

(a) Classes of Aliens Ineligible for Visas or Admission.-Except as otherwise provided in this Act, aliens who are inadmissible under the following paragraphs are ineligible to receive visas and ineligible to be admitted to the United States:

(1) Health-related grounds.-

(A) In general.-Any alien is inadmissible -

- (i) who is determined (in accordance with regulations prescribed by the Secretary of Health and Human Services) to have a communicable disease of public health significance;
- (ii) except as provided in subparagraph (C) or (D) who seeks admission as an immigrant, or who seeks adjustment of status to the status of an alien lawfully admitted for permanent residence, and who has failed to present documentation of having received vaccination against vaccine-preventable diseases, which shall include at least the following diseases: mumps, measles, rubella, polio, tetanus and diphtheria toxoids, pertussis, influenza type B and hepatitis B, and any other vaccinations against vaccine-preventable diseases recommended by the Advisory Committee for Immunization Practices,
- (iii) who is determined (in accordance with regulations prescribed by the Secretary of Health and Human Services in consultation with the Secretary of Homeland Security)-
 - (I) to have a physical or mental disorder, other than alcoholism or drug abuse or addiction, and behavior associated with the disorder that may pose, or has posed, a threat to the property, safety, or welfare of the alien or others, or
 - (II) to have had a physical or mental disorder, other than alcoholism or drug abuse or addiction, and a history of behavior associated with the disorder, which behavior has posed a threat to the property, safety, or welfare of the alien or others and which behavior is likely to recur or to lead to other harmful behavior,
- (iv) who is determined to have used a controlled substance (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802)), at least six times in the two year period prior to the application for admission, or
- (v) who is determined to be an abuser of alcohol and to have behavior associated with the alcohol abuse that has in the two year period prior to the application for admission posed a threat to the property, safety, or welfare of the alien or others, in a manner other than a single conviction for driving under the influence of alcohol.

(B) Waiver authorized.-For provision authorizing waiver of certain clauses of subparagraph (A), see subsection (g).

(C) EXCEPTION FROM IMMUNIZATION REQUIREMENT FOR ADOPTED CHILDREN 10 YEARS OF AGE OR YOUNGER.--Clause (ii) of subparagraph (A) shall not apply to a child who—

- (i) is 10 years of age or younger,
- (ii) is described in section 101(b)(1)(F) , and
- (iii) is seeking an immigrant visa as an immediate relative under section 201(b) , if, prior to the admission of the child, an adoptive parent or prospective adoptive parent of the child, who has sponsored the child for admission as an immediate relative, has executed an affidavit stating that the parent is aware

of the provisions of subparagraph (A)(ii) and will ensure that, within 30 days of the child's admission, or at the earliest time that is medically appropriate, the child will receive the vaccinations identified in such subparagraph.

(D) CONTRARY TO RELIGIOUS OR MORAL CONVICTIONS. In the case of an alien applying for an immigrant visa at the consulate, clause (ii) of subparagraph (A) shall not apply to an immigrant if the Secretary of State finds that the requirement of such a vaccination would be contrary to the alien's religious beliefs or moral convictions. Should the Secretary of State decline to make such a finding, the alien may still apply for a waiver with the Secretary of Homeland Security under subsection (g)(2).