td>The <em>AFM</em> is updated to revise Ch. 74.2(c)(9)(E), 74.2(c)(9)(I) and add Appendices 74-26 and 74-27. The revised chapters and new appendices clarify guidance pertaining to English and civics testing of naturalization applicants.</td>
</tr>
<tr>
<td>*AD09-16 (08-05-09)</td>
<td>Ch. 74.2(c)(9)(E), 74.2(c)(9)(I) Appendices: 74-26, 74-27</td>
<td>The <em>AFM</em> is updated to revise Ch. 74.2(c)(9)(E) and 74.2(c)(9)(I) and add Appendices 74-26 and 74-27. The revised chapters and new appendices clarify guidance pertaining to English and civics testing of naturalization applicants.</td>
</tr>
<tr>
<td>*AD10-06 (12-24-09)</td>
<td>Ch. 40.1(c)</td>
<td>The <em>AFM</em> is updated by revising <em>AFM</em> Ch. 40.1(c) to reflect a one-year extension date for adjudicating Form I-693, Report of Medical Examination and Vaccination Record, on or before 1/1/11.</td>
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<tr>
<td>*AD10-07 (12-15-09)</td>
<td>Ch. 40.1(c)(4)(B)–(C), Appendix 40-3</td>
<td>The <em>AFM</em> is updated to revise Ch. 40.1(c)(4)(B) and add Ch. 40.1(c)(4)(C) and Appendix 40-3. The chapters and appendix set forth the adjudicative procedures that pertain to vaccination requirements on Form I-693, Report of Medical Examination and Vaccination Record.</td>
</tr>
<tr>
<td>*AD09-47 (09-22-09)</td>
<td>Ch. 21.2(b)(1)(C), 25.1(c)(3) Appendices: 21-8, 21-9, 21-10</td>
<td>The <em>AFM</em> is updated to add Ch. 21.2(b)(1)(C) and 25.1(c)(3) and Appendices 21-8, 21-9, and 21-10. The chapters and appendices set forth the adjudicative procedures that Immigration Services Officers must follow when adjudicating a standalone Form I-130.</td>
</tr>
<tr>
<td>*AD09-47 (09-22-09)</td>
<td>Ch. 22.4(a)(2), 22.4(c)(3), 22.4(c)(4)(D)(iii), 22.4(c)(4)(F)–(G), 25.2(e)(4)(E)</td>
<td>This memorandum revises Ch. 22 and 25 of the <em>AFM</em> by amending sections 22.4 and 25.2 to clarify issues pertaining to EB 5 (Immigrant Investor) Regional Center Proposal petitions for classification (Form I-526) and petitions for removal of conditions (Form I 829).</td>
</tr>
<tr>
<td>*AD09-54 (11-24-09)</td>
<td>Ch. 36, 36.1, 36.2</td>
<td>The <em>AFM</em> is updated to add Ch. 36, Commonwealth of the Northern Mariana Islands, Ch. 36.1, Reserved, and Ch. 36.2, Parole and other Benefits for Certain Aliens in the CNMI.</td>
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<tr>
<td>Date</td>
<td>Ch. &amp; Section(s)</td>
<td>Description</td>
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<td>*AD10-09</td>
<td>Ch. 21.2(a)(4), 21.2(b)(1)(C); Appendix 21-8</td>
<td>This memorandum deletes AFM Ch. 21.2(a)(4), Effect of the Petitioner’s Death before Approval, and the Note at the end of AFM Ch. 21.2(b)(1)(C), Discretionary Authority to Not Automatically Revoke Approval, and adds Appendix 21-8 explaining the deletions.</td>
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<tr>
<td>(12-02-09)</td>
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<tr>
<td>*AD09-26</td>
<td>Ch. 21.4(d)(5)(A), 21.4(d)(5)(F), 21.5(a)(6), 21.6</td>
<td>This memorandum adds AFM Ch. 21.4(d)(5)(A), 21.4(d)(5)(F), 21.5(a)(6), and 21.6, pertaining to Intercountry adoption under the Hague Adoption Convention and the USCIS Hague Adoption Convention rule at 8 CFR 204, 213a, and 322</td>
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<td>(10-31-08)</td>
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<td>*AD10-02</td>
<td>Ch. 36.1, 36.2, 36.3, 36.4, 36.5, 36.6, 36.7, 36.8</td>
<td>The AFM is updated to add Ch. 36, Commonwealth of the Northern Mariana Islands, Ch. 36.1-36.7 as reserved, and Ch. 36.8, Effect of the CNRA, Title VII of Public Law 110-229, Classification of Aliens under Sections 101(a)(15)(L) and 203(b)(1)(C) of the INA.</td>
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<td>(11-23-09)</td>
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<tr>
<td>*AD09-14</td>
<td>Ch. 31.4 and 31.5, Appendices: 31-2</td>
<td>Updated Ch. 31.4 &amp; 31.5 by correcting formatting errors and hyperlinks. Clearifying links to Appendix 31-2 and removing 31-4</td>
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<tr>
<td>(11-16-09)</td>
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<td>*AD07-26</td>
<td>Ch. 22.2: (b)(3)(D)-(F), (b)(4)(C)(v), (b)(9)-(11), (i)(2)(B), (j)(3)</td>
<td>This memorandum updates AFM Ch. 22.2 regarding general Form I-140 adjudication issues and considerations pertaining to EB-1 and EB-2 cases.</td>
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<td>(09-14-09)</td>
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<tr>
<td>*AD09-51</td>
<td>Ch. 33.5(a), Appendices: 33-2, 33-3</td>
<td>This memorandum revises AFM Ch. 33.5(a) and adds Appendices 33-2 and 33-3 to clarify procedures for applying the period of authorized stay for P-1 nonimmigrant athletes and the period of authorized stay for P-1S nonimmigrant individual athletes’ essential support personnel.</td>
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<td>(03-02-09)</td>
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<td>&amp; (07-14-09)</td>
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<td>*AD09-45</td>
<td>Ch. 22.3(b)(1), Appendix 22-4</td>
