
Adjudicator's Field Manual

Updated Through March 1, 2011

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Transmittal Memoranda

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Update number and Date	Chapter(s)/Appendix(s) Affected	Topic(s)
AD11-22 (2-23-11)	Ch. 39.1(g)(3); 39.2(g)(3)	
AD11-21 (01-21-11)	Ch. 38.1(e)(12)	
AD11-19 (01-18-11)	Ch. 31.1(b); 31.3(h); 32.3(a); 32.4(a)	
AD11-16 (02-04-11)	Ch. 10.3(i)	
AD11-15 (1-27-11)	Ch. 38.1(e)(1); 40.9.2(a)(8); 40.9.2(b)(1)(F)(iii); 40.9.2(c)(1)(D); & 40.9.2(c)(2)(C)	
AD11-14 (12-22-10)	Ch. 22.2(i)(1)(A); 22.2(i)(1)(E)-(F); 22.2(i)(2)(A); 22.2(j)(2)(A)-(B); 22.2(b)(5)(B); 22.2(b)(9)-(10)	
AD11-13 (12-16-10)	Ch. 40.1(c)	
AD11-12 (PM-602-0012) (12-14-10)	Ch. 36.4	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).
AD11-10	Ch. 41.7; Appendix 41-5	
AD11-09 (01-26-11)	Ch. 10.7(b)(5), 20.3(b)(2), 21.2(f)(3)(E), 21.2(g)(2), 21.2(h)(2)(F), 21.3(b)(6)(B), 21.4(f)(A), 21.5(e)(2)-(3), 21.7(d)(7)(A), 21.8(c)(4)(B), 21.9(c)(4)(B), 21.10(e)(2), 22.2(j)(4), 22.2(l)(2), 22.3(b)(10), 22.3(r)(3)(B), 31.3(e)(2), 31.4(i)(2), 31.5(h)(2), 31.6(c)(2), 31.7(b)(2), 33.4(f), 33.5(f), 33.6(f), 33.7(f)	Revises AFM to require that notice of the right to file a motion to reopen or reconsider be included in all denial decisions.
AD11-05 (11/18/10)	Ch. 10.9	Provides guidance on considering and approving requests for fee waivers.
AD11-03	Ch. 33.5(a)	
AD11-02	Ch. 20.1(e)	

(12-15-10)		
AD11-01 (11/9/10)	Ch. 22.3(b)(1); Appendix 22-04; 22-05	Provides guidance for processing Form I-360, Petition for Amerasian, Widower, or Special Immigrant, filed on behalf of special immigrant religious orkers in light of the Ninth Circuit Court of Appeals' mandate overturning the permanent injunction issued in the U.S. District Court order in <i>Ruiz-Diaz v. United States</i> . It also supplements the guidance issued in AD09-45 by adding an editor's note.
AD10-53 (12-16-10)	Ch. 75.3(b)–(i)	
AD10-51 (12-16-10)	Ch. 10.21(a)–(c); 21.2(h)(1)(C)	
AD10-49 (12-15-10)	Ch. 21.14(z); 21.15(z)	
AD10-48 (10/6/10)	Ch. 31.1(b); 31.3(h); 32.3(a); 32.4(a)	Provides guidance on implementation of the provisions of Public Law 111-230 requiring the payment of an additional fee in the case of certain petitions and applications relating to H-1B and L-1 nonimmigrants.
AD10-47 (8/27/10)	Ch. 21.5	Provides guidance on adjudication of Form I-600 petitions filed on behalf of beneficiaries physically present in Nepal.
AD10-43 (8/26/10)	Ch. 11.1	Provides guidance on adjudication of applications and petitions supported by Puerto Rico birth certificates.
AD10-42 (01-24-11)	Ch. 72.2(d)(3)	Provides field guidance on the acceptance of NGB Form 22, “National Guard Report of Separation and Record of Service,” as certification of service in the Armed Forces for purposes of naturalization under section 328 or 329 of the INA.
AD10-41 (8/18/10)	Ch. 22.2(i)(1)(A), 22.2(i)(1)(E)–(F), 22.2(i)(2)(A), 22.2(j)(2)(A)–(B), 22.2(b)(5)(B), 22.2(b)(9), 22.2(b)(1)	Provides guidance on evaluation of evidentiary criteria in certain Form I-140 petitions, and makes technical revisions to other portions of Ch. 22.2.
AD10-38	Ch. 23.5; 39	Provides guidance regarding new statutory changes to the T and U nonimmigrant status and related adjustment of status.
AD10-36 (7/20/10)	Ch. 33.4(e)	This memorandum revises AFM Ch. 33.4(e)(1) and adds 33.4(e)(2) to provide guidance for processing and adjudicating Form I-129, Petition for Nonimmigrant Worker, filed on behalf of O nonimmigrants.
