

# **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 07/31/2018

#### **Initial Receipt** Fee Stamp **Action Block** For **USCIS** Use Resubmitted Relocated Only Received Sent To be completed by an **Attorney or Accredited Representative Attorney State Bar Number** Select this box if attorney or Form G-28 is (if applicable) USCIS Online Account Number (if any) attached to represent **BIA-accredited** the applicant. representative (if any). START HERE - Type or print in black ink. Part 1. Information About You Your U.S. Mailing Address 7.a. In Care Of Name Provide the following information about yourself. Alien Registration Number (A-Number) (if any) 1. **7.b.** Street Number and Name 2. U.S. Social Security Number (if any) **7.c.** Apt. Ste. Flr. 7.d. City or Town 3. USCIS Online Account Number (if any) **7.f.** ZIP Code 7.e. State 8. Is your current physical address the same as your mailing Your Full Name address? Yes No Family Name If you answered "No" to Item Number 8., provide your (Last Name) physical address in Item Numbers 9.a. - 9.e. Given Name 4.b. (First Name) Your U.S. Physical Address 4.c. Middle Name 9.a. Street Number and Name **Other Names Used** (if any) **9.b.** Apt. Ste. Family Name (Last Name) 9.c. City or Town Given Name 5.b. (First Name) 9.d. State 9.e. ZIP Code **5.c.** Middle Name Other Information Family Name (Last Name) Gender Male Female **6.b.** Given Name (First Name) Date of Birth (mm/dd/yyyy) **6.c.** Middle Name

City or Town of Birth		
	23.b.	State
Country of Birth	24.a.	From (On or about mm/dd/yyyy)
Country of Citizenship or Nationality	24.b.	To (On or about mm/dd/yyyy)
	25.	Immigration Status (At the time of entry)
Mother's Family Name (Last Name)		
Mother's Given Name (First Name)  Father's Family Name (Last Name)	26.	Are there other previous entries? Yes No  If you answered "Yes" to <b>Item Number 26.</b> , include the place of entry, dates, and your immigration status at the time of entry for any other prior entries in the space provided in <b>Part 9. Additional Information</b> .
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Father's Given Name (First Name)	You	r Immigration or Criminal History
Produ	27.	Are you currently in removal, exclusion, or deportation proceedings in which there is no final order issued by the immigration judge, the Board of Immigration Appeals, a
Last Entry Into the United States		DHS officer, or a Federal court yet? (This includes
Place or Port-of-Entry (Actual or approximate city or town)		proceedings under INA section 239, an exclusion or deportation proceeding initiated before April 1,1997, a Visa Waiver Program removal proceeding under INA section 217, expedited removal under INA 235, and a request for a judicial removal order under INA section 238(c))?  Yes No
mmigration Status (At the time of entry)		If you answered "No" to <b>Item Number 27.</b> , go to <b>Item Number 29.a.</b> If you answered "Yes" to <b>Item Number 27.</b> , select the statement below (either <b>Item Number 28.a.</b> or <b>28.b.</b> ) that most accurately describes your current situation.
Previous Entries Into the United States	28.a.	I am in removal, exclusion, or deportation
ere previously in the United States as follows:		proceedings that are administratively closed and, at the time of filing my Form I-601A, have not been
Place or Port-of-Entry (Actual or approximate city or town)		placed back on EOIR's calendar to continue my removal, exclusion, or deportation proceedings.
From (On or about mm/dd/yyyy)  Fo (On or about mm/dd/yyyy)  mmigration Status (At the time of entry)		NOTE: You may be eligible for a provisional unlawful presence waiver. 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.
	Another's Given Name (First Name)  Father's Family Name (Last Name)  Father's Given Name (First Name)  Father's Family Name (Last Name)  Father's Given Name (First Name)  Father's	Another's Family Name (Last Name)  Another's Given Name (First Name)  Another's Given