<td>This memorandum revises AFM Ch. 22.3(b)(1) and adds Appendix 22-4 to reflect the U.S. District Court decision in Ruiz Diaz establishing that as of 6/11/09, Forms I-360 and I-485 may be concurrently filed in special immigrant religious worker cases.</td>
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<td>(06-25-09)</td>
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<td>*AD09-37</td>
<td>Ch. 22.2(b)(5)</td>
<td>This update revises AFM Ch. 22.2(b)(5) pertaining to successor-in-interest determinations.</td>
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<td>(08-06-09)</td>
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<td>*AD09-31</td>
<td>Ch. 40, 40.1, 40.2, 40.3, 40.4, 40.5, 40.6, 40.7, 40.8, 40.9, 40.10</td>
<td>This memorandum revises the AFM to add a table of contents for new Ch. 40, Grounds of Inadmissibility under Section 212(a) of the Immigration and Nationality Act. Individual chapters will be inserted at later dates.</td>
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<td>(05-04-09)</td>
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<td>*AD09-30</td>
<td>Ch. 23.5(j), 23.5(m)</td>
<td>This memorandum rennumbers AFM Ch. 23.5(j) as Ch. 23.5(m) and creates new Ch. 23.5(j), to clarify the use of Forms I-508 and I-508F, Waiver of Rights, Privileges, Immunities, and Exemptions.</td>
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<td>(06-29-09)</td>
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<tr>
<td>*AD09-28</td>
<td>Ch. 25.1(k)</td>
<td>This memorandum revises AFM Ch. 25.1(k) to provide guidance on conditional permanent residents and naturalization under section 319(b) of the Act.</td>
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<td>(08-04-09)</td>
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<tr>
<td>*AD09-24</td>
<td>Ch. 72.2(d)(3)</td>
<td>This memorandum revises the AFM Ch. 72.2 to clarify when Form N-426 is required with naturalization applications.</td>
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<td>(04-29-09)</td>
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<td>*AD09-14</td>
<td>Ch. 31.4, 31.5, Appendices: 31-2, 31-4</td>
<td>This memorandum revises AFM Ch. 31.4 and 31.5 and Appendices 31-2 and 31-4 to reflect the publication of the H-2A and H-2B final rules in the Federal Register: 73 FR 76891 (12/18/08) and 73 FR 78104 (12/19/08).</td>
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<td>(06-24-09)</td>
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<td>*AD09-11</td>
<td>Ch. 24.4(d)(1), 24.4(k)</td>
<td>This revision to AFM Ch. 24.4(d)(1) and 24.4(k) provides guidance for adjudication of Form I-817, Application for Family Unity Benefits, pursuant to Hernandez v. Reno, 91 F.3d 776 (5th Cir. 1996).</td>
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<td>(08-25-09)</td>
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<td>*AD09-10</td>
<td>Ch. 22.2(j)(1)(B)-(E), 22.2(j)(5), 22.2(j)(6)(F)(iv)</td>
<td>This memorandum revises Ch. 22.2(j)(1)(B)-(E) pertaining to evaluation of foreign equivalent degrees and Ch. 22.2(j)(5) pertaining to evaluation of foreign medical degrees.</td>
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<td>(06-17-09)</td>
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<tr>
<td>*AD09-09</td>
<td>Ch. 23.3, 40.1</td>
<td>This memorandum revises the AFM to redesignate Ch. 23.3 as Ch. 40.1, Health-Related Grounds of Inadmissibility and Medical Examination.</td>
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<td>(03-19-09)</td>
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<td>*AD09-04</td>
<td>Ch. 22.4(b), 22.4(c)(4)(D), 25.2(a),</td>
<td>This update adds five paragraphs at the end of Ch. 22.4(c)(4)(D); adds a new first paragraph to Ch. 25.2(e)(1); adds three new paragraphs at the</td>
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<td>(06-17-09)</td>
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<td>AD08-03</td>
<td>05-06-09</td>
<td>25.2(b), 25.2(e)(1), 25.2(g)(1), 25.2(i)(2)(C)</td>
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<td>AD07-18</td>
<td>03-03-09</td>
<td>Ch. 40.6, Appendices: 40-1, 40-2</td>
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<td>AD09-23</td>
<td>04-15-09</td>
<td>Ch. 15.1(d)(2)(B), 72.3(q), Appendix: 15-4</td>
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<td>AD09-03</td>
<td>01-21-09</td>
<td>Ch. 21.3(a)(2)(J)</td>
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<td>AD08-09</td>
<td>01-15-09</td>
<td>Ch. 22.3(b), 34.5, Appendices: 22-2, 34-1</td>
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<td>*AD08-04</td>
<td>11-08-07</td>
<td>Ch. 21.2(a)(4), 21.2(h)(1)(C)</td>
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<td>AD09-01</td>
<td>12-01-08</td>
<td>Ch. 71.1(f)(2), 74.2(a)(2), 74.2(c)(3).</td>
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<td>AD08-17</td>
<td>07-07-08</td>
<td>Ch. 22.3(t)</td>
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<td>AD08-16</td>
<td>04-11-08</td>
<td>Ch. 23.5(k)</td>
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<td>Ch. 39</td>
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<td>04-11-08</td>
<td>Ch. 21.2</td>
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<td>AD08-14</td>