AD10-25 (8/26/10)	Ch. 10.7(b)	Provides guidance on uniform denial language pertaining to appeals to the Board of Immigration Appeals (BIA).
AD10-19 (PM-602-0013) (12/15/10)	Ch. 36.3, 23.5(a)	Adds Ch. 36.3 on adjudication of adjustment of status applications from aliens present in the Commonwealth of the Northern Mariana Islands (CNMI) on or after November 28, 2009. Also adds a reference to this new Ch. in the general Ch. on adjustment of status.
AD10-08 (6-22-10)	Ch. 39.1(g)(2)(i)	This memorandum revises AFM Ch. 39.1(g)(2)(i) to clarify that the status of a U-1 or a dependent of a U-1 nonimmigrant may be extended for any valid reason that is consistent with the goals of the statute and not merely to overcome a consular processing delay.
AD10-28 (03-11-10)	Ch. 33.6(d)	This update revises AFM Ch. 33.6(d) to provide guidance for processing and adjudicating Form I-129, Petition for Nonimmigrant Worker, filed on behalf of P-2 nonimmigrants
AD05-12 (10-31-05)	Ch. 21.14(q)	This update adds AFM 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.
AD10-31	Ch. 72.2(d), 74.2(b)(7);	This memorandum revises the AFM Chapters 72.2(d) and 74.2(b)(7) and

(03-05-10)	Appendix 72-21	Appendix 72-21 to revise and/or remove references to Form G-325B, Biographic Information
AD10-03 (11-24-09)	Ch. 24.2, 40.1, 41.3; Appendices: 41-1, 41-2, 41-3	This update revises the AFM 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.
AD10-17 (02-17-10)	Ch. 21.5	This update revises AFM Ch. 21.5, Petition for an Orphan.
*AD10-47 (07-14-08)	Ch. 23.5(d)	This memorandum adds AFM 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 AFM Ch. 23.5(d)–23.5(l) as 23.5(e)–23.5(m) respectively.
*AD10-29 (01-29-10)	Ch. 31.3(g), 31.5(j)	This memorandum revises AFM 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.
*AD10-23 (01-19-10)	Ch. 10.1(a)(2)	This memorandum revises AFM Ch. 10.1(a)(2) to provide guidance for valid signatures on applications and petitions.
*AD10-05 (01-15-10)	Ch. 39.1(c)(2)(v)	This memorandum adds AFM Ch. 39.1(c)(2)(v) pertaining to the denial of petitions for U nonimmigrant status for lack of required certification.
AD10-04 (09-02-10)	Ch. 22.3(a); 22.3(t)(8)- (9); 22.3(u)	
*AD09-16 (08-05-09)	Ch. 74.2(c)(9)(E), 74.2(c)(9)(I) Appendices: 74-26, 74- 27	The AFM 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.
*AD10-06 (12-24-09)	Ch. 40.1(c)	The AFM is updated by revising AFM 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.
*AD10-07 (12-15-09)	Ch. 40.1(e)(4)(B)–(C), Appendix 40-3	The AFM is updated to revise Ch. 40.1(e)(4)(B) and add Ch. 40.1(e)(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.
*AD09-47 (09-22-09)	Ch. 21.2(b)(1)(C), 25.1(c)(3) Appendices: 21-8, 21-9, 21-10	The AFM 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.
*AD09-38 (12-11-09)	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)	This memorandum revises Ch. 22 and 25 of the AFM 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).
*AD09-54 (11-24-09)	Ch. 36, 36.1, 36.2	The AFM 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.
*AD10-09 (12-02-09)	Ch. 21.2(a)(4), 21.2(h)(1)(C); Appendix 21-8	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(h)(1)(C), Discretionary Authority to Not Automatically Revoke Approval, and adds Appendix 21-8 explaining the deletions.
*AD09-26 (10-31-08)	Ch. 21.4(d)(5)(A), 21.4(d)(5)(F),	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

	21.5(a)(6), 21.6	Convention and the USCIS Hague Adoption Convention rule at 8 CFR 204, 213a, and 322
*AD10-02 (11-23-09)	Ch. 36.1, 36.2, 36.3, 36.4, 36.5, 36.6, 36.7, 36.8	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.
*AD09-14 (11-16-09)	Ch. 31.4 and 31.5, Appendices: 31-2	Updated Ch. 31.4 & 31.5 by correcting formatting errors and hyperlinks. Clarifying links to Appendix 31-2 and removing 31-4
*AD07-26 (09-14-09)	Ch. 22.2: (b)(3)(D)-(F), (b)(4)(C)(v), (b)(9) – (11), (i)(2)(B), (j)(3)	This memorandum updates AFM Ch. 22.2 regarding general Form I-140 adjudication issues and considerations pertaining to EB-1 and EB-2 cases.