Form I-601A 12/15/17 N Page 2 of 9

Par	t 1. Information About You (continued)	31.	departure that has not expired and that was granted to you				
28.b. 29.a.	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.  NOTE: You are ineligible for a provisional unlawful presence waiver unless your proceedings are administratively closed at the time you file your Form I-601A, and the proceedings have not been put back on EOIR's calendar to continue your removal, exclusion, or deportation after having been previously administratively closed.  Are you currently subject to a final order of removal, exclusion or deportation? (This includes an order entered	A	by the immigration judge or the Board of Immigration Appeals during removal, exclusion, or deportation proceedings?  Yes No  NOTE: If you answered "Yes" to Item Number 31., you are ineligible for a provisional unlawful presence waiver.  If you were granted voluntary departure in the past, but then you withdrew your voluntary departure request or otherwise terminated voluntary departure you should not select "Yes" to Item Number 31. In this case you may be in removal proceedings or you may be the subject of a final order of removal, deportation, or exclusion. You should select the statements that apply to you in Item Numbers 27 28.b. or Item Number 29.a. If you filed a motion to withdraw your voluntary departure request,				
	in proceedings under INA section 239, an exclusion or deportation order entered in proceedings initiated before April 1, 1997, a Visa Waiver Program removal order under INA section 217, an expedited removal order under INA section 235, and a judicial order under INA section 238(c))?  Yes No	prov of d 38.,	please submit a copy with your Form I-601A.  Inswer Item Numbers 32 38. If you answer "Yes" to any estion in Item Numbers 32 38., your application for a povisional unlawful presence waiver may be denied as a matter discretion. For each "Yes" response for Item Numbers 32 1., provide the location and date of the event and a brief scription in Part 9. Additional Information. For Item 11. Imber 32., if you were arrested but not charged with any me or offense, provide a statement or other documentation of the arresting authority, prosecutor's office, or court to ow that you were not charged with any crime or offense. If u answer "Yes" to Item Number 35., you must provide all ated court dispositions.				
	<b>NOTE:</b> If you answered "Yes" to <b>Item Number 29.a.</b> , you are ineligible for a provisional unlawful presence waiver unless you applied for, and USCIS has already approved, an application for permission to reapply for admission under INA section 212(a)(9)(A)(iii) and 8 CFR 212.2 on Form I-212, Application for Permission to Reapply for Admission into the United States after	Num crim from show you					
	Deportation or Removal. If you have already applied for and if USCIS has already granted you permission to reapply for admission, provide the relevant information in Item Number 29.b. If you answered "No" to Item Number 29.a., go to Item Number 31.	32.	Have you <b>EVER</b> 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				
29.b.	USCIS Receipt Number for Your Approved Form I-212:	33.	Have you <b>EVER</b> been engaged in alien smuggling?  Yes No				
	<b>NOTE:</b> You may also provide a copy of the approval notice that USCIS sent to you when it approved your Form I-212.	34.	Have you <b>EVER</b> 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				
	Has DHS served you with a DHS Form I-871, giving you notice that DHS intends to reinstate a prior deportation, exclusion, or removal order against you as permitted under INA section 241(a)(5)? Yes No If you answered "Yes" to <b>Item Number 30.a.</b> , has DHS served you with a final decision reinstating a prior	35.	Violations?				
	portation, exclusion, or removal order under INA tion 241(a)(5)?  Yes No	36.	Have you <b>EVER</b> trafficked in or are you <b>NOW</b> trafficking in any controlled substance?  Yes No				