<td>08-15-08</td>
<td>Ch. 71.1(d)(3), 73.3(c)(2), 73.3(f)(6)–(7), 73.3(h), 73.4(g)(7)–(8), 73.5(d)(5), 74.2(b)(2), 74.2(b)(8)(I), 74.2(c)(10)(A)–(D), 74.2(d)(2)(C)–(D).</td>
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<td>*AD08-06</td>
<td>05-30-08</td>
<td>Ch. 20.2(d), 31.2(d)(4), 31.3(g)(8), 31.3(g)(10)–(12), 31.3(g)(13)(D)</td>
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<td>AD08-19</td>
<td>08-14-08</td>
<td>Ch. 74.2(c)(9)</td>
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<tr>
<td>AD07-20  (06-01-07)</td>
<td>Ch. 22.2</td>
<td>This memorandum revises AFM Ch. 22.2 regarding procedures that address the impact of the DOL Final Rule on determining labor certification validity and the prohibition of labor certification substitution requests.</td>
</tr>
<tr>
<td>AD07-19  (11-08-07)</td>
<td>Ch. 23.2(j)(2)(A)</td>
<td>This memorandum revises AFM Ch. 23.2(j)(2)(A) regarding the Removal of Receipt Requirements for Certain H and L Adjustment Applicants Returning from a Trip Abroad.</td>
</tr>
<tr>
<td>AD07-01  (09-18-07)</td>
<td>Ch. 72.2(d)(5)–(9)</td>
<td>This memorandum revises sections of subchapter 72.2(d)(5)–(9) of the AFM regarding guidelines for the adjudication of Form N-648 waivers.</td>
</tr>
<tr>
<td>AD07-19  (07-30-07)</td>
<td>Ch. 10.9(a), Appendix, 10-10</td>
<td>This memorandum revises AFM Ch. 10.9(a) and adds Appendix 10-10 to reflect modifications to the availability of fee waivers by the final rule “Adjustment of the Immigration and Naturalization Benefit Application and Petition Fee Schedule.” 72 FR 29851 (5/30/07). This rule is effective on 7/30/07.</td>
</tr>
<tr>
<td>AD07-05  (06-18-07)</td>
<td>Ch. 10.1(c), 10.3(f), 10.5(a), (b), 10.11(b), 11.1(m), 25.2(e)(2), 38.1(e)(6)–(7), 38.1(e)(9), Appendix: 10-9</td>
<td>This memorandum revises AFM Ch. 10.1(c); 10.3(f); 1 10.5(a), (b); 10.11(b); 25.2(e)(2); and 38.1(e)(6), (7), (9) and adds Appendix 10-9 to reflect the revised request for evidence and notice of intention to deny procedures as published in the Federal Register on 4/17/07. 72 FR 19100. Also, this memorandum revises AFM Ch. 11.1(m) to clarify when applicants or petitioners must submit documents as originals or as photocopies. 72 FR 19100.</td>
</tr>
<tr>
<td>AD07-22  (01-03-07)</td>
<td>Ch. 23.3(e)(1)</td>
<td>This memorandum revises AFM Ch. 23.3(e)(1) to indicate that the validity of Form I-693 is extended until 1/1/08.</td>
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<tr>
<td>AD07-17  (02-08-08)</td>
<td>Ch. 21.2(f)–(i), Appendix: 21-6</td>
<td>This memorandum revises AFM Ch. 21.2(f) and adds Appendix 21-6 to provide guidance for adjudication of family-based petitions and Form I-129F (Petition for Alien Fiancé(e)) under the Adam Walsh Child Protection and Safety Act of 2006. Also, this update renumbers current ch. 21.2(f) as 21.2(g), 21.2(g) as 21.2(h), and 21.2(h) as 21.2(i).</td>
</tr>
<tr>
<td>AD06-29  (12-05-06)</td>
<td>Ch. 31.2(d), 31.3(g)(14), 32.6(h)</td>
<td>This memorandum revises: Ch. 31.2(d) of the AFM to include new provisions regarding admission periods for aliens previously in H-4 status and provisions for aliens applying for additional periods of admission beyond the H-1B six year maximum; Ch. 31.3(g) to include section (14) regarding appropriate of length of admission for H-1B aliens who have not exhausted their six-year maximum but have been absent from the U.S. for more than one year; and Ch. 32.6 to include section (h) regarding decoupling time spent in L-2 status from L-1 maximum period of stay.</td>
</tr>
<tr>
<td>AD06-46  (01-23-07)</td>
<td>Ch. 22.2(b), 22.2(j)(6), 23.5</td>
<td>This memorandum provides interim field guidance in light of the Ninth Circuit Court of Appeals decision in Schneider v. Chertoff, 450 F.3d 944 (9th Cir. 2006). This memorandum also establishes interim procedures for adjudicating national interest waiver (NIW) immigrant petitions and related adjustment of status applications filed on behalf of physicians practicing in medically underserved areas or at facilities operated by the Department of Veterans Affairs (VA).</td>
</tr>
<tr>
<td>AD06-31 &amp; AD06-04 (12-21-06)</td>
<td>Ch. 25.2</td>
<td>Updates AFM Ch. 25.2 guidance on the adjudication of Form I-829 s for the removal of conditions for conditional permanent residents under the immigrant investor visa categories and for Form N-400 s filed by EB-5 conditional residents with pending Form I-829s.</td>
</tr>
<tr>
<td>AD06-34  (01-12-07)</td>
<td>Ch. 23.2(b)</td>
<td>This memorandum revises Subchapter 23.2(b) of the AFM.</td>
</tr>
<tr>
<td>AD07-06  (01-03-07)</td>
<td>Ch. 23.11(b)(1), Appendix 23-6</td>
<td>This AFM update revises criteria in Ch. 23.11(b)(1) (last bullet) for adjustment under the Cuban Adjustment Act to reflect publication of Matter of Buschini (June 30, 2006), USCIS Administrative Appeals Office Adopted Decision. This update also adds Appendix 23-6, which</td>
</tr>
</tbody>
</table>
This memorandum revises Ch. 23.13(d)(2), 23.13(d)(3), 23.13(d)(4)(E), and 23.13(f)(1) of the *AFM* in order to modify the criteria for interview waivers by granting the Nebraska Service Center the jurisdiction to grant certain types of inadmissibility waivers.

