

Consulate General of the United States Ciudad Juarez, Mexico

FORM I-601 - APPLICATION FOR A WAIVER

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Filing the Application

In certain circumstances, individuals who have been found ineligible for an immigrant visa under the Immigration and Nationality Act (INA) may file an Application for Waiver of Ground of Inadmissibility (Form I-601).

The waiver application may be filed locally with the Cd. Juarez Field Office (until December 3, 2012) or domestically with the Phoenix Lock Box (effective June 4, 2012).

Processing Times

Vetting Process:

If you file a waiver application with the Ciudad Juarez Field Office, your case will go through the vetting process.

All cases undergo an initial review (vetting process) where well documented cases that readily warrant favorable consideration may be approved at that time. If the case is approved, an approval notice from USCIS will not be sent to the applicant. Instead, the case will be sent directly to Department of State for immigrant visa processing.

Current Vetting Processing Time: 30 days

Referred Cases:

If the waiver is not approved during the vetting process, the case will be referred to another post/office for final adjudication, which will require additional months for completion.

Current Processing Time for Referred Cases: 8-10 months

Expedited Waiver Processing

The USCIS Ciudad Juarez Field Office may consider the expeditious processing of a waiver in cases where the waiver applicant can show that the circumstances are time sensitive, exceptional and compelling. Usually, this involves an extreme

medical condition, the existence of a medical emergency or when the applicant's military spouse is preparing or has already deployed to an overseas post.

An applicant may request expeditious adjudication of the I-601 and associated I-212 waiver at the time of the immigrant visa interview; when filing the waiver application (either locally with the Ciudad Juarez Field Office or the Phoenix Lock Box); or after filing the waiver application. However, the request for expedite must meet the following criteria:

1. The applicant has urgent, critical medical needs that cannot be addressed in the applicant's country;
2. Urgent circumstances related to the death or terminal illness of a family member;
3. An applicant's family member in the U.S. has a life-threatening medical condition with immediate needs related to that condition and the applicant is needed to assist the family member in the U.S.;
4. The applicant or qualifying family member is a particularly vulnerable individual due to age or disability;
5. The applicant is at risk of serious harm due to personal circumstances distinct from the general safety conditions of those living in the applicant's country;
6. It would be in the national interest of the United States to have the applicant in the United States (for example the applicant's presence in the United States is urgently required for work with a U.S. government entity);
7. The Qualifying Family Member (QFM) is an active duty U.S. military service member or on active military duty;
8. Close to aging out: If a beneficiary is within a few weeks of aging out of visa eligibility; or
9. Adoption of a child: A petitioner who has adopted a child locally and has an imminent need to depart the country.

Note: This is not an exhaustive list of examples. However, keep in mind that each case will be considered, reviewed and adjudicated on a case by case basis.

Requests for expedited processing must include sufficient evidence to support the claimed need for such processing or an explanation as to why such evidence is not available. For example, if the request is based on an urgent, life-threatening medical condition, the applicant should provide a medical report. If the request is based on urgent need by a U.S. government entity to have the applicant in the U.S., a letter from the entity supporting the expedite request should be provided.

Please note that if you do not receive a response to your request to expedite within 15 days from the date of notice of receipt of the request, the request to expedite may be presumed to be denied.

How to request expeditious adjudication of a waiver:

Expedited waiver requests should be made to the Consular Officer at the time of the immigrant visa interview, at the time of filing the waiver either locally with the Ciudad Juarez Field Office or when mailing the waiver to the Phoenix Lock Box. A request for expedite may also be submitted after the filing of the waiver.

To request expeditious adjudication of your waiver:

Send your request via e-mail to:

cdj.uscis@dhs.gov

OR

Send via USPS to:

U.S. Citizenship & Immigration Service
Ciudad Juarez Field Office
U.S. Consulate – Cd. Juarez, Mexico
P.O. Box 9896
El Paso, Texas 79995