



Report on the Number of Waivers of Grounds of Inadmissibility Granted to Refugees Under INA Section 207(c)(3)

Fiscal Years 2011-2020

Report to Congress

March 23, 2021



Homeland
Security

*U.S. Citizenship and
Immigration Services*



**Homeland
Security**

Message from the Acting Assistant Secretary

March 23, 2021

I am pleased to submit this Report on the Number of Waivers of Grounds of Inadmissibility Granted to Refugees Under Immigration and Nationality Act (INA) Section 207(c)(3), fiscal years (FY) 2011-2020, prepared by U.S. Citizenship and Immigration Services (USCIS).

Pursuant to congressional requirements, this report is being provided to the following Members of Congress:

The Honorable Jerrold Nadler
Chairman, House Committee on the Judiciary

The Honorable Jim Jordan
Ranking Member, House Committee on the Judiciary

The Honorable Dick Durbin
Chairman, Senate Committee on the Judiciary

The Honorable Chuck Grassley
Ranking Member, Senate Committee on the Judiciary

Please do not hesitate to contact us at (202) 447-5890 if we may be of further assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "Alex Carnes".

ALEXANDRA CARNES
Acting Assistant Secretary for Legislative Affairs

Executive Summary

This report fulfills the requirement set forth in INA section 207(c)(3), 8 USC 1157(c)(3), established by section 201(b) of Title II of Pub. L. 96-212, also known as the Refugee Act of 1980.

This report covers activity from the beginning of FY 2011 to the end of FY 2020 (October 1, 2010 through September 30, 2020). It provides data from USCIS showing the number of waivers granted under 207(c)(3) and a summary of the reasons for granting such waivers.



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I. Legislative Requirement

This report fulfills the requirement set forth in INA section 207(c)(3), 8 U.S.C. 1157(c)(3). The statutory reporting requirement is as follows:

(3) The provisions of paragraphs (4), (5), and (7)(A) of section 1182(a) [INA section 212(a)] of this title shall not be applicable to any alien seeking admission to the United States under this subsection, and the Attorney General may waive any other provision of such section (other than paragraph (2)(C) or subparagraph (A), (B), (C), or (E) of paragraph (3)) with respect to such an alien for humanitarian purposes, to assure family unity, or when it is otherwise in the public interest. Any such waiver by the Attorney General shall be in writing and shall be granted only on an individual basis following an investigation. The Attorney General shall provide for the annual reporting to Congress of the number of waivers granted under this paragraph in the previous fiscal year and a summary of the reasons for granting such waivers.

II. Data Report

Section 207(c)(3) of the INA permits waivers of certain inadmissibility grounds for refugee applicants for humanitarian purposes, to assure family unity, or when it is otherwise in the public interest.

USCIS adjudicates Form I-602, Application by Refugee for Waiver of Inadmissibility Grounds (Form I-602). The data for Form I-602 adjudications for waivers of inadmissibility under section 207(c)(3) of the INA is tracked in USCIS' Case and Activity Management for International Operations (CAMINO) system.

Based on the data in CAMINO, between FY 2011 and FY 2015, USCIS approved approximately 747 Form I-602 applications. During this period, USCIS did not track the reasons why waiver applications were approved. As most applications that were approved prior to FY 2016 are archived in physical files at the USCIS National Records Center, the exact numbers and the reasons for the approvals cannot be easily verified. The table below summarizes the approximate¹ approval numbers for each fiscal year.

FY2011	FY2012	FY2013	FY2014	FY2015	Total
52	134	188	202	171	747

Source: CAMINO, USCIS Refugee, Asylum and International Operations Directorate

Between FY 2016 and FY 2020, USCIS approved a total of 758 Form I-602 applications. The table below summarizes the reasons for granting such waivers and the total for each fiscal year.

Reasons for Granting Waivers	FY2016	FY2017	FY2018	FY2019	FY2020	Total
Humanitarian Purposes	176	99	53	137	51	516
Family Unity	25	33	28	10	8	104
Public Interest	0	2	1	0	0	3
Humanitarian Purposes and Family Unity	33	46	22	14	6	121
Humanitarian Purposes and Public Interest	1	1	1	0	0	3
Family Unity and Public Interest	0	0	0	0	0	0
Humanitarian Purposes, Family Unity, and Public Interest	4	5	2	0	0	11
Total	239	186	107	161	65	758

Source: CAMINO, USCIS Refugee, Asylum and International Operations Directorate

¹ There may have been a small number of waivers that were not included in CAMINO during this period but were processed and recorded in the Department of State's system used to track refugee resettlement cases.