*AD09-51 (03-02-09) & (07-14-09)	Ch. 33.5(a), Appendices: 33-2, 33-3	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.
*AD09-45 (06-25-09)	Ch. 22.3(b)(1), Appendix 22-4	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.
*AD09-37 (08-06-09)	Ch. 22.2(b)(5)	This update revises AFM Ch. 22.2(b)(5) pertaining to successor-in-interest determinations.
*AD09-31 (05-04-09)	Ch. 40, 40.1, 40.2, 40.3, 40.4, 40.5, 40.6, 40.7, 40.8, 40.9, 40.10	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.
*AD09-30 (06-29-09)	Ch. 23.5(l), 23.5(m)	This memorandum renumbers AFM Ch. 23.5(l) 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.
*AD09-28 (08-04-09)	Ch. 25.1(k)	This memorandum revises AFM Ch. 25.1(k) to provide guidance on conditional permanent residents and naturalization under section 319(b) of the Act.
*AD09-24 (04-29-09)	Ch. 72.2(d)(3)	This memorandum revises the AFM Ch. 72.2 to clarify when Form N-426 is required with naturalization applications.
*AD09-14 (06-24-09)	Ch. 31.4, 31.5, Appendices: 31-2, 31-4	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 <i>Federal Register</i> . 73 FR 76891 (12/18/08) and 73 FR 78104 (12/19/08).
*AD09-11 (08-25-09)	Ch. 24.4(d)(1), 24.4(k)	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 <i>Hernandez v. Reno</i> , 91 F.3d 776 (5th Cir. 1996).
*AD09-10 (06-17-09)	Ch. 22.2(j)(1)(B)-(E), 22.2(j)(5), 22.2(j)(6)(F)(iv)	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.
AD09-09 (03-19-09)	Ch. 23.3, 40.1	This memorandum revises the AFM to redesignate Ch. 23.3 as Ch. 40.1, Health-Related Grounds of Inadmissibility and Medical Examination.
*AD09-04 (06-17-09)	Ch. 22.4(b), 22.4(c)(4)(D), 25.2(a), 25.2(b), 25.2(e)(1), 25.2(g)(1), 25.2(i)(2)(C)	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 end of Ch. 25.2(e)(1); and makes changes to both Ch. 22.4 and 25.2 to reference that all EB-5 petitions and applications are now filed with the California Service Center all in the AFM.
AD08-03 (05-06-09)	Ch. 30.1(d), 40.9.2	This memorandum redesignates AFM Ch. 30.1(d), (d) Unlawful Presence under Section 212(a)(9)(B) of the Act, as Ch. 40.9.2, Inadmissibility Based on Prior Unlawful Presence (Sections 212(a)(9)(B) and (C)(i)(I) of the Act.
AD07-18	Ch. 40.6, Appendices:	This memorandum revises the AFM to add Ch. 40.6 Section 212(a)(6) of

(03-03-09)	40-1, 40-2	the Act - Illegal Entrants and Other Immigration Violators and adds Appendices 40-1 and 40-2.
AD09-23 (04-15-09)	Ch. 15.1(d)(2)(B), 72.3(q), Appendix: 15-4	This AFM update adds new notes to Ch. 15.1(d)(2)(B) and 72.3(q) and a new Appendix 15-4. The update provides specific instructions for processing Form N-400 filed by members of the U.S. Armed Forces or veterans under sections 328 and 329 of the INA who fail to respond to a request for evidence or for appearance.
AD09-03 (01-21-09)	Ch. 21.3(a)(2)(J)	This AFM update revises criteria in Ch. 21.3(a)(2)(J) for adjudicating petitions that involve transsexual marriages.
AD08-09 (01-15-09)	Ch. 22.3(b), 34.5, Appendices: 22-2, 34-1	This memorandum revises AFM Ch. 22.3(b) and 34.5 and adds Appendices 22-2 and 34-1 to reflect the publication of the Special Immigrant and Religious Workers final rule in the <i>Federal Register</i> on 11/26/08. Also, the revisions and additions reflect the extension of the special immigrant non-minister religious worker program from the date of publication of the final religious workers rule to 3/6/09.
*AD08-04 (11-08-07)	Ch. 21.2(a)(4), 21.2h(1)(C)	Adds Ch. 21.2(a)(4), and revises "Note" at the end of Ch. 21.2(h)(1)(C). This Memorandum reaffirms, for cases outside the ninth Circuit, USCIS policy concerning the effect of a visa petitioner's death, while the petition is still pending, on the authority to approve the petition.
