

# SUBJECT-MATTER INDEX

## A

**Abused spouses and children.** *See* **Violence Against Women Act (VAWA)**

**Addicts.** *See* **Drug abusers**

**Adjustment of status.** *See also* **Form I-485**

- generally, 45–64
- after-acquired dependents, 49–51
- approvable petition on file by April 30, 2001, 49
- decision, 64
- discretionary action by USCIS, 52
- document checklist, 265–266
- family unity, defined, 49
- fiancé(e)s, 100–101
- filing fees, 63
- filing for, 14, 51–52, 169
- grandfathering of beneficiaries of I-130, I-526, or labor certification, 49–51
- historical background, 45–46
- inadmissibility, grounds of, 48
- interview process, 63–64
- to LPR, 1–2
- no penalty fee, 46–47, 48
- other forms and documents included in application packet, 61–62
- process, 52–64
- qualifying under §245(i), 47–52
- requirements for, 34–35, 45–52
- VAWA provisions, 222–226

**Admission.** *See also* **Inadmissibility, grounds of**  
by Customs and Border Protection, 35–36

**Adopted children**

- Hague Convention rules, 40–43
- requirements, 4

**Affidavit of support**

- generally, 186–206
- attorney-client relationship, 233–234
- change of address, 206
- completing form, 196–203
  - asset counting, 202–203
  - counting income, 198–199
  - family unit size, determination of, 197
  - federal poverty line, determination of, 196–197, 291–292
  - income test, 199–202
  - minimum income requirement, 196–203
- conflict of interest, 245–248
- consular processing, 67
- death of petitioner, 37–39, 192–193
- discretion of USCIS and State Department, 204
- family-based petitions
  - who is affected, 187–188
  - who is not affected, 188–189
- fee bills for processing, 67
- legally enforceable contracts, 193–196
  - enforceable by federal, state, or other entity, 194
  - enforceable by sponsored immigrant, 193–194
  - enforcement in general, 195
  - legally enforceable, 195–196
- mandatory filing requirement, 187–189
- overview, 186–187
- sponsors, 189–193
  - citizen, national, or LPR, 189–190

defined, 189–193  
domiciled in U.S., 190–192  
joint sponsors, 203  
termination of contract, 204–206  
timing of filing, 189  
where to file, 206  
withdrawing representation, 255–  
256

**After-acquired dependents**

adjustment of status, 49–51

**Age-out problem**

of beneficiaries, 11–12

**Appeals**

reinstatement of removal, 150–152

**Application for permanent residence**

adjustment of status eligibility,  
34–35  
consular processing requirements,  
34–35  
filing I-130 petition, 21–40  
    completing form, 24–30  
    eligibility to file, 15  
    fee, 33  
    Notice to Appear consider-  
    ations. *See* **Notice re-  
    quirements**  
    other forms and documents in  
    packet, 32  
    supporting documentation,  
    30–32  
    where to file, 32–33  
    who may file, 23–24  
inspection and admission by Cus-  
toms and Border Protection,  
35–36  
petition revocation, 36–40  
statutory denials, 22  
USCIS marriage interview, 33–34

**Assault**

crimes of moral turpitude, 115

**Asylees and refugees**

public charge ground of inadmissi-  
bility not applicable to, 180

**Attorney-client relationship**

ethical issues, 232–234

**B**

**Battered spouse. *See also* Violence  
Against Women Act (VAWA)**

waiver, 85–86

**Beneficiaries**

defined, 2  
derivative beneficiaries, 8–9  
principal beneficiaries, 8

**Brothers or sisters**

defined, 3  
preference category and quota, 5–6

**C**

**CDC Technical Instructions**

on mental disorders, 107–108  
for Physical or Mental Disorders  
with Associated Harmful Be-  
haviors and Substance-Related  
Disorders, 107–108

**Change of address**

affidavit of support, 206

**Checklist**

adjustment of status application,  
265–266

**Child Citizenship Act of 2000**

exceptions for citizenship represen-  
tations by children residing in  
U.S. prior to age 16, 134

