



December 19, 2006

Public Notice

USCIS Announces Processing Changes for Waivers of the Foreign Residence Requirement of Section 212(e) of the Immigration and Nationality Act (INA)

Beginning November 1, 2006, the U.S. Citizenship and Immigration Services (USCIS) Nebraska, Texas and Vermont Service Centers began forwarding to the California Service Center any new filings of Form I-612, Application of Waiver of the Foreign Residence Requirement of Section 212(e) of the Immigration and Nationality Act (INA), as amended, that are based on claims of exceptional hardship or persecution.

This transfer is being implemented as part of the ongoing USCIS initiative to use centralized processing to streamline the adjudication process. It is not necessary for individuals who previously filed an I-612 to file a new application in connection with this change of procedure. New applicants seeking a waiver of the foreign residence requirement based on claims of exceptional hardship or persecution should continue to file Form I-612 with the Service Center having jurisdiction over the applicant's place of residence, in accordance with the existing filing instructions.

Furthermore, effective October 10, 2006, all INA 212(e) waiver recommendations received by USCIS from the Department of State (DOS) based on a "no objection" statement from the individual's home country, a request by an interested United States government agency, or a request by a State Department of Health (State Conrad 30) are being forwarded to the Vermont Service Center (VSC) for processing. This procedure was developed to allow for the majority of these cases to be adjudicated in a paperless environment in an effort to streamline the adjudication process. Waiver recommendations based on these three eligibility categories are electronically transmitted from the DOS to the VSC, and included in USCIS' electronic case management system as a Form I-612. Following the review of DOS' recommendation and completion of requisite security checks, the Service Center will issue a decision on the waiver request.

If USCIS customers have inquiries about their pending applications, they can use any of three methods to receive information about the processing of their application:

- Calling the National Customer Service Call Center (NCSC) at 1-800-375-5283.
- Using the USCIS web-based Case Status Service located at: <http://www.uscis.gov/>
- Contacting the USCIS Service Center from which they received their last notice.

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