



Agenda

USCIS NATIONAL STAKEHOLDER MEETING

January 27, 2009

20 Massachusetts Avenue, NW

White Oak Conference Room

2:00 - 4:00 pm

Note: The next stakeholder meeting will be held on February 24, 2009 at 2:00 pm.

1. **Item:** The USCIS Mail Management Program recently transitioned to the DHS Consolidated Remote Delivery Site (CRDS), and mail is now processed offsite.

NSRV will provide an overview of the Consolidated Remote Delivery Site, including the unique zip code, mailstop information, and address format that must be used for all incoming and outgoing mail. USCIS will notify all customers, stakeholders and business partners of new address and provide instructions for sending information to File Control Offices (FCO) in the National Capital Region. NSRV will also provide contact information for mail or CRDS related questions or concerns in the NCR, as well as USCIS and Mail Management links to find USCIS offices and mailstop information.

2. **Question:** A religious worker with a previously approved I-129 petition, files a new I-129 petition because he is going to change employers (i.e. he gets assigned to a new diocese). USCIS approves the I-129 petition on March 1, 2009. The religious worker does not get notice of the approval and/or make the official switch to the new employer/diocese until March 15, 2009. Therefore, from March 1, 2009 – March 15, 2009 he continues to work for the initial employer/diocese. This period of time should not be considered unauthorized employment. Does USCIS agree with this assessment?

Response: Yes, as long as the validity period of the previously approved I-129 petition covers the time lag during which the beneficiary continued to work for the original employer without knowing that the petition filed by the new employer has been approved, and the previous approval has not been revoked, the beneficiary would not be deemed as working without authorization.

3. **Question:** At a meeting with former USCIS director Scharfen in late 2008, we requested that USCIS provide statistics on processing times for waivers of 3/10 year bars at overseas USCIS Offices. Can USCIS please provide these figures?

Response: Although we track the total number of Forms I-601 processed, USCIS International Operations does not have a system to track the specific grounds of inadmissibility that applicants seek to waive and, therefore, cannot provide you with statistics on processing times for waivers requests based on unlawful presence. We have been able to determine that 90% of the waivers filed in Ciudad Juarez in the Mexico District are based on a 212(a)(9)(B) inadmissibility ground (unlawful presence).



The processing time of I-601 waivers varies from office to office. The Mexico City District Office is currently processing waiver requests received between December 2007 and October 2008. Mexico District Field Offices are processing waiver requests received on the dates listed below:

Ciudad Juarez, December 2007^[1] (in notes: It is critical to note that the processing time for Ciudad Juarez is only for those applications that cannot be approved the day of filing and must be referred for further consideration and possibly a request for additional evidence. About 50 percent of I-601 applications received at Ciudad Juarez are approved on the day of filing.)

Guatemala, October 2008
Tegucigalpa, March 2008
El Salvador, June 2008
Panama, August 2008
Lima, April 2008
Havana, October 2008
Kingston, April 2008
Port au Prince, September 2008
Santo Domingo, October 2008.

The Rome District Office is currently processing waiver requests received between August 2005 and December 2008. Rome District Field Offices are processing waiver requests received on the dates listed below:

Accra, January 2007
Amman, June 2008
Athens, August 2005
Frankfurt, September 2007
Johannesburg, November 2008
London, October 2008
Moscow, May 2008
Nairobi, December 2008
Rome, July 2007
Vienna, July 2008

The Bangkok District Office is currently processing waiver requests received between March 2008 and December 2008. Bangkok District Field Offices are processing waiver requests received on the dates listed below:



Bangkok, March 2008
Guangzhou, December 2008
New Delhi, October 2008
Seoul, December 2008

In order to address the backlog we recently doubled the U.S. officer staff at the Ciudad Juarez office by adding two more adjudication officers who entered on duty this fiscal year. In addition, we tripled the staff in Athens, Greece and opened a new office in Amman Jordan. Furthermore, IO plans to divert additional staff to assist with processing the waiver applications.

4. **Question:** Regarding processing times for the USCIS service centers, the following information appears at the bottom of the screen just before the list of actual processing times:

Service Center Processing Dates for **California Service Center** as of: **September 30, 2008**
Service Center Processing Dates for **Nebraska Service Center** as of: **September 30, 2008**
Service Center Processing Dates for **Texas Service Center** as of: **September 30, 2008**
Service Center Processing Dates for **Vermont Service Center** as of: **September 30, 2008**

This makes it appear as if the processing times have not been updated since September 30, 2008. Is this the case or are the processing times accurate/up to date? **(CLINIC)**

Response: Due to a number of system and data collection issues encountered following the close of fiscal year 2008, USCIS was unable to post its October processing times to the web in mid-December. Those issues have now been resolved and USCIS is in the process of posting its November processing times to the Web. Subsequent processing time updates will be posted to the Web on approximately the 15th day of each month, which is the standard practice.

5. **Question:** Effective July 2008, the Centers for Disease Control Advisory Committee for Immunization Practices revised its Technical Instructions to require a vaccine for human papillomavirus (HPV) for women aged 11-26 applying for permanent residency. The steep cost of the HPV vaccine (\$600-\$1000 per vaccine) has made it difficult for many refugee women to apply to adjust to LPR status. For example, one family with four daughters cannot adjust because they cannot afford the vaccines for their daughters. Some women may be forced to delay their applications to adjust status until they “age out” of the requirement. In light of USCIS’ efforts to ensure that refugees do not incur financial hardship in order to adjust status, what options is USCIS considering in order to make sure that the vaccine requirement does not adversely affect refugees?

Response: The Immigration and Nationality Act requires any person who seeks an immigrant visa or adjustment of status for permanent residence to show proof of having received vaccination against vaccine-preventable diseases, as recommended by the U.S. Advisory Committee on Immunization Practices (ACIP). The ACIP is an advisory committee to the Centers for Disease Control and Prevention (CDC) that makes general recommendations on immunizations. USCIS does not have the discretion to change the immunization policy set by Congress and the ACIP.



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USCIS does have the discretion to grant waivers in certain circumstances, but financial hardship is not a ground of eligibility for a waiver of the vaccination requirements. Both the Centers for Disease Control and Prevention and Merck, which manufactures the HPV vaccine Gardasil, offer limited vaccination assistance programs. Additionally, some state health departments may offer reduced cost vaccinations.