

DRAFT

**I-192, Application for Advance
Permission to Enter as Nonimmigrant
[Pursuant to Section 212(d)(3)(A)(ii) of the INA]**

Department of Homeland Security
U.S. Citizenship and Immigration Services

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| Action by the Department of Homeland Security | | | | |
| <input type="checkbox"/> Granted, subject to revocation at any time, upon the following terms and conditions: | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 2px;">DATE OF ACTION</td> </tr> <tr> <td style="padding: 2px;">DD OR OIC</td> </tr> <tr> <td style="padding: 2px;">OFFICE</td> </tr> </table> | DATE OF ACTION | DD OR OIC | OFFICE |
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Instructions

Read these instructions carefully to properly complete this form. If you need more space to complete an answer, use a separate sheet of paper. Write your name and Alien Registration Number (A-Number), if any, at the top of each sheet of paper and indicate the section and number of the item to which the answer refers.

What Is the Purpose of This Form?

This form allows inadmissible nonimmigrant aliens to apply for advance permission to temporarily enter the United States.

Grounds of inadmissibility can be found in the Immigration and Nationality Act (INA) section 212(a). The statutory and regulatory basis for this form can be found in INA section 212(d)(3)(A)(ii) and Title 8 Code of Federal Regulations (CFR), part 212.4(b); and INA section 212(d)(13) and (14); 8 CFR 212.16 and 17, and 8 CFR 214.11 and 214.14 for T and U visa applicants.

Who Should File This Form?

Form I-192 should be filed if you are an inadmissible alien in one of the following categories:

- A. Inadmissible nonimmigrant already in possession of appropriate documents;
- B. Applicant for T nonimmigrant status; or
- C. Applicant for U nonimmigrant status.

Note: If you are seeking admission under the Visa Waiver Program (VWP) under INA section 217, you should NOT file this form. Aliens from VWP countries who are inadmissible must apply for a nonimmigrant visa at a U.S. Embassy or consulate for authorization to travel. You should contact the appropriate U.S. Embassy or consulate if you have any questions regarding your admissibility under VWP.

Note: Do not file this form if you are a T visa applicant who is inadmissible under INA section 212(a)(4)(Public charge) because you are exempt from this ground of inadmissibility.

Where to File?

A. Inadmissible Nonimmigrant Already in Possession of Appropriate Documents

1. File the application with U.S. Customs and Border Protection (CBP) in advance of the date of intended travel to the United States. Filing of this application is generally done in person at a CBP-designated port of entry or a CBP-designated preclearance office. There are exceptions to in-person filing. We recommend that you contact the CBP preclearance office or the CBP port of entry where you intend to be processed before submitting your application. To find a CBP-designated port of entry or a CBP-designated preclearance office and to obtain information on required documentation and processing procedures, visit the CBP Web site at www.cbp.gov (go to the search box and type "Form I-192," "I-192," "192," or "waiver").

2. You will be required to submit fingerprints. If you are filing in person, you will be fingerprinted when you submit your application. If you apply where there is an exception to the in-person filing requirement, you will be notified regarding arrangements for your fingerprinting. Generally, there is no additional charge.

3. **Special Instructions for Citizens of Palau, the Federated States of Micronesia, or the Marshall Islands:** You may contact the nearest consulate of the U.S. Department of State to receive instructions on where and how to submit this form. You may also receive filing instructions by e-mailing the CBP/Admissibility Review Office (ARO) at inquiry.waiver.aro@dhs.gov. Attorneys should address their inquiries to: attorneyinquiry.waiver.aro@dhs.gov.