AD09-01 (12-01-08)	Ch. 71.1(f)(2), 74.2(a)(2), 74.2(c)(3).	This memorandum revises subchapters 71.1(f)(2); 74.2(a)(2) and (c)(3). of the AFM to provide guidance on the use of "Taiwan" as country of birth or nationality.
AD08-17 (07-07-08)	Ch. 22.3(t)	This memorandum amends Ch. 22.3(t) to the AFM
AD08-16 (04-11-08)	Ch. 23.5(k)	Ch. 23.5(k) of the AFM is amended by adding a new section (k), "VAWA-based Adjustment of Status Applications."
AD08-12 (03-07-08)	Ch. 39	This memorandum adds a new Ch. 39 to the AFM
AD08-10 (03-21-08)	Ch. 31.3	Adds guidance relating to the licensure requirements for H-1B petitions where full licensure is dependent upon receipt of a preceding immigration benefit.
AD07-04 (04-11-08)	Ch. 21.2	This Memorandum revises AFM Ch. 21.2 by revising guidance on The Child Status Protection Act. Pub.L. 107-208.
AD08-14 (08-15-08)	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).	This memorandum revises AFM 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). These revisions provide guidance on continuous residence, physical presence, and overseas naturalization for a spouse or child of a member of the Armed Forces, per amendments to the INA by the "National Defense Authorization Act for Fiscal Year 2008," Pub. L. 110-181 (as enacted 1/28/08).
*AD08-06 (05-30-08)	Ch. 20.2(d), 31.2(d)(4), 31.3(g)(8), 31.3(g)(10) – (12), 31.3(g)(13)(D)	This memorandum revises AFM Ch. 20.2, 31.2(d)(4), 31.3(g)(8), (10), (11), (12), and 31.3(g)(13)(D) regarding issues related to adjudication of employment-based benefits under the AC21 and ACWIA provisions.
AD08-19 (08-14-08)	Ch. 74.2(c)(9)	This memorandum revises AFM Ch. 74.2(c)(9)
AD07-20 (06-01-07)	Ch. 22.2	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.
AD07-19 (11-08-07)	Ch. 23.2(j)(2)(A)	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.
AD07-01 (09-18-07)	Ch. 72.2(d)(5)–(9)	This memorandum revises sections of subchapter 72.2(d)(5)–(9) of the AFM regarding guidelines for the adjudication of Form N-648 waivers.

AD07-19 (07-30-07)	Ch. 10.9(a), Appendix, 10-10	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.
AD07-05 (06-18-07)	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	This memorandum revises AFM Ch. 10.1(c); 10.3(f); 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 <i>Federal Register</i> 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.
AD07-22 (01-03-07)	Ch. 23.3(e)(1)	This memorandum revises AFM Ch. 23.3(e)(1) to indicate that the validity of Form I-693 is extended until 1/1/08.
AD07-17 (02-08-08)	Ch. 21.2(f)–(i), Appendix: 21-6	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).
AD06-29 (12-05-06)	Ch. 31.2(d), 31.3(g)(14), 32.6(h)	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.
AD06-46 (01-23-07)	Ch. 22.2(b), 22.2(j)(6), 23.5	This memorandum provides interim field guidance in light of the Ninth Circuit Court of Appeals decision in <i>Schneider v. Chertoff</i> , 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).
AD06-31 & AD06-04 (12-21-06)	Ch. 25.2	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.
AD06-34 (01-12-07)	Ch. 23.2(b)	This memorandum revises Subchapter 23.2(b) of the AFM
AD07-06 (01-03-07)	Ch. 23.11(b)(1), Appendix 23-6	This AFM update revises criteria in Ch. 23.11(b)(1) (last bullet) for adjustment under the Cuban Adjustment Act to reflect publication of <i>Matter of Buschini</i> (June 30, 2006), USCIS Administrative Appeals Office Adopted Decision. This update also adds Appendix 23-6, which reprints <i>Matter of Buschini</i> in full.
AD06-41 (12-04-06)	Ch. 23.13(d)(2)–(3), 23.13(d)(4)(E), 23.13(f)(1)	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.
AD03- 01(09-12-06)	Ch. 22	This memorandum replaces all of Ch. 22, which provides guidance on the adjudication of petitions for classification under the employment-based immigrant visa categories.
AD07-03 (06-27-06)	Appendix 41-2	This memorandum replaces Appendix 41-2 of the AFM with a correctly formatted Appendix 41-2.

AD03-01 (09-12-06)	Ch. 22	This memorandum replaces all of Ch. 22, which provides guidance on the adjudication of petitions for classification under the employment-based immigrant visa categories.