**Children. *See also* Child Status Pro-  
tection Act**

abduction (international), grounds  
of inadmissibility, 148  
abused. *See* **Violence Against  
Women Act (VAWA)**

- age-out problem, 11–12
- conditional residence provision, 80–81
  - under Form I-751, 90–91
- crimes of moral turpitude committed under age of 18, 116
- defined, 3–4
- fiancé(e)'s children, K visas, 98–101
- preference category and quota, 5–6
- Child Status Protection Act (CSPA)**
  - age-out problem, 11–12
  - children of LPRs and derivatives, status of, 14–16
  - children of USCs, status of, 13–14
  - effective date, 13, 18
  - naturalization and, 10
- Citizenship**
  - Child Citizenship Act of 2000, 134
  - false claims of, grounds of inadmissibility, 133–134
  - ineligibility, grounds of inadmissibility, 137–139
  - tax avoidance as reason to renounce, 148
- Commercialized vice**
  - inadmissibility, grounds of, 118–119
- Commission on Graduates of Foreign Nursing Schools**
  - certification by, 128
- Communicable diseases**
  - inadmissibility, grounds of, 105–107
    - waiver of, 110, 159–161
- Communication**
  - ethical issues, 238–239
- Communist party**
  - inadmissibility, grounds of, 125–127
- Competence**
  - ethical issues, 236–238
- Conditional resident status**
  - marriage and, 78–96. *See also* **Marriage**
- Confidentiality**
  - ethical issues, 239–243
- Conflict of interest**
  - affidavit of support, 245–248
  - current clients, 243–248
    - duty to withdraw from representation, 247–248
    - informed consent, 245–247
    - obtaining client's consent, 246–247
  - former clients, 248
- Consular processing**
  - generally, 68–75
  - affidavit of support, 67
  - appointment letter for immigrant visa applicants, 70–71
  - case status update notice, 271
  - electronic processing program, 69–70
  - fees, 67, 74
    - payment receipt, 269
  - instruction packet letter for immigrant visa applicants, 68–70
  - interviews, 72–74
    - notice of appointment, 275–276
  - medical examination, 71–72, 277–279
  - National Visa Center, 66–67
  - notice of forwarding immigrant visa case to post, 273
  - notice of immigrant visa interview appointment, 275–276
  - overview, 65
  - required documentation, 68–69

requirements, 34–35  
termination of registration, 74–75

**Controlled substances. *See also* Drug abusers**

drug traffickers, 117–118

**Controlled Substances Act**

inadmissibility of drug abusers of substances listed in act, 108

**Convention Against Torture**

reinstatement of removal exceptions, 149

**Convictions**

defined, 111  
foreign convictions, 114  
multiple convictions, 117

**Criminal grounds**

inadmissibility on, 110–120. *See also* **Inadmissibility, grounds of**  
waivers, 163–165

**Cross-chargeability**

defined, 8

**Cuban Adjustment Act (CAA)**

abused spouses and children, 228–230  
public charge ground of inadmissibility not applicable to, 180

**Cultural practices**

traditional marriage arrangements and K-1 and K-2 visas, 98–101

**Current clients**

conflict of interest, 243–248

**Customs and Border Protection**

inspection and admission by, 35–36

**D**

**Death**

of petitioner, 11, 36–37, 192–193  
request to reinstate I-130  
petition based on §204(l)

relief, 11, 261–262

of spouse

effect on conditional resident status, 87

permanent residence status after, 102–104

**Derivative beneficiaries**

aging out, 15  
defined, 8–9

**Diligence**

ethical issues, 236–238

**Disclosure**

ethical issues, 239–243

**Divorce**

priority dates and, 10  
waiver of conditional resident status, 84–85

**Documentary violations**

inadmissibility, grounds of, 137

**DOJ and Homeland Security**

rules on professional conduct for immigration practitioners, 251–254

**Drug abusers**

controlled substance violations as grounds of inadmissibility, 117  
inadmissibility, grounds of, 108–109

