



Application for Provisional Unlawful Presence Waiver

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

USCIS
Form I-601A
OMB No. 1615-0123
Expires 03/31/2015

For USCIS Use Only	Initial Receipt	Fee Stamp		Action Block
	Resubmitted	Relocated		
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To be completed by an attorney or BIA-accredited representative (if any).	<input type="checkbox"/> Select this box if Form G-28 is attached to represent the applicant.	Attorney State Bar Number (if applicable)	Attorney or Accredited Representative USCIS ELIS Account Number (if any)
		<input type="text"/>	<input type="text"/>

▶ **START HERE - Type or print in black ink.**

Part 1. Information About You

Provide the following information about yourself.

- Alien Registration Number (A-Number) (if any)
▶ A-
- U.S. Social Security Number (if any)
▶
- USCIS ELIS Account Number (if any)
▶

Your Full Name

- Family Name (Last Name)
- Given Name (First Name)
- Middle Name

Other Names Used (if any)

- Family Name (Last Name)
 - Given Name (First Name)
 - Middle Name
-
- Family Name (Last Name)
 - Given Name (First Name)
 - Middle Name

Your U.S. Mailing Address

- In Care Of Name
- Street Number and Name
- Apt. Ste. Flr.
- City or Town
- State
- ZIP Code
- Is your current physical address the same as your mailing address?
 Yes No
If you answered "No" to **Item Number 8.**, provide your physical address in **Item Numbers 9.a. - 9.e.**

Your U.S. Physical Address

- Street Number and Name
- Apt. Ste. Flr.
- City or Town
- State
- ZIP Code

Other Information

- Date of Birth (mm/dd/yyyy)
- Gender Male Female

Part 1. Information About You (continued)

12. City or Town of Birth
[]

13. Country of Birth
[]

14. Country of Citizenship or Nationality
[]

15.a. Mother's Family Name (Last Name)
[]

15.b. Mother's Given Name (First Name)
[]

16.a. Father's Family Name (Last Name)
[]

16.b. Father's Given Name (First Name)
[]

Your Last Entry Into the United States

17. Date of Entry (mm/dd/yyyy) []

18.a. Place or Port-of-Entry (City or Town)
[]

18.b. State []

19. Immigration Status (at the time of entry)
[]

Your Previous Entries Into the United States

You were previously in the United States as follows:

20.a. Place or Port-of-Entry (City or Town)
[]

20.b. State []

21.a. From (mm/dd/yyyy) []

21.b. To (mm/dd/yyyy) []

22. Immigration Status (at the time of entry)
[]

23.a. Place or Port-of-Entry (City or Town)
[]

23.b. State []

24.a. From (mm/dd/yyyy) []

24.b. To (mm/dd/yyyy) []

25. Immigration Status (at the time of entry)
[]

26. Are there other previous entries? Yes No

If you answered "Yes" to **Item Number 26.**, include the place of entry, dates, and your immigration status at the time of entry for any other prior entries in **Part 9. Additional Information** of this application.

Your Immigration or Criminal History

27. Are you currently in removal, exclusion, or deportation proceedings? This includes being subject to a final order of removal, exclusion, or deportation or a Department of Homeland Security (DHS) removal order that reinstates a prior removal, exclusion, or deportation order.

NOTE: If your case has been administratively closed, you are still "in removal proceedings" until the Department of Justice's Executive Office for Immigration Review (EOIR) terminates or dismisses your case. However, you are eligible to apply for a provisional unlawful presence waiver if EOIR has not placed your removal proceedings back on EOIR's calendar in order to continue your removal proceeding.

Yes No

If you answered "Yes" to **Item Number 27.**, select the statement below that most accurately describes your current situation.

28.a. I am in removal, exclusion, or deportation proceedings that are administratively closed and, at the time of filing my Form I-601A, have **not** been placed back on EOIR's calendar to continue my removal, exclusion, or deportation proceedings.