This memorandum replaces all of Ch. 22, which provides guidance on the adjudication of petitions for classification under the employment-based immigrant visa categories.

This memorandum replaces Appendix 41-2 of the *AFM* with a correctly formatted Appendix 41-2.

This memorandum replaces all of Ch. 22, which provides guidance on the adjudication of petitions for classification under the employment-based immigrant visa categories.

This memorandum revises Ch. 10.3 (General Adjudication Procedures) and adds Appendix 10-8 (Complying with Particular Timeframes When Processing Cases) to the *AFM*.

This memorandum revises Ch. 31.3(g) of the *AFM* to provide interim guidance pertaining to the Department of Labor PERM Regulations at 20 CFR 656.

This memorandum revises Ch. 75.2 (The Oath Ceremony) and 75.3 (Ceremony-Related Issues) of the *AFM*.

This memorandum revises Ch. 23.2(k) of *AFM* to provide guidance regarding the proper disposition of Forms I-508 and I-566.

This memorandum revises Ch. 23.6(a)(1) and 23.6(b)(2) in the *AFM*.

This memorandum replaces Ch. 32.4(a)(note) with revised Ch. 32.4(a)(Note) of the *AFM*.

This memorandum revises Ch. 25.1(g)(4)(C) of the *AFM* to clarify procedures for I-751s filed by Conditional Permanent Residents who are overseas on official military or government orders.

This memorandum revises Ch. 31.3(g) of the *AFM* to include section 13 regarding H-1B cap exemptions pursuant to 214(g)(5) of the Act.

This memorandum adds Ch. 21.2(e)(4)(C) to the *AFM* to clarify the opting-out provisions for F2A visas.

This memorandum revises Ch. 37.4(e)(2), 37.4(g), and 37.4(k)(1) in the *AFM* regarding adjudication of Form I-539 for V-2, V-3 Status whose petitioning parent has naturalized.

This memorandum revises Ch. 25.1(g)(1) and 25.1(g)(2) in the *AFM* regarding joint petition credibility issues.

This memorandum revises Ch. 72.2(d)(5) and Appendix 72-13 of the *AFM* regarding adjudications of N-648 medical certifications for disability exceptions.

Guidance pertaining to K visas in Ch. 37.1–37.3 in the *AFM* is undergoing revision.

This revision to Ch. 10.17(a) to the *AFM* clarifies when adjudication officers may reopen applications or petitions.

This memorandum revises Appendix 10-6 of the *AFM*.

This memorandum adds an Appendix 35-1 to the *AFM*.

