



EMAIL BULLETIN

INS DISPELS RUMORS OF HALT IN ADJUDICATIONS OF IMMIGRATION BENEFITS APPLICATIONS

Benefits Applications Continue To Be Adjudicated, But Only After Affirmative Security Clearance

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Recently the INS issued a statement clarifying the contents of an INS internal memorandum instructing adjudicators to strictly follow security procedures to "ensure that benefits are not granted to ineligible" applicants.

The internal memorandum created confusion at the various INS District Offices and INS Service Centers, some of which issued statements announcing a halt to adjudicating benefits applications such as Applications for Advance Parole and Applications for Employment Authorization until further notice. Others announced only a procedural change resulting in the discontinuance of adjudicating these applications on a same-day basis. Amid the confusion rumors spread of an overall halt in the adjudication of all immigration benefits. The INS now stresses that benefits applications continue to be adjudicated after affirmative receipt of security clearances.

In the past it was the practice of INS adjudicators to initiate certain required security checks and to adjudicate applications after receiving no database "hits" within a prescribed period of time. The purpose of the INS internal memorandum is to announce the discontinuance of this practice and the strict enforcement of security procedures. Now, each adjudicator must **receive and document responses to all required security checks** prior to approving benefits application and presumably track down non-responses or the case will languish indefinitely. The American Immigration Lawyers Association (AILA) reports that these additional security measures have been implemented in response to the recent INS approval of an Application for Naturalization (citizenship) for a person suspected of having ties to the Hezbollah terrorist organization.

While the strict enforcement of security procedures will result in some additional delays in the adjudication of Applications for Adjustment of Status and Applications for Naturalization, INS has indicated that Applications for Advance Parole and Applications for Employment Authorization should not be affected.