

# USCIS Ciudad Juarez Office Revises Waiver Application Procedures

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Announcement - New USCIS Waiver Processing Pilot in Ciudad Juarez

At the Northwest Regional AILA Conference in Portland on March 1, Warren Janssen, USCIS OIC at the USCIS office in Ciudad Juarez, announced a new pilot program for waiver processing at Cd. Juarez. Mr. Janssen will start the following process for new incoming waiver cases beginning Tuesday, March 6. (Please note that due to the mode of implementation, you cannot refile cases already pending under this new pilot.) This pilot is an effort to come up with new ways to use available resources with limited staff to shorten waiver processing times.

Pilot description:

- When a consular officer makes a determination of inadmissibility at the time of the immigrant visa interview and a waiver application may be submitted under 8 CFR 212.7, the applicant will be given a USCIS waiver letter, which indicates that the applicant may go on-line via INFOPASS to make an appointment to come back to the Consulate in Cd. Juarez to submit an I-601 or I-212, as applicable, with a fully documented waiver packet.
- These INFOPASS appointments may be scheduled prior to the immigrant visa interview, but they must NOT be made for the day of the immigrant visa interview. For those with waiver packets fully documented and ready for adjudication, the earliest such a waiver review appointment should be made is a day after the immigrant visa interview. A better approach may be to wait at least two days to make sure that the fingerprints taken on the date of the immigrant visa interview have cleared.
- In order to set up this process, Mr. Janssen had to find staff to be able to do fingerprint intake on the date of the immigrant visa interview as well as to accept the G-325.
- When the waiver applicant comes back to the consulate with the COMPLETE and FULLY DOCUMENTED waiver application, a USCIS employee will review the packet (not interview the applicant), and if the case is a clean one and clearly approvable, the waiver application may be approved that day. Then, the Consulate will either approve the immigrant visa that day or within the next one to two days.
- If the submitted packet is not clearly approvable, then the application will go into the regular processing waiting line (10 TO 11 months) and the applicant will be instructed to provide additional supporting documentation to USCIS. Thus, using this process, the applicant will get a second chance for review versus exposure to a denial at the time of the first review.

Ways to put this new program in danger of termination:

- DO NOT USE INFOPASS TO MAKE A WAIVER APPOINTMENT UNDER THIS NEW SYSTEM FOR PENDING CASES OR FOR ANY OTHER PURPOSE THAN AN INITIAL WAIVER REVIEW. NOTE: NO WAIVER REVIEW MAY OCCUR BEFORE THE IMMIGRANT VISA INTERVIEW AT THE CONSULATE.
- DO NOT WASTE APPOINTMENT SLOTS FOR WAIVER SUBMISSIONS, WHICH ARE NOT FULLY DOCUMENTED AND READY FOR FINAL CONSIDERATION.

Mr. Janssen will continue to try to reduce the backlog of pending cases. The hope is that reducing the level of growth of the backlog by using this pilot will eventually result in an overall reduction of the waiver processing times. Although no program is ideal, and, as with any new endeavor, Mr. Janssen expects to have to make modifications, if this works, our clients could benefit from a reduction from the 8-to-9 month wait for waiver application review. Our sincere thanks to Mr. Janssen in trying to improve a very difficult situation.