NOTE: Provide a copy of the administrative closure order. Also, if U.S. Citizenship and Immigration Services (USCIS) approves your provisional unlawful presence waiver, you should seek termination or dismissal of your removal, exclusion, or deportation proceedings **before** you depart the United States for your immigrant visa interview.

28.b. I am subject to a final order of removal, exclusion, or deportation.

28.c. I am subject to a DHS order that reinstates a prior removal, exclusion, or deportation order seeking my removal, exclusion, or deportation from the United States.

Part 1. Information About You (continued)

- 28.d.** I am currently in removal, exclusion, or deportation proceedings that are not administratively closed or in removal, exclusion, or deportation proceedings that were administratively closed, but EOIR has placed my proceedings back on its calendar in order to continue them.
- 28.e.** I am subject to a judicial order of removal issued by a Federal Court.

Answer **Item Numbers 29. - 35.** If you answer "Yes" to any question in **Item Numbers 29. - 35.**, you may be ineligible for a provisional unlawful presence waiver if USCIS has reason to believe that you may be subject to grounds of inadmissibility, other than unlawful presence under INA section 212(a)(9)(B)(i)(I) or (II) at the time of your immigrant visa interview with a Department of State (DOS) consular officer. For each "Yes" response for **Item Numbers 29. - 35.**, provide the location and date of the event and a brief description in **Part 9. Additional Information.** For **Item Number 31.**, if you were not charged with any crime or offense, provide a statement or other documentation from the arresting authority or prosecutor's office to show that you were not charged with any crime or offense. If you answer "Yes" to **Item Number 32.**, you must provide all related court dispositions.

- 29.** Have you **EVER** knowingly and willfully given false or misleading information to a U.S. Government official while applying for an immigration benefit or to gain entry or admission into the United States? Yes No
- 30.** Have you **EVER** knowingly assisted or attempted to assist the entry of someone, even a family member, into the United States without the benefit of a valid travel document in violation of U.S. law? Yes No
- 31.** Have you **EVER** been arrested, cited, or detained by a law enforcement officer (including immigration and military officers) in the United States, your home country, and/or any other country for any reason other than traffic violations? Yes No
- 32.** Have you **EVER** been charged, indicted, convicted, imprisoned, or jailed in the United States, your home country, and/or any other country for any crime or offense? Yes No
- 33.** Have you **EVER** trafficked in or are you **NOW** trafficking in any controlled substance? Yes No
- 34.** Are you **NOW** or have you **EVER** knowingly assisted, abetted, conspired, or colluded with others in the unlawful trafficking of any controlled substance? Yes No
- 35.** Are you **NOW** or have you **EVER** been engaged in prostitution? Yes No

Answer **Item Numbers 36.a. - 42.** If you answer "Yes" to any question in **Item Numbers 36.a. - 42.**, you may be ineligible for a provisional unlawful presence waiver if USCIS has reason to believe that you may be subject to grounds of inadmissibility other than unlawful presence under INA section 212(a)(9)(B)(i)(I) or (II) at the time of your immigrant visa interview with a DOS consular officer. For each "Yes" response for **Item Numbers 36.a. - 42.**, provide a complete explanation in **Part 9. Additional Information.**

Have you **EVER** ordered, incited, called for, committed, assisted, helped with, or otherwise participated in any of the following:

- 36.a.** Acts involving torture or genocide? Yes No
- 36.b.** Killing any person? Yes No
- 36.c.** Intentionally and severely injuring any person? Yes No
- 36.d.** Engaging in any kind of sexual contact or relations with any person who was being forced or threatened to participate or through use of threat? Yes No
- 36.e.** Limiting or denying any person's ability to exercise religious beliefs? Yes No

Have you **EVER**:

- 37.a.** Served in, been a member of, assisted in, or participated in any military unit, paramilitary unit, police unit, self-defense unit, vigilante unit, rebel group, guerilla group, militia, or insurgent organization? Yes No
- 37.b.** Served in any prison, jail, prison camp, detention facility, labor camp, or any other situation that involved detaining persons? Yes No
- 38.** Have you **EVER** been a member of, assisted in, or participated in any group, unit, or organization of any kind in which you or other persons used any type of weapon against any person or threatened to do so? Yes No
- 39.** Have you **EVER** assisted or participated in selling or providing weapons to any person who to your knowledge used them against another person, or in transporting weapons to any person who to your knowledge used them against another person? Yes No
- 40.** Have you **EVER** received any type of military, paramilitary, or weapons training? Yes No
- 41.** Have you **EVER** recruited, enlisted, conscripted, or used any person under 15 years of age to serve in or help an armed force or group? Yes No
- 42.** Have you **EVER** used any person under 15 years of age to take part in hostilities, or to help or provide services to people in combat? Yes No

Part 2. Biographic Information

1. Ethnicity (Select **only one** box)
 - Hispanic or Latino
 - Not Hispanic or Latino
2. Race (Select **all** applicable boxes)
 - White
 - Asian
 - Black or African American
 - American Indian or Alaska Native
 - Native Hawaiian or Other Pacific Islander
3. Height Feet Inches
4. Weight Pounds
5. Eye Color (Select **only one** box)
 - Black Blue Brown
 - Gray Green Hazel
 - Maroon Pink Unknown/Other
6. Hair Color (Select **only one** box)
 - Bald (No hair) Black Blond
 - Brown Gray Red
 - Sandy White Unknown/Other

Part 3. Information About Your Immediate Relative Petition and the Processing of Your Immigrant Application

Provide the following information about the approved immediate relative petition (Form I-130 or Form I-360) and the related immigrant visa application.

Approved Immediate Relative Petition

1. USCIS Receipt Number
▶

Petitioner's Full Name

- 2.a. Family Name (Last Name)
- 2.b. Given Name (First Name)
- 2.c. Middle Name

Immigrant Visa Processing

Petitioner's relationship to you (Select **only one** box)

- 3.a. U.S. Citizen Spouse
- 3.b. U.S. Citizen Parent
- 3.c. U.S. Citizen Son or Daughter
- 3.d. Self (Form I-360 petitioner only)
4. DOS Consular Case Number (NVC Case Number)
▶
5. Did DOS initially act **before** January 3, 2013, to schedule you to appear at a U.S. Embassy or U.S. Consulate for an immigrant visa interview based on the approved immediate relative petition listed in **Part 3, Item Number 1.**?
 Yes No

NOTE: USCIS may reject or deny your application if DOS records indicate that DOS initially acted prior to January 3, 2013, to schedule you for an immigrant visa interview.

Part 4. Information About Your Qualifying Relative

Provide the following information about the qualifying relative (the U.S. citizen spouse or parent) who would experience extreme hardship if you are refused admission to the United States or if your qualifying relative chooses to relocate abroad to live with you.

Your Qualifying Relative's Full Name and Relationship to You

- 1.a. Family Name (Last Name)
- 1.b. Given Name (First Name)
- 1.c. Middle Name
- 2.a. U.S. Citizen Spouse
- 2.b. U.S. Citizen Parent

Your Other Qualifying Relative

3. Do you have more than one qualifying relative (U.S. citizen spouse or parent)? Yes No

If you answered "Yes" to **Item Number 3.**, provide the qualifying relative's name and your relationship to the qualifying relative in **Item Numbers 4.a. - 5.b.** Also provide evidence of the U.S. citizenship of the other qualifying relative with your application. See the **What Evidence Should I Submit With This Application** section of the Form I-601A instructions.

Part 4. Information About Your Qualifying Relative (continued)

Additional Qualifying Relative's Full Name and Relationship to You

4.a. Family Name (Last Name)

4.b. Given Name (First Name)

4.c. Middle Name

5.a. U.S. Citizen Spouse

5.b. U.S. Citizen Parent

Part 5. Statement From Applicant

In the space provided, explain in detail why you believe USCIS should approve your application for a provisional unlawful presence waiver as a matter of discretion. List all of the reasons you believe support your application for this waiver, including information about the extreme hardship your qualifying relatives would experience if you were refused admission to the United States. If you need extra space to complete your statement, use **Part 9. Additional Information.**

Lined area for writing the statement.