This memorandum revises Ch. 10.12(b)(1) and 10.12(c)(1) and adds
<table>
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<tr>
<th>Date</th>
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<tr>
<td><strong>AD06-13</strong></td>
<td>Appendices 10-1–10-4</td>
<td>Appendices 10-1, 10-2, 10-3, and 10-4 to the AFM</td>
</tr>
<tr>
<td><strong>AD06-12</strong></td>
<td>Ch. 23.3(e)(1)</td>
<td>This memorandum revises Ch. 23.3(e)(1) of the AFM</td>
</tr>
<tr>
<td><strong>AD06-02</strong></td>
<td>Ch. 11.1(c), Appendix 74-14</td>
<td>This memorandum revises Ch. 11.1(c) and Appendix 74-14 of the AFM</td>
</tr>
<tr>
<td><strong>AD06-01</strong></td>
<td>Ch. 4.6, Appendices 4-15–4-28</td>
<td>This update adds Ch. 4.6 and Appendices 4-15 through 4-28 to the AFM</td>
</tr>
<tr>
<td><strong>AD06-00</strong></td>
<td>Ch. 15.1, Appendix 15-3</td>
<td>This memorandum revises sections (a) and (b) of and adds section (d) to Ch. 15.1 of the AFM. This memorandum also adds Appendix 15-3 to the AFM</td>
</tr>
<tr>
<td><strong>AD05-35</strong></td>
<td>Ch. 73.6(d)(3)(B) (third bullet)</td>
<td>This memorandum revises Ch. 73.6(d)(3)(B)(third bullet) of the AFM</td>
</tr>
<tr>
<td><strong>AD05-34</strong></td>
<td>Ch. 21.11, 23.5(d); Appendices 21-4, 21-5</td>
<td>This memorandum adds Ch. 21.11 and Appendices 21-4 and 21-5, and revises Ch. 23.5(d) of the AFM. These additions and revisions address petitions by survivors of certain U.S. Armed Forces Members.</td>
</tr>
<tr>
<td><strong>AD05-24</strong></td>
<td>Ch. 34.1, 34.6</td>
<td>This memorandum revises Ch. 34.1 and adds Ch. 34.6 of the AFM to provide interim policy and processing guidelines for E-3 Specialty Occupation Workers and Employment Authorization for E-3 Dependent Spouses</td>
</tr>
<tr>
<td><strong>AD06-03</strong></td>
<td>Ch. 10.9(c)(1)</td>
<td>This memorandum revises Ch. 10.9(c)(1) and adds Appendix 12-3 of the AFM</td>
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<td><strong>AD06-05</strong></td>
<td>Ch. 20.5</td>
<td>Removed - Under Revision</td>
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<td><strong>AD06-05</strong></td>
<td>Ch. 22</td>
<td>Removed - Under Revision</td>
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<tr>
<td><strong>AD05-33</strong></td>
<td>Ch. 12.1, Appendix 12-1</td>
<td>Added new material on Representation in Immigration Proceedings</td>
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<tr>
<td><strong>AD05-26</strong></td>
<td>Ch. 41.6</td>
<td>This memorandum replaces Ch. 41.6 of the AFM with a revised Ch. 41.6</td>
</tr>
<tr>
<td><strong>AD05-25</strong></td>
<td>Ch. 32.3, 32.4(a), 32.5</td>
<td>This memorandum replaces Ch. 32.3, 32.4(a) and 32.5 with revised Ch. 32.3, 32.4(a) and 32.5 of the AFM</td>
</tr>
<tr>
<td><strong>AD05-21</strong></td>
<td>Ch. 31.3, 32.6</td>
<td>Adds guidance relating to the recapture of time spent outside the United States by H-1B and L-1 nonimmigrants</td>
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<tr>
<td><strong>AD05-18</strong></td>
<td>Ch. 51.4</td>
<td>This memorandum adds Ch. 51.4 to the AFM</td>
</tr>
<tr>
<td><strong>AD05-11</strong></td>
<td>Ch. 30.3(c)(2)(A)</td>
<td>This memorandum replaces Ch. 30.3(c)(2)(A) with a revised Ch. 30.3(c)(2)(A) of the AFM</td>
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<tr>
<td><strong>AD05-10</strong></td>
<td>Appendix 73-1, 74-6; Ch. 71-1(d)(1)</td>
<td>Technical Amendments</td>
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<tr>
<td><strong>AD05-07</strong></td>
<td>Ch. 21-2, Appendix 21-3, Editor’s Note and Part A</td>
<td>This memorandum replaces Ch. 21-2, section (d)(1)(G) of the AFM and replaces Appendix 21-3 of the AFM.</td>
</tr>
<tr>
<td><strong>AD04-14</strong></td>
<td>Ch. 3.5(c); 3.5(a); 3.7; 23.3(e)(1); 30.4; 56; Appendix 75-3</td>
<td>Technical Amendments provided by Program Regulations Development AFM Coordinator</td>
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<tr>
<td><strong>AD04-11</strong></td>
<td>Appendix 72-1</td>
<td>NQ4 Processing Memorandum Issued 9/30/03</td>
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<td><strong>AD04-07</strong></td>
<td>Ch. 25.2(g); Appendix 25-1, FAQs 9–10</td>
<td>This memorandum replaces Ch. 25.2(g) and Appendix 25-1 FAQs 9-10 of the AFM with a revised Ch. 25.2(g) and a revised Appendix 25-1 FAQs 9-10.</td>
</tr>
<tr>
<td><strong>AD04-11</strong></td>
<td>Ch. 3.6(g), Appendix 3-1</td>
<td>Incorporates DHS policy regarding the Office of the Inspector General.</td>
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<td><strong>AD04-11</strong></td>
<td>Ch. 10.9(a)–10.9(b)</td>
<td>This memorandum revises Ch. 10.9(a) and 10.9(b) in the AFM by</td>
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<td>Date</td>
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<tr>
<td>08-24-04</td>
<td></td>
<td>updating instructions and processing guidance for adjudication of fee waiver requests pursuant to 8 CFR 103.7(c).</td>
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<tr>
<td>AD04-09</td>
<td>Ch. 41.1(a)(1)</td>
