

Immigration Information

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14.7 Supplemental Materials and Non-Governmental Resources. (Chapter 14.7, Revised 07-1

A wealth of published materials exist to guide you through your immigration research. In addition to inte materials, information published for the private immigration bar is readily available and can provide sigr Your office should have copies of the recent versions of these materials available. If not, check with th Counsel for your USCIS office.

In order to conduct research you must have a basic understanding of the manner in which legal matte cited. The book A Uniform System of Citation, published by The Harvard Law Review Association incl general rules of citation and style; technical rules of citation relating to cases, statutes, periodicals, anc specific forms of authority; and lists (by country and state) reporters, codes, session laws, and other

Always be sure that the case law you are reading is still in effect. Later decisions often modify aspects ones and occasionally overrule them completely. One excellent source for determining whether a case good law is Shepard's Immigration and Naturalization Citations. This volume, commonly referred to as "Shepard's," is a comprehensive cross-reference of all immigration citations. Shepard's contains citati relevant federal statutes and regulations, as well as all federal and state case law. Shepard's is organi citation. For example, you may find citations for immigration or naturalization decisions by looking for tl (e.g., 8 USC 1421), a regulation, (e.g., 8 CFR PART 310 -- NATURALIZATION AUTHORITY) or a dec the BIA (e.g., Matter of C- R-, 8 I & N Dec. 59 (BIA 1958)).

Underneath each heading, every decision, statute, or regulation mentioning that heading will be listed, ; sequential order. Codes next to each entry indicate whether the reference supports the index case, o or simply questions it. A similar index titled "Notice of Decisions Affected" is included in volumes 15 an Interim Decisions. Hard copy volumes of Shepard's should be available in each USCIS counsel office.

Immigration Practice 2005-2006, by Robert C. Divine & R. Blake Chisam, covers all aspects of immigr; one volume, complete with more than 3,000 footnote citations to a wide range of statutes, regulations, administrative cases, policy memos, operations instructions, agency interpretive letters, and internet s

The American Immigration Lawyers Association (AILA) publishes several useful items. One of these is Immigration Law Sourcebook. This reference, published annually, is a comprehensive guide to immigr; AILA's monthly publications update its readers on the latest developments in immigration law. For exar AILA Immigration Journal covers recent developments in greater depth and often publishes administra decisions. (Most USCIS offices subscribe to the AILA Immigration Journal.) Interpreter Releases is an significant source of current information relating to immigration issues. This periodical, published week Group, provides its readers with the latest developments in immigration law. It also contains informatio USCIS policy and procedure and recent court cases that may aid you in performing your job. You shol to find copies of Interpreter Releases in your local office.

Immigration Law and Procedure, commonly referred to as "Gordon and Mailman," is a comprehensive loose-leaf treatise originally published in one volume. It reflects the increased complexities and growing importance of immigration law.

Bender's Immigration and Nationality Pamphlet is another good starting point. Many other materials cover current developments in the law. While not all of these are available in every field office, most offices have one copy of Bender's.

Many interim decisions address state and foreign laws (e.g., marriage laws). Consult your local district for further information on state laws and the Library of Congress for information on foreign laws. Your local counsel will also assist you with conducting additional research.

Note: The list above of potential reference works is neither exhaustive, nor an endorsement of any particular resource.

14.8 USCIS and DHS Databases.

When reviewing an application, you will often be confronted with factual issues that require further research on the specific applicant (see also discussion on databases in chapter 72.2).

USCIS and DHS maintain numerous databases containing information on aliens' immigration histories. Chapters 32 and 33 of the *Inspector's Field Manual* describe internal and interagency systems and contain instructions on how to access them. Familiarize yourself with user's manuals for each system available at your location. You will be unable to obtain all the relevant facts without the information in these systems. It is your duty to fully and creatively develop a case; therefore, attempt to use as many sources as necessary to obtain the most accurate information. "A" numbers, sound-alike searches, names of family members, aliases, and cross searching among different databases should all be used to ensure that you obtain all possible information on an individual. As you gain experience, you will become more familiar with the various databases and search systems. It is only by doing thorough research that you will be able to fully develop a case and fully perform your duties.

14.9 Internet and Intranet Resources. (Chapter 14.9, Revised 07-12-2005).

The Internet and the USCIS intranet both contain useful immigration resources. If you have access to the Internet, see [Appendix 14-1](#) for a table of resources that contain relevant information on immigration issues.

Note: The potential Internet and USCIS web resources referred to above are not exhaustive. USCIS does not endorse any particular web resource. Additionally, the potential resources listed in [Appendix 14-1](#) are not exhaustive, nor are they an endorsement of any particular resource.

14.10 Procedures for Requesting Library of Congress Research. (Added AD01-25).

The Law Library of Congress (LOC) does research and reference work on the laws of foreign countries for USCIS. This is done by applying knowledge of foreign laws and legal systems to the facts of each case. In addition, and less frequently, they will provide USCIS Headquarters with an analytical report on a general issue (see, for example, the LOC report on Nicaraguan nationality law contained in Appendix 23-12 of the *Inspector's Field Manual*.) The LOC will send the resulting report to:

- The originating office for use in the case in question; and
- HQOPRD for a determination as to whether there is a general applicability, in which case HQOPRD will disseminate it USCIS-wide.
- The procedure for obtaining an advisory opinion from the LOC is as follows:

- As requesting officer, you must complete Form CO-410, Requests for Library of Congress Research information required on the Form CO-410 includes the date of request, date by which a response is type of research needed, information regarding the alien and a summary of accompanying documents. Form CO-410 also requires the name, title, telephone and fax number of the requesting officer and authorization by a first-line supervisor.
- Once you have completed Form CO-410, submit it (and attachments) to HQOPRD for review and appropriate, submission to the Library of Congress (LOC). Do NOT submit the form directly to the Congress. You may either:
 - Fax the form and accompanying documentation to 202-514-0198; or
 - Mail it to ATTN: Chief, Residence and Status Branch, HQOPRD, 20 Massachusetts Ave. NW, Washington, DC 20529.
- Upon receipt of Form CO-410, HQOPRD will review the request to determine whether it should be to the LOC. (Occasionally, requests for information are duplicative and can be answered directly by HQOPRD.) HQOPRD will assign a control number to any request being forwarded to the LOC. The number, receipt date and pertinent data will be entered in the LOC database for follow-up. HQOPRD transmit appropriate requests to LOC by mail, or, if possible, via facsimile.
- The LOC will provide a response directly to the requesting office as soon as possible. You may then LOC report in the adjudication of the case in question. In most cases, if the application or petition is denied based in whole or in part on the LOC opinion, you will have to give the applicant or petitioner opportunity to review and rebut the information before denying the case.

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