B. Applicant for T Nonimmigrant Status

If you are an applicant for T nonimmigrant status but you are inadmissible, you must file Form I-192 with U.S. Citizenship and Immigration Services (USCIS) at the Vermont Service Center. The address is:

**USCIS-Vermont Service Center
75 Lower Welden Street
St. Albans, VT 05479-0001**

C. Applicant for U Nonimmigrant Status

If you are an applicant for U nonimmigrant status, regardless of whether you are currently present in or outside the United States, and if you are inadmissible, you must file Form I-192 with USCIS at the Vermont Service Center. The address is:

**USCIS-Vermont Service Center
75 Lower Welden Street
St. Albans, VT 05479-0001**

C. You live outside the United States, Guam, or the U.S. Virgin Islands and are filing your petition or application where you live; in this case, contact the nearest U.S. Embassy or consulate of the U.S. Department of State for instructions on the method of payment.

D. When applying with CBP, you must make your check or money order payable to U.S. Customs and Border Protection. The check or money order must be drawn on a bank or other financial institution located in the United States and must be payable in U.S. currency. Certain CBP-designated ports of entry and certain CBP-designated preclearance offices may accept payment in the form of cash or credit cards.

We recommend that you contact the CBP preclearance office or CBP port of entry where you intend to be processed for payment instructions. Please visit the CBP Web site at www.cbp.gov (go to the search box and type "Form I-192," "I-192," "192", or "waiver").

3. Special Instructions for Citizens of Palau, the Federated States of Micronesia, or the Marshall Islands: You may contact the nearest U.S. Embassy or consulate to receive payment instructions. You may also receive instructions by e-mailing the CBP/ARO at: inquiry.waiver.aro@dhs.gov.

NOTE: Spell out U.S. Department of Homeland Security or U.S. Customs and Border Protection; do not use the initials "USDHS," "DHS," or "CBP."

Notice to Those Making Payments by Check. If you send USCIS a check, it will be converted into an electronic funds transfer (EFT). This means we will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will usually take 24 hours and will be shown on your regular account statement.

You will not receive your original check back. We will destroy your original check, but we will keep a copy of it. If the EFT cannot be processed for technical reasons, you authorize us to process the copy in place of your original check. If the EFT cannot be completed because of insufficient funds, we may try to make the transfer up to two times.

How to Check If the Fees Are Correct

The fee on this form is current as of the edition date appearing in the lower right corner of this page. However, because fees change periodically, you can verify if the fees are correct by following one of the steps below:

What Is the Filing Fee and How Should I Pay?

The filing fee for this form is **\$585**. All fees must be submitted in the exact amount. Do not mail cash.

A fee waiver request will be accepted in accordance with 8 CFR 103.7(c)(5) for the following individuals:

1. An applicant for T nonimmigrant status; and
2. An applicant for U nonimmigrant status.

Use the following guidelines when you prepare your check or money order for Form I-192:

1. Bank drafts, cashier's checks, certified checks, personal checks, and money orders must be drawn on U.S. financial institutions and payable in U.S. funds.
2. Make the check or money order payable to **U.S. Department of Homeland Security**, unless:
 - A.** You live in Guam, make it payable to **Treasurer, Guam**.
 - B.** You live in the U.S. Virgin Islands, make it payable to the **Commissioner of Finance of the Virgin Islands**.

1. Visit our Web site at www.uscis.gov, select "FORMS," and check the appropriate fee;
2. Review the Fee Schedule included in your form package, if you called us to request the form; or
3. Telephone our National Customer Service Center at **1-800-375-5283** and ask for the fee information.

Address Changes

If You Have an Application Pending With USCIS

If you change your address and you have an application or petition pending with USCIS, you may change your address online at www.uscis.gov. Click on "Online Change of Address" and follow the prompts. You may also change your address by completing and mailing Form AR-11, Alien's Change of Address Card, to:

**U.S. Citizenship and Immigration Services
Change of Address
P.O. Box 7134
London, KY 40742-7134**

For commercial overnight or fast freight services only, mail to:

**U.S. Citizenship and Immigration Services
Change of Address
1084-I South Laurel Road
London, KY 40744**

In addition to the above, you should notify the USCIS office where your application or petition is currently pending of your change of address. You can find contact information on the receipt notice (Form I-797) that was sent to you for Form I-192.