Form I-601A 12/15/17 N Page 3 of 9

Par	t 1. Information About You (continued)	42.	Have you <b>EVER</b> assisted or participated in selling or					
37.	Are you <b>NOW</b> or have you <b>EVER</b> knowingly assisted, abetted, conspired, or colluded with others in the unlawful trafficking of any controlled substance?		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					
38.	Are you <b>NOW</b> or have you <b>EVER</b> been engaged in prostitution?  Yes No	43.	Have you <b>EVER</b> received any type of military, paramilitary, or weapons training? Yes No  Have you <b>EVER</b> recruited, enlisted, conscripted, or used					
quest provi matte <b>Num</b>	wer <b>Item Numbers 39.a 45.</b> If you answer "Yes" to any tion in <b>Item Numbers 39.a 45.</b> , your application for a sisional unlawful presence waiver may be denied as a er of discretion. For each "Yes" response for <b>Item</b> abers <b>39.a 45.</b> , provide a complete explanation in <b>9.</b> Additional Information.	45.	any person under 15 years of age to serve in or help an armed force or group?  Yes No  Have you <b>EVER</b> 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					
	you <b>EVER</b> ordered, incited, called for, committed, assisted, d with, or otherwise participated in any of the following:	Pai	rt 2. Biographic Information					
39.a.	Acts involving torture or genocide?  Yes No	1.	Ethnicity (Select only one box)					
	Killing any person? Yes No Intentionally and severely injuring any person?		Hispanic or Latino Not Hispanic or Latino					
	Yes No	2.	Race (Select all applicable boxes)					
	Engaging in any kind of sexual contact or relations with any person who was being forced or threatened?  Yes No  Limiting or denying any person's ability to exercise religious beliefs?  Yes No		<ul> <li>White</li> <li>Asian</li> <li>Black or African American</li> <li>American Indian or Alaska Native</li> <li>Native Hawaiian or Other Pacific Islander</li> </ul>					
Have	you EVER:							
40.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	<ul><li>3.</li><li>4.</li><li>5.</li></ul>	Height Feet Inches  Weight Pounds Pounds  Eye Color (Select <b>only one</b> box)					
40.b.	Served in any prison, jail, prison camp, detention facility, labor camp, or any other situation that involved detaining persons?  Yes No		□ Black         □ Blue         □ Brown           □ Gray         □ Green         □ Hazel           □ Maroon         □ Pink         □ Unknown/Other					
41.	Have you <b>EVER</b> 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	6.	Hair Color (Select <b>only one</b> box)  Bald (No hair) Black Blond Gray Red Sandy White Unknown/Other					

Form I-601A 12/15/17 N Page 4 of 9

Part 3. Information About Your Immigrant Visa Case	Part 4. Information About Your Qualifying Relative
Provide the basis on which you are immigrating to the United States using the check boxes below. (Select <b>only one</b> box)  1.a. Diversity Visa Program Selectee or Derivative  1.b. Immediate Relative Petition (Form I-130)  1.c. Preference-Based Family Petition (Form I-130), including Derivatives  1.d. Employment-Based Petition (Form I-140), including Derivatives	Provide the following information about the qualifying relative (the U.S. citizen or Lawful Permanent Resident (LPR) spouse of parent) who would experience extreme hardship if you were refused admission to the United States.  Your Qualifying Relative's Full Name and Relationship to You  1.a. Family Name (Last Name)  1.b. Given Name
<ul> <li>1.e.</li></ul>	1.c. Middle Name  2.a. U.S. Citizen Spouse
2.a. DOS DV Case Number (KCC Case Number)  DV Program Selectee's Full Name (If you are a derivative and your parent or spouse is the DV Program Selectee)	2.b. U.S. Citizen Parent  2.c. LPR Spouse  2.d. LPR Parent
2.b. Family Name (Last Name)  2.c. Given Name (First Name)  2.d. Middle Name  If you selected Item Numbers 1.b., 1.c., 1.d., or 1.e. provide the following information about the approved immigrant visa petition (Form I-130, Form I-140, or Form I-360) that was filed on your (or your spouse's or parent's) behalf, or that you used to self-petition on your behalf, that is your basis to immigrate and the related Department of State (DOS) immigrant visa	3. Do you have more than one qualifying relative (U.S. citizer or LPR spouse or parent)?  Yes No  If you answered "Yes" to Item Number 3., provide the other qualifying relative's name and your relationship to the qualifying relative in Item Numbers 4.a 5.d.  Also provide evidence of the U.S. citizenship or LPR status of the other qualifying relative with your application. See the What Evidence Must I Submit With Form I-601A section of the Instructions.  Additional Qualifying Relative's Full Name and
application.  3.a. USCIS Receipt Number	Relationship to You
3.b. DOS Consular Case Number (NVC Case Number)	4.a. Family Name (Last Name)  4.b. Given Name (First Name)  4.c. Middle Name
Petitioner Name (Provide the full name of the family member or the company who petitioned for you (or your spouse or parent).)  3.c. Family Name (Last Name)  3.d. Given Name (First Name)  3.e. Middle Name  3.f. Company or Organization Name	5.a. U.S. Citizen Spouse 5.b. U.S. Citizen Parent 5.c. LPR Spouse 5.d. LPR Parent

Form I-601A 12/15/17 N Page 5 of 9

#### 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. Provide 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 the space provided in **Part 9**. **Additional Information**.