AD06-45 (08-24-06)	Ch. 10.3, Appendix 10-8	This memorandum revises Ch. 10.3 (General Adjudication Procedures) and adds Appendix 10-8 (Complying with Particular Timeframes When Processing Cases) the AFM
AD05-15 (09-23-05)	Ch. 31.3(g)(8)	This memorandum revises Ch. 31.3(g)(8) of the AFM to provide interim guidance pertaining to the Department of Labor PERM Regulations at 20 CFR 656.
AD06-43 (08-24-06)	Ch. 75.2, 75.3	This memorandum revises Ch. 75.2 (The Oath Ceremony) and 75.3 (Ceremony-Related Issues) of the AFM
AD06-26 (07-11-06)	Ch. 23.2(k)	This memorandum revises Ch. 23.2(k) of AFM to provide guidance regarding the proper disposition of Forms I-508 and I-566.
AD06-36 (06-30-06)	Ch. 23.6(a)(1), 23.6(b)(2).	This memorandum revises Ch. 23.6(a)(1) and 23.6(b)(2) in the AFM
AD06-35 (06-30-06)	Ch. 32.4(a)(note)	This memorandum replaces Ch. 32.4(a)(note) with revised Ch. 32.4(a)(Note) of the AFM
AD06-33 (06-02-06)	Ch. 25.1(g)(4)(C)	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.
AD06-27 (06-06-06)	Ch. 31.3(g)(13)	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.
AD06-21 (06-14-06)	Ch. 21.2(e)(4)(C)	This memorandum adds Ch. 21.2(e)(4)(C) to the AFM to clarify the opting-out provisions for F2A visas.
AD06-21 (06-14-06)	Ch. 37.4(e)(2), 37.4(g), 37.4(k)(1)	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.
AD06-15 (01/30/06)	Ch. 25.1(g)(1), 25.1(g)(2)	This memorandum revises Ch. 25.1(g)(1) and 25.1(g)(2) in the AFM regarding joint petition credibility issues.
AD06-09 (05-10-06)	Ch. 72.2(d)(5), Appendix 72-13	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
AD01-17 (05-10-06)	Ch. 37.1–37.3	Guidance pertaining to K visas in Ch. 37.1, 37.2, 37.3 in the AFM is undergoing revision.
AD06-30 (04-20-06)	Ch. 10.17(a)	This revision to Ch. 10.17(a) to the AFM clarifies when adjudication officers may reopen applications or petitions.
AD06-22 (03-01-06)	Appendix 10-6	This memorandum revises Appendix 10-6 of the AFM.
AD06-18 (02-17-06)	Appendix 35-1	This memorandum adds an Appendix 35-1 to the AFM
AD06-17 (02-06-06)	Ch. 10.12(b)(1), (c)(1), Appendices 10-1–10-4	This memorandum revises Ch. 10.12(b)(1) and 10.12(c)(1) and adds Appendices 10-1, 10-2, 10-3, and 10-4 to the AFM
AD06-13 (01-11-06)	Ch. 23.3(e)(1)	This memorandum revises Ch. 23.3(e)(1) of the AFM
AD06-12 (01-11-06)	Ch. 11.1(c), Appendix 74-14	This memorandum revises Ch. 11.1(c) and Appendix 74-14 of the AFM
AD06-02 (02-13-06)	Ch. 4.6, Appendices 4-15–4-28	This update adds Ch. 4.6 and Appendices 4-15 through 4-28 to the AFM
AD06-01 (11-23-05)	Ch. 15.1, Appendix 15-3	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.

AD05-35 (09-19-05)	Ch. 73.6(d)(3)(B) (third bullet)	This memorandum revises Ch. 73.6(d)(3)(B)(third bullet) of the AFM
AD05-34 (04-03-06)	Ch. 21.11, 23.5(d); Appendices 21-4, 21-5	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.
AD05-24 (12-15-05)	Ch. 34.1, 34.6	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
AD06-03 (09-19-05)	Ch. 10.9(c)(1)	This memorandum revises Ch. 10.9(c)(1) and adds Appendix 12-3 of the AFM.
(12-05-05)	Ch. 20.5	Removed - Under Revision
(12-05-05)	Ch. 22	Removed - Under Revision
AD06-05 (09-01-05)	Ch. 12.1, Appendix 12-1	Added new material on Representation in Immigration Proceedings
AD05-33 (10-31-05)	Ch. 41.6	This memorandum replaces Ch. 41.6 of the AFM with a revised Ch. 41.6
AD05-26 (07-28-05)	Ch. 32.3, 32.4(a), 32.5	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
AD05-21 (10-20-05)	Ch. 31.3, 32.6	Adds guidance relating to the recapture of time spent outside the United States by H-1B and L-1 nonimmigrants
AD05-18 (09-13-05)	Ch. 51.4	This memorandum adds Ch. 51.4 to the AFM
AD05-11 (06-06-05)	Ch. 30.3(c)(2)(A)	This memorandum replaces Ch. 30.3(c)(2)(A) with a revised Ch. 30.3(c)(2)(A) of the AFM
(06-01-05)	Appendix 73-1, 74-6; Ch. 71-1(d)(1)	Technical Amendments
AD05-10 (05-08-05)	Ch. 21-2, Appendix 21-3, Editor's Note and Part A	This memorandum replaces Ch. 21-2, section (d)(1)(G) of the AFM and replaces Appendix 21-3 of the AFM.