**Drug traffickers**

inadmissibility, grounds of, 117–118

**DUIs, aggravated**

crimes of moral turpitude, 116

**E**

**Employment authorization**

VAWA self-petitioners, 221

**Espionage**

inadmissibility, grounds of, 121

## F

**Ethical issues**

- generally, 231–257
- attorney-client relationship, 232–234
- communication, 238–239
- competence and diligence, 236–238
- confidentiality, 239–243
- conflict of interest, 243–251. *See also* **Conflict of interest**
- document fraud, 252–254
- DOJ and Homeland Security rules
  - on professional conduct for immigration practitioners, 251–254
- fiduciary duty to nonclients, 234–235
- informed consent, 245–247
- meritorious claims, 250–251
- overview, 231
- sources of ethics rules, 231–232
- terminating representation due to
  - fraud or other reasons, 254–256
  - unrepresented third party, 249–250

**Evidence**

- extreme hardship, Requests for Evidence (RFEs) in cases of, 170–171

**Export control violations**

- inadmissibility, grounds of, 121

**Expungements**

- pre-IIRAIRA, 113

**Extreme hardship**

- conditional resident spouse status, waiver for, 86–87
- marriage arrangements and exceptions for K-1 and K-2 visas, 99
- questions to determine, 285–290
- Requests for Evidence (RFEs), 170–171
- waiver of inadmissibility, 153–159, 167–169

**Failure to appear**

- interview in marriage-based cases, 92–93

**False claim of U.S. citizenship**

- inadmissibility, grounds of, 133–134

**Family preference system**

- overview, 1–2
- Visa Bulletin*, 259

**Family relationships**

- terms and requirements, 2–5

**Family-sponsored immigration**

- overview, 1–2

**Family unit size**

- determination of, 197

**Federal poverty line**

- determination of, 196–197, 291–292

**Fiancé(e)s**

- adjustment of status, 100–101
- K-1 and K-2 visas, 100–101

**Fiduciary duty**

- to nonclients, 234–235

**Foreign convictions**

- inadmissibility, grounds of, 114

**Foreign government officials**

- inadmissibility, grounds of
  - engaging in severe violations of religious freedom, 119
  - exception for beliefs, statements, or associations, 125

**Foreign policy, serious consequences for**

- inadmissibility, grounds of, 124–125

**Form DS-5540**

Public Charge Questionnaire, 177, 184–186

**Form G-28**

Notice of Appearance as Attorney or Representative, 219

**Form I-129F**

K-3 and K-4 visas, 101–102

**Form I-130**

generally, 22–33  
affidavit of support. *See Affidavit of support*  
completing, 24–30  
concurrent filing with Form I-485, 52  
eligibility to file, 15  
filing fee, 33  
other forms and documents in application packet, 32  
Petition for Alien Relative, 21–40  
petition revocation, 36–40  
request to reinstate I-130 petition based on §204(l) relief, 11, 261–262  
supporting documentation, 30–32  
where to file, 32–33  
who may file, 23–24

**Form I-212**

consent to reapply for admission, 173–174  
eligibility, 173–174  
strategy and procedure, 174

**Form I-360**

Petition of Amerasian, Widow(er), or Special Immigrant, 11  
VAWA packet contents, 215

**Form I-485**

completing, 52–61  
filing fees, 63  
other forms and documents included with, 61–62

revised as of October 15, 2019, 52  
where to file, 62–63

**Form I-601**

Application for Waiver of Ground of Excludability, 160, 165

**Form I-601A**

Application for Provisional Unlawful Presence Waiver, 170, 172

**Form I-751**

approval, 93  
children included on, 90–91  
denial, 93–94  
filing fee, 88  
filing procedures, 87–88  
late filing, 89–90  
multiple filings, 94

**Form I-765**

Application for Employment Authorization, 220

**Form I-800A**

Application for Determination of Suitability to Adopt a Child from a Convention Country, 42–43

