

## Comment #1

“The goal in putting out forms is to make it as easy for the public as possible to fill them out. Both the I-601 and the I-601a go out of their way to make it harder for the public to provide addresses and phone numbers.

Proper postal address formatting requires that the street number, street name and any other number, be it apartment, suite, floor, unit, etc. be on one line. USCIS has gotten into the habit of breaking what should be one field, and one field only, into three fields. This slows the filling of the forms down.

Likewise, phone numbers are one, and only one number, not three. Again, the division of a phone number into three fields unnecessarily slows the filling of the forms.

If USCIS systems require such a break in either of these fields, that should be handled by USCIS’ scanning software, and not by artificially imposing that burden on the user.”

**USCIS Response:** USCIS thanks the commenter for this submission. USCIS forms incorporate field formatting to align with data standards that are intended to ensure the integrity of the data that is captured and facilitate the flow of the data into information collection, storage and reporting systems. The form data standards are based on what past results and research show are the parameters that provide the best results while still servicing the needs of respondents and DHS.

## Comments #2:

### 1. Specify Repercussions of Leaving the United States While the I-601A is Pending:

USCIS Response: USCIS cannot adopt the suggestion because the statement would not be accurate. To be eligible for a provisional unlawful presence waiver, an applicant must be present in the United States at the time of filing the application for provisional unlawful presence waiver and for biometrics collection at a USCIS ASC. See 8 CFR 212.7(e)(3)(i).

### 2. Provide examples of Factors USCIS will consider in Exercising its discretion to Grant or Deny a Provisional Unlawful Presence Waiver:

USCIS agrees with this comment and will add favorable and unfavorable factors to the I-601A instructions.

### 3. Reduce Required Evidence Where Possible:

USCIS Response: USCIS will change the language on the I-601A instructions based on AILA’s suggestion.

### 4. Simply and Explain Language in the I-601 A Instructions:

- First bulleted suggestion to simplify Not Eligible section:

USCIS Response: USCIS will make the suggested change to the instructions.

- [Second bulleted suggestion:](#)

USCIS Response: USCIS will incorporate the suggestion in regards to providing additional DOS information and will add an additional sentence regarding the DOS and visa process.

USCIS will not adopt the language changes regarding remaining in the United States. Readers may interpret such language to mean that an approved Form I-601A provisional unlawful presence waiver allows them to remain in the United States legally until they are departing for their visa interviews.

Finally, USCIS does adopt the suggestion to clarify in the instructions that an approval of a provisional unlawful presence waiver does not allow the applicant to avoid consular processing and does not allow an applicant to seek adjustment of status. The form instructions clearly state already, on page 3 (on the bottom), that an approved provisional unlawful presence waiver does not remove the requirement to depart the United States to seek an immigrant visa, and that it does not make an individual eligible for adjustment of status.

- [Third bulleted suggestion to provide more details regarding “initially acted on”:](#)

USCIS Response: USCIS will not incorporate the suggestion into the Form instructions. The additional information suggested for page 5 is contained on page 9 and appears sufficient.

#### 5. [Include Statement Regarding the Right to Representation at an Interview:](#)

**USCIS Response:** USCIS will not adopt this suggestion. The Form I-601A instructions provide a basic overview of how individuals should complete the Form I-601A and inform applicants of what may occur during the adjudication process. If USCIS requests that the applicant appear for an interview, the Interview Notice will contain instructions and guidance to the applicant regarding appearance at the interview. -