<td>Revised guidance concerning 212(g)(1)(A) waiver.</td>
</tr>
<tr>
<td>AD04-08</td>
<td>Ch. 75.2</td>
<td>This memorandum replaces Ch. 75.2 of AFM with a revised Ch. 75.2.</td>
</tr>
<tr>
<td>AD04-05</td>
<td>Ch. 41.3(b)</td>
<td>This memoranda revises Ch. 41.3(b) of the AFM to add guidance on waivers for HIV infected K and V nonimmigrants.</td>
</tr>
<tr>
<td>AD04-02</td>
<td>Ch. 23.10, Appendix 23-5</td>
<td>Adds guidance on the adjudication of applications for adjustment of status under section 13 of the Act of September 11, 1957.</td>
</tr>
<tr>
<td>AD04-07</td>
<td>Ch. 10.3(b)</td>
<td>Revises the validity period for IBIS checks from 35 days to 90 days.</td>
</tr>
<tr>
<td>AD03-36</td>
<td>Ch. 20.5</td>
<td>Revises paragraphs (a) and (b) to clarify that the enforceable affidavit of support is not required if the adjustment of status application was filed prior to 12/19/97.</td>
</tr>
<tr>
<td>AD03-31</td>
<td>Ch. 30.12</td>
<td>Provides guidance on Health Care Worker Certification</td>
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<td>AD03-29</td>
<td>Ch. 73.6</td>
<td>Adds guidance on good moral character.</td>
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<tr>
<td>AD03-28</td>
<td>Ch. 74.2, Appendix 74-20–74-25.</td>
<td>Adds guidance on review of the naturalization application.</td>
</tr>
<tr>
<td>AD03-26</td>
<td>Ch. 61; 62; 81–83.</td>
<td>Adds guidance on bonds, fines, liquidated damages, statistical reports, management techniques and liaison.</td>
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<tr>
<td>AD03-25</td>
<td>Ch. 73.3, 73.5</td>
<td>Adds guidance on the continuity and physical presence requirements for naturalization applicants.</td>
</tr>
<tr>
<td>AD03-24</td>
<td>Ch. 71, Appendix 71-5–71-9</td>
<td>Adds guidance on the adjudication of applications for certificates of citizenship and related appendices.</td>
</tr>
<tr>
<td>AD03-23</td>
<td>Ch. 73.7, 73.8</td>
<td>Adds a discussion of the naturalization eligibility requirements that an applicant be attached to the Constitution, proficient in English and knowledgeable about U.S. history and government.</td>
</tr>
<tr>
<td>AD03-22</td>
<td>Ch. 73.4</td>
<td>Adds guidance on discussion of the naturalization residence requirements.</td>
</tr>
<tr>
<td>AD03-21</td>
<td>Ch. 37.4(g)</td>
<td>Revises guidance on the period of admission for V-2 and V-3 nonimmigrants to include the 45 day period provided for in section 424 of the USA PATRIOT Act.</td>
</tr>
<tr>
<td>AD03-20</td>
<td>Ch. 73.1</td>
<td>Adds guidance on the requirement that an applicant for naturalization be “Lawfully Admitted for Permanent Residence”</td>
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<td>AD03-18</td>
<td>Ch. 56</td>
<td>Adds guidance on the adjudication of applications for various USCIS documents.</td>
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<td>AD03-16</td>
<td>Ch. 20.2(c)</td>
<td>Provides guidance on the validity of immigrant petitions under section 106(c) of AC21 (Public Law 106-313)</td>
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<tr>
<td>AD03-13</td>
<td>Ch. 74.2(a), 74.2(h)</td>
<td>Adds guidance on the review of Form N-400 with regard to Part 1 (“Information about you”)and Part 8 (“Allegiance to the United States”).</td>
</tr>
<tr>
<td>AD03-12</td>
<td>Ch. 74.2(d)</td>
<td>Adds guidance on the review of Form N-400 with regard to Part 4 (“Information about your residence and employment”).</td>
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<tr>
<td>AD03-11</td>
<td>Ch. 74.2(c), Appendix 72-13</td>
<td>Revises adjudicative guidelines regarding aliens to are medically exempt from certain naturalization requirements; adds a new Appendix on the same topic.</td>
</tr>
<tr>
<td>AD03-10</td>
<td>Ch. 54</td>
<td>Adds a new chapter on the adjudication of Applications for Advance Parole</td>
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<td>AD02-11</td>
<td>Ch. 25.1</td>
<td>Adds Ch. 25.1 on joint petitions and waiver applications for removal of</td>
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<td>AD02-14</td>
<td>Table of Contents</td>
<td>Updates the <em>AFM</em> Table of Contents.</td>
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<tr>
<td>AD02-16</td>
<td>Ch. 21.3</td>
<td>Adds guidelines relating to the adjudication of spousal relative visa petition cases.</td>
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<tr>
<td>AD02-20</td>
<td>Ch. 30.3(c)(1); Appendix 30-1</td>
<td>Explains the bar on applicants for change from B to F-1 or M-1 attending school prior to approval of the application; adds an Appendix containing the SOP for Form I-539.</td>
</tr>
<tr>
<td>AD02-17</td>
<td>Ch. 21.4; 21.6–21.10.</td>
<td>Adds guidelines relating to the adjudication of various relative visa petition cases.</td>
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<tr>
<td>AD02-15</td>
<td>Ch. 21.5; Appendix 21-2</td>
<td>Adds guidelines relating to the adjudication of orphan cases.</td>
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<td>AD02-14</td>