**Form I-824**

filing for adjustment of status, 14

**Form I-864. *See Affidavit of support***

**Form I-864A**

Contract Between Sponsor and Household Member, 196, 198

**Form I-864P**

poverty guidelines for affidavit of support, 291–292

**Form I-864W**

in lieu of affidavit of support, 39, 104

**Form I-944**

Declaration of Self-Sufficiency, 177, 181–184

**Former clients**

conflict of interest, 248

**Fraud**

attorney sanctions for document fraud, 252–254  
 confidentiality and client fraud, 242–243  
 crimes of moral turpitude, 115  
 inadmissibility, grounds of, 130–133  
     conduct inconsistent with non-immigrant visa within 90 days of entry subject to presumption of material misrepresentation, 131  
 final civil document fraud order, 136  
 waivers, 165–166

**Freedom of Information Act (FOIA) requests**

prior immigration orders, 152

**G****Genocide**

inadmissibility, grounds of, 127

**Good moral character**

VAWA self-petitioners, 213–214  
 evidence of, 218, 293–301

**Green cards**

compared to permanent resident card, 78–79  
 LPR status, 1

**Guilty pleas**

inadmissibility, grounds of, 114

**H****Hague Convention rules**

adoption process, 40–43

**Haitian Refugee and Immigrant Fairness Act (HRIFA)**

abused spouses and children, 228–230  
 public charge ground of inadmissibility not applicable to, 180  
 reinstatement of removal exceptions, 149

**Hardship. See Extreme hardship****Health**

inadmissibility, grounds of, 105–110. *See also Inadmissibility, grounds of*  
 waivers, 159–163

**Health care workers**

inadmissibility, grounds of, 128

**Homeland Security**

removal proceedings, 137  
 rules on professional conduct for immigration practitioners, 251–254

**Humanitarian reinstatement**

of revoked I-130, 39

**I****Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRAIRA)**

criminal convictions, 113  
 VAWA self-petitioners, certification of compliance with §384, 227–228

**Immediate relatives**

overview, 1  
 preference system and, 5–13

**Immigration and Nationality Act**

qualifying under §245(i), 47–51

## Immigration Marriage Fraud Amendments of 1986 (IMFA)

purpose of, 77

“second generation” second-preference visa petition pending adjudication at effective date of act, 97

## Inadmissibility, grounds of

generally, 105–152

categories, 105

child abduction (international), 148

criminal grounds, 110–120

controlled substance violations, 117

convictions, 110–114, 117

crimes of moral turpitude, 114–117

drug traffickers, 117–118

evaluating consequences of crime, 120

foreign government officials who engaged in severe violations of religious freedom, 119

guilty pleas, 114

prostitution and commercialized vice, 118–119

traffickers in persons, 119–120

documentary requirements, 137

health-related grounds, 105–110

communicable diseases, 106  
drug abusers or addicts, 108–109

physical or mental disorders, 107–108

vaccination, lack of, 106–107

ineligibility for citizenship, 137–139

labor protection grounds, 128

miscellaneous grounds, 148

national security grounds, 120–127

Communist party or totalitarian party membership, 125–127

espionage, sabotage, export control violations, and other unlawful activities, 121

serious adverse consequences for foreign policy, 124–125

terrorist activities, 122–124

no waiver under §245(i), 48

overview, 105

polygamy, 148

previous immigration violations, 128–136

aliens present without permission or parole, 129

failure to attend removal proceedings, 129–130

false claim of U.S. citizenship, 133–134

final civil document fraud order, 136

fraud or willful misrepresentation, 130–133

smugglers, 135–136

stowaways, 134

prior removal orders, 139–147

public charge grounds, 175–186

reentering U.S. without authorization, 146–147

reinstatement of removal, 148–152

tax avoidance as reason to renounce citizenship, 148

unlawful presence bars, 140–146

voting unlawfully, 148

waivers. *See* **Waivers**

**Income.** *See* **Affidavit of support**

## Ineligibility for citizenship

inadmissibility, grounds of, 137–139

**Informed consent**

ethical issues, 245–247  
 individuals subject to NTA issuance, 263. *See also* **Notice requirements**

**Inspection**

by Customs and Border Protection, 35–36

**International Convention on the Prevention and Punishment of Genocide**

inadmissibility, grounds of, 127

**Interviews**

adjustment of status, 63–64  
 consular processing, 72–74  
 marriage-based cases, 33–34, 91–93  
 VAWA intake interview, 220–221

