PART D – PETITIONS FOR SPECIAL IMMIGRANT JUVENILES (SIJs)

Chapter 1: Purpose, Background, and Legal Authority (CHAP-Volume6-PartD-Chapter1.aspx)

A. Purpose (CHAP-Volume6-PartD-Chapter1.aspx#5-A)
B. Background (CHAP-Volume6-PartD-Chapter1.aspx#5-B)
C. Legal Authorities (CHAP-Volume6-PartD-Chapter1.aspx#5-C)

Chapter 2: Eligibility (CHAP-Volume6-PartD-Chapter2.aspx)

A. Frequently Asked Questions (CHAP-Volume6-PartD-Chapter2.aspx#5-A)
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Chapter 3: Required Documents and Evidence (CHAP-Volume6-PartD-Chapter3.aspx)

Chapter 4: Adjudication (CHAP-Volume6-PartD-Chapter4.aspx)

A. Jurisdiction (CHAP-Volume6-PartD-Chapter4.aspx#5-A)
B. Expedited Adjudication (CHAP-Volume6-PartD-Chapter4.aspx#5-B)
C. Background and Security Checks (CHAP-Volume6-PartD-Chapter4.aspx#5-C)
D. Interview Authority (CHAP-Volume6-PartD-Chapter4.aspx#5-D)
E. Guidance for Waiving Interviews or Referring Cases to the Field Office (CHAP-Volume6-PartD-Chapter4.aspx#5-E)
F. Interview Waiver/Field Referral Criteria (CHAP-Volume6-PartD-Chapter4.aspx#5-F)
G. Adjudicative Aid: Referral and/or Fraud Indicators (CHAP-Volume6-PartD-Chapter4.aspx#5-G)
H. Process for Interview Referrals (CHAP-Volume6-PartD-Chapter4.aspx#5-H)
I. Interview Guidelines (CHAP-Volume6-PartD-Chapter4.aspx#5-I)
J. Process for Field Office FDNS Referrals (CHAP-Volume6-PartD-Chapter4.aspx#5-J)
K. Requests for Evidence (CHAP-Volume6-PartD-Chapter4.aspx#5-K)
L. Approval, Denials, Revocations, Withdrawals, Appeals and Motions to Reopen (CHAP-Volume6-PartD-Chapter4.aspx#5-L)
M. Cases Requiring Headquarters Field Operations Directorate (HQFOD) Assistance (CHAP-Volume6-PartD-Chapter4.aspx#5-M)

Resources

Legal Authorities

INA 245(h): Adjustment of Status of Special Immigrants

Legal Authorities

8 CFR 103.2 - Submission and adjudication of benefit requests.

8 CFR 204.11 - Special immigrant status for certain aliens declared dependent on a Juvenile Court (Special Immigrant Juvenile)

8 CFR 205.1(a) - Reasons for Automatic Revocation

8 CFR 205.2 - Revocation on Notice

INA 101(a)(27) - Special immigrant definitions

INA 203(b)(4) - Certain Special Immigrants

INA 287(b) - Protecting Abused Immigrants

(http://www.uscis.gov/link/docView/PUBLAW/HTML/PUBLAW/0-0-0-25876.html#0-0-0-194#)

Public Law 110-457 - Trafficking Victims Protection and Reauthorization Act (TVPRA) of 2008

Forms

Form I-290B - Notice of Appeal or Motion
(https://www.uscis.gov/I-290B#)

Form I-360 - Petition for Amerasian, Widow(er), or Special Immigrant
(https://www.uscis.gov/I-360#)

Form I-485 Application to Register Permanent Residence or Adjust Status
(https://www.uscis.gov/I-485#)

Policy Archive

PM-602-0040: Change in Standard Timeframes for Applicants or Petitioners to Respond to Requests for Evidence

Standard Operating Procedures

Fraud Detection and National Security Standard Operating Procedure
(http://ecn.uscis.dhs.gov/team/fdns/TCB/FraudDetectionSOP/SitePages/Home.aspx#)

Updates

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<th>Date</th>
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<tr>
<td>December 01, 2017</td>
<td>New Content: Vol 6, Part F has been reorganized</td>
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<tr>
<td></td>
<td>Guidance regarding officers when adjudicating immigrant investor petitions and regional center applications. This part provides procedural guidance, operational instructions, resources and tools, as well as links to applicable laws, regulations and content within Vol 6, Part G</td>
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<tr>
<td>October 27, 2017</td>
<td>New Content: Vol 6, Part G: Petitions for Refugee and Asylee Relatives</td>
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<td>Guidance regarding individuals who were admitted to the United States as a principal refugee or granted status in the United States as a principle asylee within the previous two years</td>
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<td>June 29, 2017</td>
<td>New Content: Vol 6, Part F, Chapter 4: Immigrant Petition (Form I-526)</td>
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<td>New content summarizing procedures for adjudicating Form I-526, Immigrant Petition by Alien Entrepreneur, has been added to CHAP.</td>
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<tr>
<td>October 20, 2016</td>
<td>New Vol 6 Content: Petitions for Special Immigrant Juveniles</td>
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<td></td>
<td>Guidance on granting petitions for SJIs has been added to CHAP, Volume 6, Part D. Congress first established the SI immigrant visa classification in 1990 and is eligible to children in a variety of circumstances, to include those who have been abused prior to their arrival in the US or while here; are in the state child welfare system in the custody of a state agency; or in other eligible circumstances.</td>
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<tr>
<td>October 05, 2016</td>
<td>New Content: Petitions for Investors and Entrepreneurs</td>
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<td>Procedural guidance regarding the EB-5 immigrant visa category has been added to CHAP Volume 6, Part F. The Immigration and Nationality Act (INA) makes visas available to qualified foreign nationals who will contribute to the economic growth of the United States by investing in U.S. businesses and creating jobs for U.S. workers.</td>
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