(03-13-05)	Ch. 3.5(c); 3.5(a); 3.7; 23.3(e)(1); 30.4; 56; Appendix 75-3	Technical Amendments provided by Program Regulations Development AFM Coordinator
(02-09-05)	Appendix 72-1	NQP4 Processing Memorandum Issued 9/30/03
AD05-07 (01-18-05)	Ch. 25.2(g); Appendix 25-1, FAQs 9-10	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.
AD04-14 (09-30-04)	Ch. 3.6(g), Appendix 3-1	Incorporates DHS policy regarding the Office of the Inspector General.
AD04-11 (08-24-04)	Ch. 10.9(a)-10.9(b)	This memorandum revises Ch. 10.9(a) and 10.9(b) in the AFM by updating instructions and processing guidance for adjudication of fee waiver requests pursuant to 8 CFR 103.7(c).
AD04-09 (08-30-04)	Ch. 41.1(a)(1)	Revised guidance concerning 212(g)(1)(A) waiver.
AD04-08 (11-01-04)	Ch. 75.2	This memorandum replaces Ch. 75.2 of AFM with a revised Ch. 75.2.
AD04-05 (11-02-04)	Ch. 41.3(b)	This memorandum revises Ch. 41.3(b) of the AFM to add guidance on waivers for HIV infected K and V nonimmigrants.
AD04-02 (08-25-04)	Ch. 23.10, Appendix 23-5	Adds guidance on the adjudication of applications for adjustment of status under section 13 of the Act of September 11, 1957.

AD04-07 (02-09-04)	Ch. 10.3(b)	Revises the validity period for IBIS checks from 35 days to 90 days.
AD03-36 (11-28-03)	Ch. 20.5	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.
AD03-31 (09-22-03)	Ch. 30.12	Provides guidance on Health Care Worker Certification
AD03-29 (03-20-03)	Ch. 73.6	Adds guidance on good moral character.
AD03-28 (04-17-03)	Ch. 74.2, Appendix 74-20-74-25.	Adds guidance on review of the naturalization application.
AD03-26 (03-26-03)	Ch. 61; 62; 81-83.	Adds guidance on bonds, fines, liquidated damages, statistical reports, management techniques and liaison.
AD03-25 (03-20-03)	Ch. 73.3, 73.5	Adds guidance on the continuity and physical presence requirements for naturalization applicants.
AD03-24 (03-20-03)	Ch. 71, Appendix 71-5-71-9	Adds guidance on the adjudication of applications for certificates of citizenship and related appendices.
AD03-23 (03-20-03)	Ch. 73.7, 73.8	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.
AD03-22 (02-20-03)	Ch. 73.4	Adds guidance on discussion of the naturalization residence requirements.
AD03-21 (01-24-03)	Ch. 37.4(g)	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.
AD03-20 (03-20-03)	Ch. 73.1	Adds guidance on the requirement that an applicant for naturalization be "Lawfully Admitted for Permanent Residence"
AD03-18 (03-26-03)	Ch. 56	Adds guidance on the adjudication of applications for various USCIS documents.
AD03-16 (08-04-03)	Ch. 20.2(c)	Provides guidance on the validity of immigrant petitions under section 106(c) of AC21 (Public Law 106-313)
AD03-13 (03-20-03)	Ch. 74.2(a), 74.2(h)	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").
AD03-12 (01-03-03)	Ch. 74.2(d)	Adds guidance on the review of Form N-400 with regard to Part 4 ("Information about your residence and employment").
AD03-11 (12-10-02)	Ch. 74.2(c), Appendix 72-13	Revises adjudicative guidelines regarding aliens to are medically exempt from certain naturalization requirements; adds a new Appendix on the same topic.
AD03-10 (06-23-03)	Ch. 54	Adds a new chapter on the adjudication of Applications for Advance Parole
AD03-09 (04-24-03)	Ch. 31.1(b); 31.2(d); 31.3(g)	Provides guidance on granting extensions of H-1B stay beyond the 6th year in accordance with Pub. 107-273.
AD03-08 (12-04-02)	Appendix 71-1-71-4;	Updates the Nationality Charts contained in the indicated Appendices.
AD03-07 (07-18-03)	Ch. 45	Adds a discussion of Section 212(e) waivers for J-1 nonimmigrants
AD03-06 (03-20-03)	Ch. 32.6; Appendix 32-1	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.