Lined area for writing the statement.

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Part 6. Applicant's Statement, Contact Information, Acknowledgement of Appointment at USCIS Application Support Center, Certification, and Signature

NOTE: Read the information on penalties in the **Penalties** section of the Form I-601A Instructions before completing this part. You **must** file Form I-601A while in the United States.

Applicant's Statement

NOTE: Select the box for either **Item Number 1.a.** or **1.b.** If applicable, select the box for **Item Number 2.**

- 1.a. I can read and understand English, and have read and understand every question and instruction on this application, as well as my answer to every question. I have read and understand the **Acknowledgement of Appointment at USCIS Application Support Center.**
- 1.b. The interpreter named in **Part 7.** has also read to me every question and instruction on this application, as well as my answer to every question, in , a language in which I am fluent. I understand every question and instruction on this application as translated to me by my interpreter, and have provided complete, true, and correct responses in the language indicated above. The interpreter named in **Part 7.** has also read the **Acknowledgement of Appointment at USCIS Application Support Center** to me, in the language in which I am fluent, and I understand this Application Support Center (ASC) Acknowledgement as read to me by my interpreter.
- 2. I have requested the services of and consented to , who is is not an attorney or accredited representative, preparing this application for me. This person who assisted me in preparing my application has reviewed the **Acknowledgement of Appointment at USCIS Application Support Center** with me, and I understand the ASC Acknowledgement.

Applicant's Contact Information

- 3. Applicant's Daytime Telephone Number
- 4. Applicant's Mobile Telephone Number (if any)
- 5. Applicant's Email Address (if any)

Acknowledgement of Appointment at USCIS Application Support Center

I, , understand that the purpose of a USCIS ASC appointment is for me to provide my fingerprints, photograph, and/or signature and to re-affirm that all of the information in my application is complete, true, and correct and was provided by me. I understand that I will sign my name to the following declaration which USCIS will display to me at the time I provide my fingerprints, photograph, and/or signature during my ASC appointment.

By signing here, I declare under penalty of perjury that I have reviewed and understand my application, petition, or request as identified by the receipt number displayed on the screen above, and all supporting documents, applications, petitions, or requests filed with my application, petition, or request that I (or my attorney or accredited representative) filed with USCIS, and that all of the information in these materials is complete, true, and correct.

I also understand that when I sign my name, provide my fingerprints, and am photographed at the USCIS ASC, I will be re-affirming that I willingly submit this application; I have reviewed the contents of this application; all of the information in my application and all supporting documents submitted with my application were provided by me and are complete, true, and correct; and if I was assisted in completing this application, the person assisting me also reviewed this **Acknowledgement of Appointment at USCIS Application Support Center** with me.

Applicant's Certification

Copies of any documents I have submitted are exact photocopies of unaltered, original documents, and I understand that USCIS may require that I submit original documents to USCIS at a later date. Furthermore, I authorize the release of any information from any and all of my records that USCIS may need to determine my eligibility for the immigration benefit that I seek.

I furthermore authorize release of information contained in this application, in supporting documents, and in my USCIS records to other entities and persons where necessary for the administration and enforcement of U.S. immigration laws.

I certify, under penalty of perjury, that the information in my application and any document submitted with my application were provided by me and are complete, true, and correct.

Applicant's Signature

- 6.a. Applicant's Signature
- 6.b. Date of Signature (mm/dd/yyyy)

Part 7. Interpreter's Contact Information, Certification, and Signature

Provide the following information concerning the interpreter.

Interpreter's Full Name

1.a. Interpreter's Family Name (Last Name)

1.b. Interpreter's Given Name (First Name)

2. Interpreter's Business or Organization Name (if any)

Interpreter's Mailing Address

3.a. Street Number and Name

3.b. Apt. Ste. Flr.

