



May 23, 2018

PA-2018-05

# Policy Alert

SUBJECT: Child Status Protection Act

## Purpose

U.S. Citizenship and Immigration Services (USCIS) is issuing policy guidance in the [USCIS Policy Manual](#) regarding the Child Status Protection Act (CSPA).<sup>1</sup>

## Background

CSPA was enacted by Congress in 2002 to protect certain child beneficiaries from losing eligibility for immigrant visas and adjustment of status due to their aging during the immigration process and no longer qualifying as a child for immigration purposes.<sup>2</sup>

This guidance, contained in Volume 7, Part A of the Policy Manual, replaces the guidance found in Chapters 21.2(e)(1)(i)(A), 21.2(e)(1)(ii)(A), 21.2(e)(1)(ii)(C)-(E), 21.2(e)(2)(iii)-(iv), and 21.2(e)(4)-(5) of the Adjudicator's Field Manual (AFM). This guidance is controlling and supersedes any prior guidance on the topic. Additional guidance that is specific to only certain immigrant classifications will be published in the Policy Manual volumes and parts pertaining to those immigrant classifications.

## Policy Highlights

- Explains general applicability of the CSPA and clarifies eligibility and evidentiary requirements.
- Consolidates previous guidance and incorporates judicial interpretations.
- Explains how the Visa Bulletin charts impact CSPA calculations and eligibility determinations.

## Citation

Volume 7: Adjustment of Status, Part A, Adjustment of Status Policies and Procedures, Chapter 7, Child Status Protection Act [[7 USCIS-PM A.7](#)].

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<sup>1</sup> See [Pub. L. 107-208](#) (August 6, 2002).

<sup>2</sup> See [INA 101\(b\)\(1\)](#).