**K****K visas**

fiancé(e)s and their children (K-1 and K-2 visas), 98–101  
 nonimmigrants K-3 and K-4 visas, 101–102

**L****Labor certification**

inadmissibility, grounds of, 128

**“Lawfully present”**

defined, 142–145

**Lawful permanent residents (LPRs)**

filing I-130 petition, 21–40. *See also* **Application for permanent residence**  
 proof of status, 2  
 statutory denials, 22

**Legitimacy**

defined, 3

**LIFE Act and LIFE Act Amendments of 2000**

K visas, 101  
 reinstatement of removal exceptions, 149

**M****Mail-order brides. *See* K visas****Manslaughter**

crimes of moral turpitude, 115

**Marriage**

alien spouses affected by conditional residence provision, 79–80  
 battered spouse waiver, 85–86  
 children affected by conditional residence provision, 80–81  
 conditional resident status, 78–96  
   children, petitions and waivers for, 90–91  
   filing joint petition, 83  
   notice from USCIS, 95–96  
   reapplication for immigrant visa after termination of, 95  
   removal of, 82–90  
   termination of, 81–82  
   waiver of joint petition, 83–87  
 death of spouse, 87  
 divorce/annulment waiver, 84–85  
 documentary evidence of good-faith marriage, 88  
 extreme hardship waiver, 86–87  
 failing marriage, 90  
 fiancé(e) visas (K-1 and K-2), 98–101  
 filing fee and procedure, 87–88. *See also* **Form I-751**  
 good-faith marriage, 210  
   evidence of, 218–219  
 immigration through, 77–104

interview, 33–34, 91–93  
 waiver of, 92  
 late petitions, 89–90  
 overview, 75–76  
 priority dates and, 9  
 in removal proceedings, 96–97  
 second-preference petitions, 97–98  
 traveling abroad at time petition  
 filed, 88–89  
 VAWA self-petitioners, 211

**Means-tested benefit programs**

income test for affidavit of support,  
 200–201  
 sponsored immigrants qualifying  
 for, 195

**Medicaid**

public charge ground of inadmissi-  
 bility, 177

**Medical examinations**

consular processing, 71–72, 277–  
 279

**Mental disorders**

inadmissibility, grounds of, 107–  
 108  
 associated harmful behavior,  
 281–284  
 waivers, 110, 159–161

**Meritorious claims**

ethical issues, 250–251

**Military Selective Service Act**

exemption of nonimmigrants from  
 U.S. military service, 138

**Misrepresentation. *See* Fraud****Moral turpitude, crimes of**

inadmissibility, grounds of, 114–  
 117

**Motions to reopen**

removal or deportation proceedings,  
 225–226, 230

**Murder**

crimes of moral turpitude, 115

**N****National security grounds**

inadmissibility, grounds of, 120–  
 127

**National Visa Center**

case status update notice, 271  
 consular processing, role in, 66–67  
 notice of forwarding immigrant visa  
 case to post, 273  
 notice of immigrant visa case cre-  
 ation, 267–268  
 notice of immigrant visa interview  
 appointment, 275–276  
 provisional waiver applications,  
 172

**Naturalization**

priority dates and, 10–11  
 VAWA self-petitioners, 228

**Nazi persecution participants**

inadmissibility, grounds of, 127

**Nicaraguan Adjustment and Central  
 American Relief Act (NACARA)**

abused spouses and children,  
 228–230  
 public charge ground of inadmissi-  
 bility not applicable to, 180  
 reinstatement of removal excep-  
 tions, 149

**Notice requirements**

conditional resident status, 95–96  
 Notice to Appear (NTA) policy, 21,  
 81, 92–94, 172–173  
 informed consent for indi-  
 viduals subject to NTA  
 issuance, 263

**Nurses**

inadmissibility, grounds of, 128

**O****Orphans**

requirements, 4

**P****Parents**

defined, 3

**Parole**

aliens present without permission or parole, grounds of inadmissibility, 129

leaving United States with advance parole, not triggering three- or ten-year bars of unlawful presence, 141–142