3.c. City or Town

3.d. State

3.e. ZIP Code

3.f. Province

3.g. Postal Code

3.h. Country

Interpreter's Contact Information

4. Interpreter's Daytime Telephone Number

5. Interpreter's Email Address (if any)

Interpreter's Certification

I certify that:

I am fluent in English and , which is the same language provided in **Part 6., Item Number 1.b.**;

I have read to this applicant every question and instruction on this application, as well as the answer to every question, in the language provided in **Part 6., Item Number 1.b.**; and

I have read the **Acknowledgement of Appointment at USCIS Application Support Center** to the applicant in the same language provided in **Part 6., Item Number 1.b.**

The applicant has informed me that he or she understands every instruction and question on the application, as well as the answer to every question, and the applicant **verified** the accuracy of every answer; and

The applicant has also informed me that he or she understands the ASC Acknowledgement and that by appearing for a USCIS ASC biometric services appointment and providing his or her fingerprints, photograph, and/or signature, he or she is **re-affirming** that the contents of this application and all supporting documentation are complete, true, and correct.

Interpreter's Signature

6.a. Interpreter's Signature

6.b. Date of Signature (mm/dd/yyyy)

Part 8. Contact Information, Statement, Certification, and Signature of the Person Preparing this Application, If Other Than the Applicant

Provide the following information concerning the preparer.

Preparer's Full Name

1.a. Preparer's Family Name (Last Name)

1.b. Preparer's Given Name (First Name)

2. Preparer's Business or Organization Name (if any)

Preparer's Mailing Address

3.a. Street Number and Name

3.b. Apt. Ste. Flr.

3.c. City or Town

3.d. State

3.e. ZIP Code

3.f. Province

3.g. Postal Code

3.h. Country

Part 8. Contact Information, Statement, Certification, and Signature of the Person Preparing this Application, If Other Than the Applicant (continued)

Preparer's Contact Information

4. Preparer's Daytime Telephone Number

5. Preparer's Fax Number (if any)

6. Preparer's Email Address (if any)

Preparer's Statement

7.a. I am not an attorney or accredited representative but have prepared this application on behalf of the applicant and with the applicant's consent.

7.b. I am an attorney or accredited representative and my representation of the applicant in this case extends does not extend beyond the preparation of this application.

NOTE: If you are an attorney or accredited representative whose representation extends beyond preparation of this application you must submit a completed Form G-28, Notice of Entry of Appearance as Attorney or Accredited Representative, with this application.

Preparer's Certification

By my signature, I certify, swear, or affirm, under penalty of perjury, that I prepared this application on behalf of, at the request of, and with the express consent of the applicant. I completed this application based only on responses the applicant provided to me. After completing the application, I reviewed it and all of the applicant's responses with the applicant, who agreed with every answer on the application. If the applicant supplied additional information concerning a question on this application, I recorded it on the application. I have also read the **Acknowledgement of Appointment at USCIS Application Support Center** to the applicant and the applicant has informed me that he or she understands the ASC Acknowledgement.

Preparer's Signature

8.a. Preparer's Signature

8.b. Date of Signature (mm/dd/yyyy)

Part 9. Additional Information

If you need extra space to provide any additional information within this application, use the space below. If you need more space than what is provided, you may make copies of this page to complete and file with this application or attach a separate sheet of paper. Include your name and A-Number (if any) at the top of each sheet; indicate the **Page Number**, **Part Number**, and **Item Number** to which your answer refers; and sign and date each sheet.

1.a. Family Name (Last Name)

1.b. Given Name (First Name)

1.c. Middle Name

2. A-Number (if any) ▶ A-

3.a. Page Number 3.b. Part Number 3.c. Item Number

3.d. _____

4.a. Page Number 4.b. Part Number 4.c. Item Number

4.d. _____

5.a. Page Number 5.b. Part Number 5.c. Item Number

5.d. _____

6.a. Page Number 6.b. Part Number 6.c. Item Number

6.d. _____

7.a. Applicant's Signature

7.b. Date of Signature (mm/dd/yyyy)

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