<td>(03-18-02)</td>
<td>Updates the <em>AFM</em> Table of Contents.</td>
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<td>AD02-13</td>
<td>Ch. 35</td>
<td>Adds guidelines relating to the adjudication of applications pertaining to students and exchange visitors.</td>
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<td>AD02-11</td>
<td>Ch. 37.4</td>
<td>Adds a new chapter concerning V nonimmigrants.</td>
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<tr>
<td>AD02-22</td>
<td>Ch. 31.5(b)–31.5(c)</td>
<td>H-2B Labor Certification for Canadian Musicians Coming to Perform within 50 miles of the Canadian Border.</td>
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<tr>
<td>AD02-21</td>
<td>Ch. 34</td>
<td>Adds guidance on the adjudication of applications for benefits under certain employment authorized nonimmigrant classifications (E, I, R).</td>
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<td>AD02-23</td>
<td>Ch. 52</td>
<td>Adds a new chapter concerning re-entry permits; removes the old OI 223 from the Service’s Operations Instructions.</td>
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<td>AD02-25</td>
<td>Ch. 76</td>
<td>Adds Ch. to the <em>AFM</em> concerning Adjudicator’s responsibilities relating to denaturalization.</td>
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<td>AD02-24</td>
<td>(01-04-02)</td>
<td>Adds Appendices pertaining to INSAMS and Waivers for Certain Exchange Visitors.</td>
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<tr>
<td>AD02-26</td>
<td>Appendix 23-7; 45-1</td>
<td>Adds a chapter to the <em>AFM</em> concerning the Oath of Naturalization and the Oath Ceremony, along with relating appendices. Also cancels relating Operations Instructions.</td>
</tr>
<tr>
<td>AD02-30</td>
<td>Ch. 74</td>
<td>Adds <em>AFM</em> Ch. 74.1; 74.2(c) and 74.2(g) pertaining parts 3 and 7 of the Form N-400, revises the <em>AFM</em> Table of Contents.</td>
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<tr>
<td>AD02-26</td>
<td>(08-20-02)</td>
<td>Adds guidelines relating to the adjudication of applications for temporary protected status and deferred enforced departure.</td>
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<tr>
<td>AD02-02</td>
<td>(03-26-03)</td>
<td>Adds guidelines relating to the adjudication of spousal relative visa petition cases.</td>
</tr>
<tr>
<td>AD02-17</td>
<td>(10-06-03)</td>
<td>Adds guidelines relating to the adjudication of various relative visa petition cases.</td>
</tr>
<tr>
<td>AD02-24</td>
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<td>(04-17-03)</td>
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<td>(03-18-02)</td>
<td>Adds guidelines relating to the adjudication of applications pertaining to students and exchange visitors.</td>
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<tr>
<td>AD02-13</td>
<td>(04-17-03)</td>
<td>Adds Ch. 25.1 on joint petitions and waiver applications for removal of</td>
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<tr>
<td>AD02-11</td>
<td>Ch. 25.1</td>
<td>Provides guidance on granting extensions of H-1B stay beyond the 6th year in accordance with Pub. 107-273.</td>
</tr>
<tr>
<td>AD02-06</td>
<td>(03-20-03)</td>
<td>Revises the Technical Issues section of the chapter on adjudication of L-1 petitions to Clarify points relating to appropriate legal entities; provide suggestions on more specific qualifying relationship evidence; provide suggestions on additional evidence that can be required of publicly traded SEC regulated companies, especially in a merger/acquisition situation; provide suggestions evidence pertaining to “doing business” for an Import/Export business; and clarify points relating to specialized knowledge.</td>
</tr>
<tr>
<td>AD02-03</td>
<td>(03-26-03)</td>
<td>Adds guidelines relating to the adjudication of applications for temporary protected status and deferred enforced departure.</td>
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<tr>
<td>AD02-04</td>
<td>(10-15-02)</td>
<td>Revises designation of person in HQOPRD to whom Visas Mantis reports must be sent.</td>
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<tr>
<td>AD02-02</td>
<td>(03-20-03)</td>
<td>Adds guidelines relating to the adjudication of applications for temporary protected status and deferred enforced departure.</td>
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<td>AD02-30</td>
<td>(08-20-02)</td>
<td>Adds guidelines relating to the adjudication of applications for temporary protected status and deferred enforced departure.</td>
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<tr>
<td>AD02-29</td>
<td>(02-06-03)</td>
<td>Adds guidelines relating to the adjudication of applications for temporary protected status and deferred enforced departure.</td>
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<tr>
<td>AD02-28</td>
<td>(02-06-03)</td>
<td>Adds guidelines relating to the adjudication of applications for temporary protected status and deferred enforced departure.</td>
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<td>AD02-27</td>