**Patient Protection and Affordable Care Act**

public charge ground of inadmissibility, 180

**PATRIOT Act. *See* USA PATRIOT Act of 2001****Petitioners**

death of, 11, 36–37, 192–193  
defined, 2

**Petty offenses**

crimes of moral turpitude, exception to, 116

**Physical disorders**

inadmissibility, grounds of, 107–108  
waivers, 110, 159–161

**Physicians**

inadmissibility, grounds of, 128

**Polygamy**

inadmissibility, grounds of, 148

**Poverty guidelines**

for affidavit of support (Form I-864P), 291–292  
determining federal poverty line, 196–197

**Preference system**

categories, 5–6  
family preference system, 1–2  
immediate relatives and, 5–13  
quota system, 5–8

**Previous immigration violations**

inadmissibility, grounds of, 128–136

**Principal beneficiaries**

defined, 8

**Priority dates**

age-out problem and, 11–12  
death of petitioner and, 11  
defined, 7  
divorce and, 10  
marriage and, 9  
naturalization and, 10–11  
pre-1977 Western Hemisphere priority dates, 12–13  
retention of, 8–13

**Prior removal orders**

inadmissibility, grounds of, 139–147  
reinstatement of removal, 148–152

**Professional conduct. *See* Ethical issues****Prostitution**

crimes of moral turpitude, 116  
inadmissibility, grounds of, 118–119

**Public charge**

applicants not subject to, 180–181  
Form DS-5540, Public Charge Questionnaire, 177

## Public housing

inadmissibility, grounds of, 175–186  
regulatory changes, 176–178  
statutory factors, 178–179

## Public housing

public charge ground of inadmissibility, 177

## Q

### Quota system

described, 5–8

## R

### Rape

crimes of moral turpitude, 115

### REAL ID Act of 2005

terrorist activities as grounds of inadmissibility, 122–124

### Reentering U.S. without authorization

inadmissibility, grounds of, 146–147

### Refugees

public charge ground of inadmissibility not applicable to, 180

### Reinstatement of removal

inadmissibility, grounds of, 148–152  
retroactive application, 149–150

### Religious freedom

foreign government officials engaging in severe violations of, 119

### Removal proceedings

denial of Form I-751, 93–94  
documentary requirements, failure to comply with, 137  
failure to attend as grounds of inadmissibility, 129–130  
marriage and, 96–97  
motions to reopen, 225–226

prior orders as grounds of inadmissibility, 139–147

reinstatement of removal as grounds of inadmissibility, 148–152

retroactive application, 149–150  
VAWA self-petitioners, 227–228

## Robbery

crimes of moral turpitude, 115–116

## S

### Sabotage

inadmissibility, grounds of, 121

### Section 8 Housing Choice Voucher Program

public charge ground of inadmissibility, 177

### Section 8 Project-Based Rental Assistance

public charge ground of inadmissibility, 177

### Self-petitions

for abused spouses and children.

*See Violence Against Women Act (VAWA)*

### Siblings

defined, 3  
preference category and quota, 5–6

### Smugglers

inadmissibility, grounds of, 135–136

### Sponsors. *See Affidavit of support*

### Spouse. *See also Marriage*

abused. *See Violence Against Women Act (VAWA)*

preference category and quota, 5–6  
requirements, 2–3

### Stepchildren

divorce, effect of, 9–10  
requirements, 3–4

**Stowaways**

inadmissibility, grounds of, 134

**Substance abusers.** *See* **Drug abusers**

**Subversive Activities Control Act of 1950**

inadmissibility, grounds of, 125

**Supplemental Nutrition Assistance Program (SNAP)**

public charge ground of inadmissibility, 177

**Supplemental Security Income (SSI)**

public charge ground of inadmissibility, 177

**Supporting documentation**

Form I-130, 30–32

evidence of family relationship, 31

petitioner's evidence of U.S. citizenship, 31

**T**

**Tax avoidance**

renouncing citizenship for, grounds of inadmissibility, 148

**Temporary Assistance for Needy Families (TANF)**

public charge ground of inadmissibility, 177

**Termination of registration**

grounds for, 74–75

**Terrorist activities**

hold policy for certain persons subject to terrorism-related inadmissibility grounds (TRIG), 124  
inadmissibility, grounds of, 122–124

