

## NMD April Webinar: Customs and Border Protection Practice Tips

### Points of Authority

- INA § 101(a)(15) and Matter of Healy and Goodchild, 17 I&N Dec. 22 (BIA 1979) – Presumption of immigrant intent for all arriving aliens;
- INA § 212, *et seq.* – General Classes of Aliens Ineligible for Visas or Admission;
- INA § 214(b) – Admission of Nonimmigrants;
- INA §101(a)(13)(C)(i), (ii), Inspectors Field Manual (IFM) Ch. 13.2, 13.5 and 17.10 – Presumption of abandonment of permanent residency; Returning residents lacking evidence of alien registration; Returning residents with SB-1 visas and Abandonment of Lawful Permanent Resident Status;
- INA § 235 – Inspection by Immigration Officers; Expedited Removal of Inadmissible Arriving Aliens; Referral for Hearing;
- INA § 235(b)(1)(A)(iii), IFM Ch. 17.15 – Expedited Removal proceedings, with reference to inadmissibility for arriving aliens under INA § 212(a)(6)(C) or 212(a)(7);
- IFM Ch. 15.12 – Correction of Erroneous Admissions; March 23, 2005 CBP Memorandum entitled "Restatement of Policy Pertaining to the Correction of Documentation issued in Error at the Port-of-Entry";
- IFM Ch. 17.1 – Deferred Inspection by CBP;
- IFM Ch. 17.2 – Withdrawal of Application for Admission at Ports-of-Entry;
- IFM Ch. 17.5 – Waivers (discretionary) available at a Ports-of-Entry;
- IFM Ch. 17.15 – Expedited Removal proceedings, with reference to inadmissibility for arriving aliens under INA § 212(a)(6)(C) or 212(a)(7); and
- 9 Foreign Affairs Manual (FAM) 41.104 Exhibit I – Countries that Extend Passport Validity For an Additional Six Months After Expiration.