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- 8 CFR 204.2(a)(4)
- 8 CFR 204.2(h)(2)
- 8 CFR 204.2(i)(1)(i) & (ii)
- 8 CFR 204.2(i)(1)(iii)
- 8 CFR 204.2(i)(3)
- 8 CFR 204.2(c)
- 8 CFR 204.3(i)(2)
- 8 CFR 205.1(a)(3)(i)(D)
- 8 CFR 205.1(a)(3)(i)(I)
- 8 CFR 205.1(a)(3)(i)(c)
- INA 101(b)(1)(F), 8 USC 1101(b)(1)(F)
- INA 101(b)(1), 8 USC 1101(b)(1)
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- INA 201(f), 8 USC 1151(f)
- INA 201(c)(a)(A), 8 USC 1151(c)(a)(A)
- INA 203(h), 8 USC 1153(h)
- INA 204(a)(1)(D)(iii), 8 USC 1154(a)(1)(D)(iii)
- INA 204(k)
- INA 207(c)(2), 8 USC 1157(c)(2)

- INA 208(b)(3), 8 USC 1158(b)(3)
- Visa Office Bulletin

Chapter Two:

- 8 CFR 236.10-236.18
- 8 CFR 245.2(a)(5)(i)
- A Critical Look At BCIS/DOS's Interpretation Of CSPA, Part 1&2 by Alan Lee, Immigration Daily (Jul. 2-3, 2003).
- Form I-130, Petition For Alien Relative
- Form I-360, Petition for Amerasian, Widow(er), or Special Immigrant
- Form I-589, Application for Asylum
- Form I-590, Registration for Classification as a Refugee
- INA 101(a)(27)(J)
- INA 210
- INA 245A
- Padash v. INS, 358 F.3d 1161, 1172, 02-70439 (9th Cir. Feb. 19, 2004)
- Potent Combination: CSPA & USA Patriot Act by Cyrus D. Mehta, Immigration Daily (Mar. 24, 2005)
- Pushing The Envelope With CSPA by Cyrus D. Mehta, Immigration Daily (Dec. 11, 2003)
- USCIS press release, "USCIS Announces New Policy Regarding V Status Extensions (May 16, 2005)

Chapter Three:

- 8 CFR 204.2(a)(4)
- 8 USC 1153(h)(3)
- 9 Foreign Affairs Manual (FAM) 40.4. Note 4
- 9 Foreign Affairs Manual (FAM) 40.4. Note 5.3
- DS-230, Application for Immigrant Visa and Alien Registration
- Form I-130, Petition For Alien Relative

- Form I-824, Application for Action on an Approved Application For Petition
- G-639, Freedom of Information/Privacy Act Request
- INA 101(b)(1), 8 USC 1101(b)(1)
- INA 201(f)(1), 8 USC 1151(f)(1)
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- INA 201(f)(3), 8 USC 1151(f)(3)
- INA 203(h)(1)(A), 8 USC 1153(h)(1)(A)
- INA 203(h)(1)(A-B), 8 USC 1153(h)(1)(A-B)
- INA 204(k), 8 USC 1154(k)
- Notice To All Customers With A Pending I-130 Petition USCIS Press Office (July 15, 2004)
- Padash v. INS, 358 F.3d 1161, 1172, 02-70439 (9th Cir. Feb. 19, 2004)
- Pushing The Envelope With CSPA by Cyrus D. Mehta, Immigration Daily (Dec. 11, 2003)

Chapter Four:

- 22 CFR 40.1
- 9 Foreign Affairs Manual (FAM) 40.4. Note 4
- 9 Foreign Affairs Manual (FAM) 40.4. Note 5.3
- DS-230, Application for Immigrant Visa and Alien Registration
- Form I-824, Application for Action on an Approved Application For Petition
- INA 201(d), 8 USC 1151(d)
- INA 203(b)(1), 8 USC 1153(b)(1)
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- INA 203(d), 8 USC 1153(d)
- INA 203(h)(1)(A)-(B), 8 USC 1153(h)(1)(A)-(B)

- INA 203(h)(1)(A), 8 USC 1153(h)(1)(A)
- Padash v. INS, 358 F.3d 1161, 1172, 02-70439 (9th Cir. Feb. 19, 2004)
- The Impact Of Retrogression On The CSPA by Sheela Murthy, Immigration Daily (Nov. 18, 2005)
- Visa Bulletin - Archive of Visa Bulletins from February 1995 to July 2001

Chapter Five:

- INA 203(h)(1)(B), 8 USC 1153(h)(a)(B)
- INA 203(c)(2), 8 USC 1153(c)(2)
- INA 203(c), 8 USC 1153(c)

Chapter Six:

- 8 CFR 208.19
- 8 CFR 209.1
- 8 CFR 223.3(b)
- EOIR Fact Sheet Memo - "Conditional Grants of Asylum Based on Coercive Population Control Policies" (September 30, 2003)
- Form I-131
- Form I-589
- Form I-590
- Form I-730
- INA 207, 8 USC 1157
- INA 208(b)(1), 8 USC 1158(b)(1)
- INA 208(b)(2), 8 USC 1158(b)(2)
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- INA 212(d)(5), 8 USC 1182(d)(5)
- INA 212(h)
- INA 212(i)

Chapter Seven:

- Form I-130, Petition For Alien Relative
- Form I-360, Petition for Amerasian, Widow(er), or Special Immigrant
- Implementation of Crime Bill Self-Petitioning For Abused Or Battered Spouses Or Children of US Citizens or Lawful Permanent Residents," T. Alexander Aleinikoff, Exec Assoc Commr, Office of Programs, INS, HQ 204P (April 15, 1996).
- INA 101(f)
- INA 201(f)(1), 8 USC 1151(f)(1)
- INA 201(f)(2), 8 USC 1151(f)(2)
- INA 201(f)(3), 8 USC 1151(f)(3)
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