

212 Inadmissibility Ground	Waiver	Grounds	Punishment	Other
(a)(1) Health Related	212(g)	Waive on behalf of alien who is a spouse, unmarried son or daughter, or parent of citizen or LPR	Inadmissible	
(a)(2)(A)(i)(I) Crime Involving Moral Turpitude	212(h)	See Below	Inadmissible	Exceptions: (2)(a)(ii)(I) Crime was committed when alien was under 18 years old and released from confinement more than 5 years from date of application OR (2)(a)(ii)(II) Maximum penalty for crime does not exceed 1 year, and sentence was not more than 6 months (regardless of time served)
(a)(2)(A)(i)(II) Controlled Substance Law	212(h)	See Below	Inadmissible	Only applicable to a single offense of possession of less than 30 grams of marijuana
(B) Multiple Criminal Convictions	212(h)	See Below	Inadmissible	
(C) Controlled Substance Traffickers			Inadmissible	
(D) Prostitution within 10 years	212(h)	See Below	Inadmissible	
(a)(3)(A) General National Security			Inadmissible	
(B) Terrorist			Inadmissible	Exception – Spouse or Child of terrorist did not know or should not have reasonably known
(C) Foreign Policy			Inadmissible	(ii) Exception – Officials and Candidates for Office (iii) Exception – Past, current, or expected beliefs would not be unlawful in US,

				unless Sec of St determines compelling foreign policy reason
(D)Totalitarian/Communist Only If Immigrant			Inadmissible	(ii)Exception – Involuntary membership OR under 16 OR to procure food or rations (iii)Exception – (I)Membership terminated 2 years before application (5 if party in power) AND (II) Not threat to US security (iv) Exception for family members of LPRs and citizens for humanitarian purposes, family unity, public interest
(E) Nazis			Inadmissible	
(F) Association with Terrorist Organization			Inadmissible	
(a)(4) Public Charge			Inadmissible	Affidavits of Support
(a)(5) Anyone who wants to enter to perform labor	203(b)(3)(C) 212(k)	Labor certification Didn't know about inadmissibility	File with DOL to show that no American workers meet the criteria	
(a)(6) Illegal Entrants and Violators			Inadmissible	(ii) Exception for Battered Women and Children
(B) Failure to attend removal proceeding			Inadmissible for 5 years from time of departure	Exception – Good Cause
(C)(i) Misrepresentation	212(i)	Immigrant who is the spouse, son, or daughter of a citizen or LPR AND Extreme hardship to Citizen/LPR	Inadmissible	

(ii) Falsely Claim Citizenship			Inadmissible	(ii)Exception – Each natural parent is/was citizen Alien permanently resided prior to turning 16 AND Reasonably believed they were a citizen
(D) Smugglers	212(a)(6)(E)(i)	Helping family members get in	Inadmissible	Aiding, abetting, assisting, encouraging, or inducing
(7)(A)(I) Not in possession of Immigrant Documents (7)(A)(II) Visa Issued Without Compliance	212(k)	Did not know documents were necessary after reasonable diligence	Inadmissible	Only applies to I Does not apply to II
(7)(B) Nonimmigrant Documents	212(d)(4)		Inadmissible	
(9)(A)(i) Aliens Previously Removed upon Arrival			Inadmissible for 5 years on first offense, 20 years for subsequent offense	(iii) Exception – Attorney General Consents
(9)(A)(ii)(I) Removed In General (a)(A)(ii)(II) Departed while order of removal was outstanding			Inadmissible for 10 years from departure 20 years if convicted for aggravated felony or subsequent removal	(iii)Exception – Attorney General Consents
(B)(i)(I) <i>Admitted</i> Alien Unlawfully Present for between 180 days and a year AND Voluntarily departed prior to the commencement of proceedings	212(a)(9)(v)	Spouse, son, or daughter of LPR or citizen Extreme hardship to the citizen or LPR	Inadmissible for 3 years	Minors – Can't be unlawfully present Asylum – Bona Fide application pending unless employed without authorization Tolling for Good Caused – Lawfully permitted, nonfrivolous application for change or extension, not employed without authorization up to 120 days

(B)(i)(II) <i>Admitted</i> Unlawfully present in US for 1 year +	212(a)(9)(v)	Spouse, son, or daughter of LPR or citizen Extreme hardship to the citizen or LPR	Inadmissible for 10 years	(iii)(I)Exception – Minors until they reach 18 (II) Pending bona fide asylum application (III) Registry/Legalization (IV) Battered Women/Childrn
(C)(I) <i>Not Admitted</i> Unlawfully present in US for aggregate of more than 1 year OR (II) <i>Removed And</i> Enters or attempts to reenter without being admitted			Inadmissible	(ii)Exception – Battered person
WILDCARD	212(a)(d)(3)	May waive any to allow inadmissible person to come in as nonimmigrants		DOES NOT APPLY Sabotage, Unlawful Activity, Overthrow the Government, Foreign Policy, OR Nazis
WILDCARD II	212(h) Former LPR's treated more harshly than others If it looks like something funny is going on turn to page 406 quick, good luck Usually used for deportability, so you would have to come to the port of entry, and apply for a waiver. Use this to get around undue hardship requirement of 212(i)	A) Immigrant (A)(i) 15 + years before appliation (ii)Safety and welfare of US (iii) Rehabilitated OR (B) If alien is spouse, parent, son, or daughter of citizen or LPR, it would bring extreme hardship to the citizen or LPR AND Attorney General Exercise favorable discretion		(h)(2) Disqualifications Murder or Torture OR Convicted of aggravated felony after having been admitted as LPR OR Admitted as an LPR but did not lawfully reside continuously in US for 7 years