AD03-04 (10-15-02)	Ch. 30.2(e)(2)	Revises designation of person in HQOPRD to whom Visas Mantis reports must be sent.
AD03-03 (03-26-03)	Ch. 38	Adds guidelines relating to the adjudication of applications for temporary protected status and deferred enforced departure.
AD03-02 (03-20-03)	Ch. 24	Adds a discussion of the legalization and family unity programs.
AD02-31 (02-06-03)	Ch. 75; Appendix 75-1–75-4	Adds a chapter to the AFM concerning the Oath of Naturalization and the Oath Ceremony, along with relating appendices. Also cancels relating Operations Instructions.
AD02-30 (08-20-02)	Ch. 74	Adds AFM Ch. 74.1, 74.2(c) and 74.2(g) pertaining parts 3 and 7 of the Form N-400, revises the AFM Table of Contents.
AD02-26 (08-20-02)	Appendix 23-7; 45-1	Adds Appendices pertaining to INSAMS and Waivers for Certain Exchange Visitors.
AD02-25 (11-19-02)	Ch. 76	Adds Ch. to the AFM concerning Adjudicator’s responsibilities relating to denaturalization
AD02-24 (01-04-02)	Ch. 37.4	Adds a new chapter concerning V nonimmigrants.
AD02-23 (05-12-03)	Ch. 52	Adds a new chapter concerning re-entry permits; removes the old OI 223 from the Service’s Operations Instructions.
AD02-22 (04-24-03)	Ch. 31.5(b)–31.5(c)	H-2B Labor Certification for Canadian Musicians Coming to Perform within 50 miles of the Canadian Border.
AD02-21 (04-17-03)	Ch. 34	Adds guidance on the adjudication of applications for benefits under certain employment authorized nonimmigrant classifications (E, I, R)
AD02-20 (09-25-02)	Ch. 30.3(c)(1); Appendix 30-1	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.
AD02-17 (10-06-03)	Ch. 21.4; 21.6–21.10.	Adds guidelines relating to the adjudication of various relative visa petition cases.
AD02-16 (03-20-03)	Ch. 21.3	Adds guidelines relating to the adjudication of spousal relative visa petition cases.
AD02-15 (04-17-03)	Ch. 21.5; Appendix 21-2	Adds guidelines relating to the adjudication of orphan cases.
AD02-14 (03-18-02)	Table of Contents	Updates the AFM Table of Contents.
AD02-13 (04-17-03)	Ch. 35	Adds guidelines relating to the adjudication of applications pertaining to students and exchange visitors.
AD02-11 (05-14-04)	Ch. 25.1	Adds Ch. 25.1 on joint petitions and waiver applications for removal of conditions pursuant to the marriage fraud amendments of 1986
AD02-09 (02-26-02)	Ch. 32.3(b); 32.3(d); 32.4(a); 32.5(a)	Updates discussion of L-1 nonimmigrants to reflect change in law allowing blanket L-1 beneficiaries to qualify with as little as 6 months experience in the previous 3 years.
AD02-08 (04-17-03)	Ch. 21.1, 21.2, Appendix 21-3	Adds Ch. dealing with relative visa petitions in general.
AD02-07 (01-30-02)	Ch. 72.1, 72.2, 72.3	Processes and Procedures for Conducting Naturalization Interviews.
AD02-05 (04-17-03)	Ch. 26	Rescission of adjustment to lawful permanent resident status.

AD02-04 (04-17-03)	Ch. 53	Adds a new chapter dealing with refugee travel documents
AD02-03 (05-12-03)	Ch. 55; Appendix 55-2, 55-3.	Adds guidance regarding the adjudication of Employment Authorization Documents
AD02-02 (04-17-03)	Ch. 51; Appendix 51-1	Adds a new chapter and appendix relating to Applications to Replace Permanent Resident Card
AD01-34 (05-12-03)	Ch. 10.3; 10.12; Appendix 10-5, 10-6	IBIS Checks on Applications and Petitions
AD01-33 (08-21-01)	Ch. 10.3	Completion of IBIS Lookout Checks on Applications and Petitions for Immigration Benefits
AD01-29 (07-26-01)	Ch. 23.14	Adjustment of status for certain Syrian nationals granted asylum in the U.S.
AD01-28 (06-27-01)	Appendix 81-3	Lists regular reports required by the Adjudication (including Naturalization) program
AD01-27 (06-22-01)	Appendix 81-1	Adds DOJ Handbook entitled "Developing Useful Performance Indicators"
AD01-26 (06-11-01)	Ch. 10.7, 10.8	Provides instructions for preparing denial orders and appellate case records
AD01-25 (06-07-01)	Ch. 14.10	Describes procedures for obtaining a report from the Library of Congress
AD01-24 (05-22-01)	Appendix 14-1	Provides a list of internet websites useful for doing adjudicative research
AD01-23 (03-20-03)	Ch. 42	Adds a new chapter relating to Applications for Advance Permission to Enter as a Nonimmigrant
AD01-21 (03-20-03)	Ch. 10.20	Adds a chapter to the AFM concerning Approval Stamps.
