

Nebraska Service Center Stakeholder Newsletter

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Upcoming Stakeholder

Every month, NSC hosts an informal call which allows stakeholders to ask questions about our products and processes. This call addresses topics on a rotating basis.

The monthly stakeholder call generally occurs at 10:00 CST on the second Thursday of the month. Call-in information is disseminated to the distribution list maintained by the Community Engagement Officer mailbox, ceo.nsc@dhs.gov.

Here is a calendar of the stakeholder calls scheduled through the end of the 2012 fiscal year.

- July 12—Business
- August 9—Refugee/ Asylee
- September 13—
 Student/School and
 Other [i.e. not Refugee/
 Asylee or Business]

If you are not currently on the CEO distribution list but would like to be, just send an email to Kathryn Nicholas as ceo.nsc@dhs.gov.

Celebrate World Refugee Day

Every year, there are men, women, and children who are forced to flee their native homeland due to persecution. These courageous people must abandon their homes and seek refuge in a new country, rebuilding their lives and striving for a better future.

To recognize the plight of refugees, as well as celebrate their contributions throughout the world, the United Nations General Assembly adopted a resolution to designate June 20 as World Refugee Day.

The United States has long provided a safe haven for many of the world's refugees. In February of this year, the U.S. welcomed our 3 millionth refugee. In addition, since the Refugee Act

of 1980, the U.S. has granted protection to approximately 535,000 asylees.

The Nebraska Service Center takes pride in our part of the refugee and asylee process. The NSC is the only Service Center that processes adjustment of status for refugee applicants.

Along with the Texas Service Center, we also process adjustment of status applications for asylee applicants, as well as petitions for derivative spouses and children of asylees and refugees.

While we can take pride in the fact that our nation serves as a humanitarian leader and that our office plays a role in providing

Rwandan Refugee Camp in East Zaire



benefits for refugees and asylees, we must never forget that it is the perseverance and courage demonstrated by refugees during their darkest hours that must truly be commended.

On World Refugee Day, NSC honors refugees for these qualities and recognizes the richness and diversity they bring to our society.

Provisional I-601 Waiver Not In Effect

USCIS is currently considering changes that would allow certain immediate relatives (spouse, child, and parent of a U.S. Citizen) who can demonstrate hardship to a U.S. citizen spouse or parent to receive a provisional waiver of the unlawful presence bars before leaving the United States.

However, this provision is

not yet in effect and will not be available to potential applicants until a final rule is published in the Federal Register specifying the effective date.

This proposed provision is separate and distinct from the recent implementation of centralization of I-601 filing for applicants abroad (see page 2).

Please <u>do not</u> send in an application for a provisional waiver at this time. Any such applications will be rejected. Also be wary of practitioners claiming that they can file this form and asking for fees. Visit www.uscis.gov/avoidscams to learn how to protect yourself and your family from immigration scams.

I-601 Centralization: What You Need to Know

For persons outside of the United States who are ineligible for an immigrant visa or certain nonimmigrant visas due to specified grounds of inadmissibility, a Form I-601 (Application for Waiver of Grounds of Inadmissibility) and any associated Form I-212 (Application for Permission to Reapply for Admission into the United States After Deportation or Removal) may need to be filed to waive the ground(s) of inadmissibility. Historically, waiver applicants have filed Forms I-601 and I-212 with the United States Embassy or Consulate, who would then forward the application to the international USCIS office with jurisdiction for adjudication.

Effective June 4, 2012, USCIS implemented a comprehensive change to the filing process for Forms I-601 and I-212 where the applicant is located outside the United States. As of this date, these applications must be filed with a USCIS Lockbox, and they will be forwarded to the Nebraska Service Center for adjudication. Due to the volume of waiver applications received at the USCIS Ciudad Juarez Field Office, applicants located in Mexico will have the option to file either with the USCIS Lockbox or with the USCIS Ciudad Juarez Field Office during the first six months of the implementation of this process. At the end of that six month period, applicants from Mexico will need to file with the USCIS Lockbox.

As this is a significant change in the filing process, we want to provide you with some helpful tips on filing.

Are there exceptions to filing at the lockbox?

USCIS does recognize that there are situations in which filing at the Lockbox may not be feasible. As such, there may be instances where the I-601/I-212 may be filed elsewhere.

Applicants Residing in Cuba

As there is no direct mail service between the United States and Cuba, applicants residing in Cuba may continue to file Form I-601 and Form I-212 with

the USCIS Havana Field Office; that office will continue to adjudicate applications filed there.

If an applicant residing in Cuba has an authorized attorney or representative in the U.S., the applicant may elect to file Forms I-601 and I-212 either with the USCIS Lockbox or with the Havana Field Office.

Applicants in countries other than Cuba

There may occasionally be exceptional and compelling circumstances in which even expedited processing by the NSC would be insufficient to address the urgency of the circumstances. In these cases, the USCIS Field Office Director (FOD) is authorized to accept the filing of, and adjudicate, any Forms I-601 and I-212 filed by an applicant in that country at the time of filing. This authorization should be very rare, and only applies in countries where a USCIS office is located.

Examples of time sensitive, compelling, and exceptional circumstances include, but are not limited to:

- Medical emergency of the applicant or qualifying family member which requires immediate travel;
- Imminent threats to the personal safety of the applicant or qualifying family member;
- A beneficiary is within a few weeks of aging out of visa availability;
- A petitioner has adopted a child locally and has an imminent need to depart the country.

If the FOD determines that an applicant should not be permitted to file with the international office, the applicant will be advised to provide a written request for an expedite when filing the I-601/I-212 with the USCIS Lockbox.

The FOD may not accept the filing of, or adjudicate, any Forms I-601 or I-212 if, at the time of filing, the applicant is not in the country in which the USCIS international office is located. In addition, applicants in countries where USCIS is not present must file their ap-

plications with the USCIS Lockbox. If an applicant has already filed with the USCIS Lockbox and now needs an expedite, the request for expedited adjudication must be made with the NSC.

Tips for filing at the USCIS Lockbox

In order to minimize the chances of your I-601 or I-212 being rejected, please refer to the following tips:

- Read the form filing instructions, ensure that the form is neat and legible, and keep all entries within the spaces provided on the form.
- Use the current form version, and mail all pages of the form.
- If completing the form by hand, only use black or blue ink, and avoid highlighters and correction fluid.
- Submit all required documentation or evidence as indicated in the form instructions.
- Sign the form in the correct section.
 The signature must be in the original and in the correct section, or the form will be rejected.
- Pay the correct fee. USCIS cannot refund the amount of any overpayments. Checks or money orders must be payable in U.S. dollars.
- Complete the entire form as indicated in the instructions. Form I-601 will be rejected if any of these fields are missing:
 - ♦ Family Name
 - ♦ Address
 - ♦ Date of Birth
 - ♦ Signature in Part D

Form I-212 will be rejected if any of these fields are missing:

- ♦ Last Name
- ♦ Address
- ♦ Signature in Part V

Additional filing tips may be found here.