**Terrorist organizations**

tiers of, 122–123

**Theft**

crimes of moral turpitude, 115–116

**Totalitarian party membership**

inadmissibility, grounds of, 125–127

**Traveling abroad**

aliens “unlawfully present” who depart U.S., 140–141

marriage petition filed during, 88–89

**U**

**“Unlawfully present” and unlawful presence bars**

defined, 142–145

departing U.S., 140–141

inadmissibility, grounds of, 139, 140–146

period of inadmissibility, 145

waivers, 145–146, 166, 169–173

**Unmarried children**

preference category and quota, 5–6  
requirements, 4–5

**Unrepresented third party**

ethical issues, 249–250

**USA PATRIOT Act of 2001**

terrorist activities as grounds of inadmissibility, 122–124

**V**

**Vaccination**

inadmissibility, grounds of, 106–107

waivers, 110, 161–163

**Vietnam “draft evaders”**

pardon for, 139

**Violence Against Women Act (VAWA)**

generally, 207–230

abuse  
     defined, 213  
     evidence of, 219  
 adjustment of status, 222–226  
 background, 207–208  
 deferred action, 221  
 deportability ground eased for  
     abused persons, 225  
 derivative spouses, 230  
 employment authorization, 221  
 extreme hardship, 154–155  
 good-faith marriage, 210  
     evidence of, 218–219  
 good moral character, 213–214  
     evidence of, 218, 293–301  
 intake interview, 220–221  
 naturalization, 228  
 public charge ground of inadmissi-  
     bility not applicable to, 180  
 removal or deportation proceedings,  
     227–228  
 self-petitioning, 208–221  
     aging out protection, 211–212  
     citizenship or immigration sta-  
         tus of abuser, 212–213  
     death of USC abuser, 213  
     derivative children, 211, 219  
     eligibility, 208  
     evidence of abuser’s USC or  
         LPR status, 217–218  
     evidence of applicant’s physi-  
         cal presence, 218  
     evidence of qualifying relation-  
         ship to abuser, 215–217  
     filing procedure, 221  
     marital relationship, 210–211  
     marriage or remarriage of  
         self-petitioners, 211  
     packet contents, 214–219  
     parent-child relationship, 211  
     requirements, 209–214  
     residence, 210

waiver of permanent bar inadmissi-  
 bility, 147, 159–160, 222–225

**Visa Bulletin**

family-sponsored preferences, 259  
 visa availability (from *Visa Bulletin*  
 for June 2020), 7, 259

**Visa fraud**

inadmissibility, grounds of, 131

**Visas.** *See also specific types of visas*

issuance of, 1

**Voluntary manslaughter**

crimes of moral turpitude, 115

**Voting unlawfully**

inadmissibility, grounds of, 148

**W**

**Waivers**

conditional resident status, waiver  
 of joint petition, 83–87  
 inadmissibility, grounds of, 110,  
 153–174  
     communicable diseases, 110,  
         159–161  
     Communist party or totalitarian  
         party membership, 127  
     consent to reapply for admis-  
         sion, 173–174  
     criminal grounds, 163–165  
     eligibility requirements, 153–  
         166  
     extreme hardship, 153–166,  
         167–169  
     filing fee, 167  
     final civil document fraud  
         order, 136  
     fraud or misrepresentation,  
         165–166  
     health-related grounds, 110,  
         159–163  
     physical or mental disorders,  
         110, 159–161

- procedure for filing, 166–169
- smuggling, 135–136
- terrorism-related bars to admission, 123–124
- unlawful presence bars, 145–146, 166, 169–173
- vaccination, lack of, 110, 161–163
- VAWA self-petitioners, 147, 159–160, 222–225
- interview in marriage-based cases, 92
- provisional, 169–173

**Welfare programs.** *See Means-tested benefit programs*

**Widow(er)s**

- petitions for permanent residence, 102–104