If You Have an Application Pending With CBP

You may change your address by writing via regular mail or via e-mail to:

Mailing address:

**Admissibility Review Office/U.S. Customs and
Border Protection
12825 Worldgate Drive
Herndon, VA 20170**

E-mail address:

inquiry.waiver.aro@dhs.gov

1. General Information Required to Complete Form I-192

If you are filing this application with CBP, submit the additional documentation listed in item 2 below.

A. Inadmissible on Foreign Policy or National Security Grounds under INA section 212(a)(3)

If you are inadmissible under any provision of INA section 212(a)(3)(A)(i)(II),(B), (E)(iii), or (F), submit a written statement with your application, signed under penalty of perjury under U.S. law. The written statement should explain in detail why you are inadmissible and why you believe you should be admitted.

Note: Do not file this application if you are inadmissible under INA section 212(a)(3)(A)(i)(I),(A)(ii),(A)(iii),(C),(E)(i), or (E)(ii). INA section 212(d)(3)(A) does not permit the nonimmigrant admission of an alien inadmissible on one of these grounds.

Note: Do not file this application if you are inadmissible only under INA section 212(a)(3)(D) for being a member of a Communist or other totalitarian party, since this inadmissibility ground applies to immigrants, but not nonimmigrants.

B. Inadmissible Because of Health-Related Grounds of Inadmissibility Under INA Section 212(a)(1)

If you file this application because you are inadmissible because of health-related grounds of inadmissibility, you must describe the health-related grounds in detail.

If you are seeking admission to the United States for the treatment of a medical condition, you must attach a written statement establishing:

1. That satisfactory treatment cannot be obtained outside the United States;
2. That arrangements for treatment have been made, including where and from whom or what institution treatment will be received;
3. What financial arrangements for payment of expenses (incurred in connection with the treatment) have been made; and
4. That a bond will be available, if required by the Secretary of Homeland Security.

What Must Be Submitted With the Application?

Read the instructions carefully. Depending whether you submit the application with CBP or with USCIS, you may have to submit additional information.

C. Inadmissible Because of Criminal Conviction(s) and Related Grounds under INA Section 212(a)(2)

If the application is made because you have been convicted of one or more crimes anywhere in the world, your application must include a statement, signed by you under penalty of perjury under U.S. law, specifying (list each crime separately):

1. Name of the crime for which you were convicted, and the country in which you were convicted;
2. Date and place of the commission of the crime;
3. Date and place of conviction (including the name of the court); and
4. Sentence you received, or any other judgement from the court related to the crime.

For each conviction, you must submit the official record of each conviction and all court dispositions, as well as any other documents relating to the commutation of sentence, parole, probation, or pardon. An official letter from the court of jurisdiction stating the reason why an official record is not available may be submitted.

These records must be in English, or an English translation must be included. The translator must certify that he or she is competent to translate and that the translation is accurate.

D. For All Other Grounds of Inadmissibility under INA Section 212(a)

If you are inadmissible under any ground not listed above, you must provide a statement signed by you under penalty of perjury that specifies the applicable ground of inadmissibility, the factual basis for your inadmissibility, and reasons for claiming that you should be granted advance permission to enter the United States.

2. Required Additional Information When Filing Form I-192 With CBP

If you file this application with CBP, you must submit the following additional documentation:

- A. Proof of citizenship and identity, such as passport, citizenship card with photograph, naturalization certificate, or birth certificate. Note that a driver's license is not considered proof of citizenship but may accompany a copy of another document. Copies of these documents are acceptable.

- B. Completed Form G-325A, Biographic Information, signed and dated by you.
- C. If you have ever used a name other than your full legal name as provided on the form: You must list any names ever used, including names from previous marriages. Evidence of any legal name changes, such as marriage certificates, divorce decrees, etc. must be included. Copies are acceptable.
- D. Ensure that in Item 5 you list a current and complete address, including a postal code. You may use a P.O. Box for mailing purposes. You must also list your complete and current address on all forms and correspondence you send to CBP.
- E. Each application must contain your official police record, or evidence that no record exists, from your country of residence or nationality. This record is valid for 15 months from the date of issuance for submission with your Form I-192.