<td>(02-06-03)</td>
<td>Adds guidelines relating to the adjudication of applications for temporary protected status and deferred enforced departure.</td>
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<td>AD02-26</td>
<td>(08-20-02)</td>
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<td>(01-04-02)</td>
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<td>AD02-23</td>
<td>(05-12-03)</td>
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<tr>
<td>AD02-22</td>
<td>(04-24-03)</td>
<td>Adds guidelines relating to the adjudication of applications for temporary protected status and deferred enforced departure.</td>
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<tr>
<td>AD02-21</td>
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<tr>
<td>AD02-20</td>
<td>(09-25-02)</td>
<td>Adds guidelines relating to the adjudication of applications for temporary protected status and deferred enforced departure.</td>
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<td>AD02-19</td>
<td>(09-25-02)</td>
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<tr>
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<td>(10-06-03)</td>
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</tr>
<tr>
<td>AD02-16</td>
<td>(03-20-03)</td>
<td>Adds guidelines relating to the adjudication of applications for temporary protected status and deferred enforced departure.</td>
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<td>Appendix 10-1</td>
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- Conditions pursuant to the marriage fraud amendments of 1986
- Adds Ch. dealing with relative visa petitions in general.
- Processes and Procedures for Conducting Naturalization Interviews.
- Rescission of adjustment to lawful permanent resident status.
- Adds a new chapter dealing with refugee travel documents.
- Adds guidance regarding the adjudication of Employment Authorization Documents.
- Adds a new chapter and appendix relating to Applications to Replace Permanent Resident Card.
- IBIS Checks on Applications and Petitions.
- Completion of IBIS Lookout Checks on Applications and Petitions for Immigration Benefits.
- Adjustment of status for certain Syrian nationals granted asylum in the U.S.
- Lists regular reports required by the Adjudication (including Naturalization) program.
- Adds DOJ Handbook entitled “Developing Useful Performance Indicators.”
- Provides instructions for preparing denial orders and appellate case records.
- Describes procedures for obtaining a report from the Library of Congress.
- Provides a list of internet websites useful for doing adjudicative research.
- Adds a new chapter relating to Applications for Advance Permission to Enter as a Nonimmigrant.
- Adds a chapter to the AFM concerning Approval Stamps.
- Adds discussion of general immigrant issues pertaining to Adjudications Program.
- Updates AFM discussions concerning Submission of Supporting Documents; Consideration of Evidence; and Interview Policies and Procedures.
- Adds information about States recognizing common law marriages.
- General information on nonimmigrants and information on the adjudication of temporary worker petitions.
- Adds several new subchapters on the adjudication of Applications for Adjustment of Status.
- Miscellaneous AFM Update.
- Codes for Public Copies of Decisions.
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<td>Naturalization Instruction Guides</td>
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<td>Adds guidance concerning medical examinations, vaccination requirements, waivers of medical grounds of inadmissibility, and designation of civil surgeons and revocation of such designation.</td>
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<td>H-1B SOP Documents</td>
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<td>AD00-17</td>
<td>Guidance on the Treatment of Certain International Accounting Firms</td>
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<td>Revises the AFM Table of Contents;</td>
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<td>Position Descriptions for Various Adjudications positions</td>
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<td>AD00-07</td>
<td>Adds Ch. 30.1(d)</td>
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<td>National Interest Waivers for Second Preference Employment-Based Immigrant Physicians Serving in Medically Underserved Areas or at Veterans Affairs Facilities</td>
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<td>Clarifies issues relating to the automatic revocation of visa petitions upon the death of the petitioner, the discretionary authority not to revoke the petition, and the effect of the Family Sponsor Immigration Act.</td>
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<td>Adjustment of Status under NACARA, revises section (f)(3), Advance parole: alien outside the U.S. at time of request</td>
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<td>Model Notice to Appear</td>
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