AD01-19 (06-05-01)	Ch. 20	Adds discussion of general immigrant issues pertaining to Adjudications Program
AD01-18 (04-17-03)	Ch. 11.1; 15.1; 15.4; Appendix 10-5; 11-1; 15-2	Updates AFM discussions concerning Submission of Supporting Documents; Consideration of Evidence; and Interview Policies and Procedures
AD01-16 (04-18-01)	Appendix 21-1	Adds information about States recognizing common law marriages
AD01-15 (10-11-01)	Ch. 30–33; Appendix 31-4	General information on nonimmigrants and information on the adjudication of temporary worker petitions.
AD01-14 (06-06-03)	Ch. 23	Adds several new subchapters on the adjudication of Applications for Adjustment of Status
AD01-11 (03-08-01)	Ch. 3.6(e)	Miscellaneous AFM Update
AD01-10 (01-25-01)	Appendix 10-1	Codes for Pubic Copies of Decisions
AD01-05 (12-08-00)	Ch. 12	Miscellaneous Updates (Attorneys and Other Representatives)
AD01-04 (12-08-00)	Appendices 73-1–73-4	Naturalization Instruction Guides
AD01-03 (10-17-02)	Ch. 23.3; 41.3; 41.6; 83.4; Appendix 41-1–41-4.	Adds guidance concerning medical examinations, vaccination requirements, waivers of medical grounds of inadmissibility, and designation of civil surgeons and revocation of such designation.
AD01-02 (12-8-00)	Ch. 3, 4, 10, 11, 14, 15; Appendices 10-1, 10-2,	Miscellaneous Updates

	23-4, 33-1	
AD01-01 (04-17-03)	Ch. 43; Appendix 43-1	Adds a new chapter on the adjudication of Applications for Consent to Reapply for Admission After Deportation or Removal
AD00-24 (09-25-00)	Appendix 33-1	List of Organizations Which Provide Consultations for O and P Petitions
AD00-23 (09-18-00)	Appendices 31-2, 31-2a, 31-3	H-1B SOP Documents
AD00-22 (09-18-00)	Appendix 31-1	List of Occupational Categories for H, J and L Nonimmigrants
AD00-17 (08-10-00)	Ch. 2.5(b), 32.2	Guidance on the Treatment of Certain International Accounting Firms
AD00-14 (03-01-00)	Adds Ch. 17, Appendix 17-1	
AD00-13	Adds Appendix 71-4; 15-1; Removes and reserves 72-9	Revises the AFM Table of Contents;
AD00-11	Appendix 10-4	Visa Cable Formats
AD00-10	Appendices 4-1–4-14	Position Descriptions for Various Adjudications positions
AD00-09	Appendix 23-1C, 23- 1E, 23-1W	Designated Civil Surgeons List - Central Region Designated Civil Surgeons List - Eastern Region Designated Civil Surgeons List - Western Region
AD00-08		Educational and Experience Requirements for Employment-Based Second Preference (EB-2) Immigrants (3/20/00)
AD00-07	Adds Ch. 30.1(d)	
AD00-06	Ch. 22.6	National Interest Waivers for Second Preference Employment-Based Immigrant Physicians Serving in Medically Underserved Areas or at Veterans Affairs Facilities
AD00-05 (05-14-04)	Ch. 21.5(g)(1)(C)	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.
AD99-09		Adjudication of Advance Parole Requests Filed by NACARA section 202 Dependents
AD99-08		Immigrant Investor Petitions - Form I-829 Adjudication
AD99-06	Adds Ch. 10.9	Fee Waivers
AD99-04	Adds Ch. 2	Customer Service
AD99-03		NQP4 Procedures Appendices (7/12/99)
AD99-02		HRIFA Adjustment Procedures (Pub. L. 105-277)
AD99-01	Ch. 23.12	Adjustment of Status under NACARA, revises section (f)(3), Advance parole: alien outside the U.S. at time of request
		Removal Conditions for Section 203(b)(5) Immigrants
	(Appendix 25-1)	FAQs about Form I-829
	(Appendix 25-2)	Model Notice to Appear
	(Appendix 25-3)	Model Notice of Automatic Termination of Conditional Residence of Immigrant Investor Based Upon Failure to Properly File Form I-829 Petition
	(Appendix 25-4)	Points of Contact for EB-5 Cases