Canadian fliers: You can obtain the information noted above from the Royal Canadian Mounted Police (RCMP) by submitting your fingerprints on Form C-216C. The returned Civil Product and any accompanying records must be dated and endorsed by the RCMP within 15 months of submission with your Form I-192. For instructions, addresses, and payment information, visit the RCMP Web site at: www.rcmp-grc.ca/.

- F. If you retained an attorney to file the application, counsel must complete Form G-28, Notice of Entry of Appearance as Attorney or Representative.

G. Recommended Supporting Documentation:

Evidence and/or a written account demonstrating rehabilitation and character reformation related to your being inadmissible. The focus of such evidence should include, but is not limited to, targeted counseling, rehabilitation programs attended/completed, achievements in community service, or other relevant, credible information showing rehabilitation and character reformation.

A copy of any previously issued Form I-192 decisions (favorable or otherwise).

3. Processing Information About the Adjudication of Form I-192

Note: It is important to fully disclose all grounds of inadmissibility that apply or may apply to you. If the form is approved, the approval is only valid for the grounds of inadmissibility that were listed on the form.

A. If you file this application with CBP: The ARO will make a decision on your application. You will be notified in writing of the decision. The decision will be mailed to the address provided on the application. It is recommended that you wait until after more than 90 days have passed from submission of your application before making a status inquiry. Status inquiries are made via e-mail at the following address: **inquiry.waiver.aro@dhs.gov**. Attorneys should address their inquiries to: **attorneyinquiry.waiver.aro@dhs.gov**.

Refer to the CBP Web site at **www.cbp.gov** for further information. Type in the search box "Form I-192" for information about inadmissibility in general and how it relates to your particular situation, such as criminal issues or specific medical conditions.

B. If you file this application with USCIS: USCIS will adjudicate the application and notify you of the decision at the address you provided in the application. If you have any questions about your case, call the USCIS toll-free number at 1-800-375-5283 or visit the USCIS Web site at **www.uscis.gov**. You can also write to the Vermont Service Center. The address is:

**USCIS-Vermont Service Center
75 Lower Welden Street
St. Albans, VT 05479-0001**

How Long Is an Approved Form I-192 Valid?

If your application for advance permission to enter as a nonimmigrant is granted, the permission will be valid for the duration stated on the approval, subject to the conditions imposed on your admission. Advance permission to enter as a nonimmigrant is granted at the discretion of DHS, and may be revoked at any time. See 8 CFR 212.4(c)(1)(viii).

If you leave the United States, and if the approval is no longer valid, you will need to file a new application for any future entries. A prior approval of Form I-192 cannot be revalidated. See 8 CFR 212.4(c)(3)(vi).

USCIS Forms and Information

To order USCIS forms, call our toll-free number at **1-800-870-3676**. You can also get USCIS forms and information on immigration laws, regulations, and procedures by telephoning our National Customer Service Center at **1-800-375-5283** or visiting our Internet Web site at **www.uscis.gov**.

Penalties

If you knowingly and willfully falsify or conceal a material fact or submit a false document with this application, we will deny the benefit, and may deny any other immigration benefit. In addition, you will face severe penalties provided by law and may be subject to criminal prosecution.

Privacy Act Notice

We ask for the information on this form, and associated evidence, to determine if you have established eligibility for the immigration benefit for which you are filing. Our legal right to ask for this information can be found in the Immigration and Nationality Act, as amended. We may provide this information to other government agencies. Failure to provide this information, and any requested evidence, may delay a final decision or result in denial of your Form I-192.

Paperwork Reduction Act

An agency may not conduct or sponsor an information collection and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. The public reporting burden for this collection of information is estimated at 30 minutes per response, including the time for reviewing instructions and completing and submitting the form. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to: U.S. Citizenship and Immigration Services, Regulatory Products Division, 111 Massachusetts Avenue, N.W., 3rd Floor, Suite 3008, Washington, DC 20529-2210. OMB No. 1615-0017. **Do not mail your application to this address.**