



October 2, 2020

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Policy Alert

SUBJECT: Inadmissibility Based on Membership in a Totalitarian Party

Purpose

U.S. Citizenship and Immigration Services (USCIS) is issuing policy guidance in the [USCIS Policy Manual](#) to address inadmissibility based on membership in or affiliation with the Communist or any other totalitarian party.

Background

The inadmissibility ground for membership in or affiliation with the Communist or any other totalitarian party¹ is part of a broader set of laws passed by Congress to address threats to the safety and security of the United States.² In general, unless otherwise exempt, any immigrant who is or has been a member of or affiliated with the Communist or any other totalitarian party (or subdivision or affiliate), domestic or foreign, is inadmissible to the United States. This ground of inadmissibility only applies to aliens seeking immigrant status, such as aliens inside the United States applying to adjust status to that of a lawful permanent resident.

This guidance, contained in Volume 8 of the Policy Manual, is controlling and supersedes any related prior guidance on the topic.

Policy Highlights

- Provides guidance regarding the ground of inadmissibility based on membership in or affiliation with the Communist or any other totalitarian party, and USCIS determinations on membership in or affiliation with such an organization.
- Provides a step-by-step overview of the inadmissibility determination, as well as guidance on evidence and burden of proof, and applicable exceptions and waivers.

Citation

Volume 8: Admissibility, Part F, National Security and Related Grounds of Inadmissibility, Chapter 3, Immigrant Membership in Totalitarian Party [[8 USCIS-PM F 3](#)].

¹ See [INA 212\(a\)\(3\)\(D\)](#) (immigrant membership in totalitarian party).

² See [INA 212\(a\)\(3\)](#) (security and related grounds).