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Part 6. Applicant's Statement, Contact Information, Declaration, Certification, and Signature

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

#### Applicant's Statement

<b>NOTE:</b>	Select the box for either <b>Item Number 1.a.</b> or <b>1.b.</b>	If
applicab	le, select the box for <b>Item Number 2.</b>	

- **1.a.** I can read and understand English, and I have read and understand every question and instruction on this application and my answer to every question.
- **1.b.** The interpreter named in **Part 7.** read to me every question and instruction on this application and my answer to every question in

a language in which I am fluent, and I understood everything.

2. At my request, the preparer named in Part 8.,

prepared this application for me based only upon information I provided or authorized.

## 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)

### Applicant's **Declaration and** 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.

Form I-601A 12/15/17 N Page 6 of 9

# Part 6. Applicant's Statement, Contact Information, Declaration, Certification, and **Signature** (continued) I understand that USCIS will require me to appear for an appointment to take my biometrics (fingerprints, photograph, and/or signature) and, at that time, I will be required to sign an oath reaffirming that: 1) I reviewed and understood all of the information contained in, and submitted with, my application; and 2) All of this information was complete, true, and correct at the time of filing. I certify, under penalty of perjury, that all of the information in my application and any document submitted with it were provided or authorized by me, that I reviewed and understand all of the information contained in, and submitted with, my application and that all of this information is complete, true, and correct. Applicant's Signature Applicant's Signature **6.b.** Date of Signature (mm/dd/yyyy) NOTE TO ALL APPLICANTS: If you do not completely fill out this application or fail to submit required documents listed in the Instructions, USCIS may deny your application. Part 7. Interpreter's Contact Information, Certification, and Signature Provide the following information about the interpreter.

Interpreter's Full Name

2.

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

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

Interpreter's Business or Organization Name (if any)

5.	Interpreter's Mobile Telephone Number (if any)
6.	Interpreter's Email Address (if any)
<i>                                     </i>	
Inte	erpreter's Certification
I cer	tify, under penalty of perjury, that:
I am	fluent in English and ,
whic	h is the same language specified in Part 6., Item Number
1.b.,	and I have read to this applicant in the identified language
	y question and instruction on this application and his or her
	ver to every question. The applicant informed me that he or
	inderstands every instruction, question, and answer on the ication, including the <b>Applicant's Declaration and</b>
	<b>ification</b> , and has verified the accuracy of every answer.
Inte	erpreter's Signature
7.a.	Interpreter's Signature (sign in ink)
7.b.	Date of Signature (mm/dd/yyyy)
7.0.	Date of Signature (IIIII)

**Interpreter's Mailing Address** 

Interpreter's Contact Information

Interpreter's Daytime Telephone Number

**3.e.** ZIP Code

**3.a.** Street Number

**3.c.** City or Town

State

**3.f.** Province

**3.h.** Country

3.g. Postal Code

3.d.

and Name

Apt. Ste.

Form I-601A 12/15/17 N Page 7 of 9

Part 8. Contact Information, Declaration, and Signature of the Person Preparing this **Application, if Other Than the Applicant** Provide the following information about the preparer. Preparer's Full Name 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 Flr. Apt. Ste. City or Town 3.e. ZIP Code 3.d. State **Province** Postal Code 3.h. Country Preparer's Contact Information Preparer's Daytime Telephone Number 4.

Preparer's Mobile Telephone Number (if any)

Preparer's Email Address (if any)

**5.** 

6.

Prep	parer'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.
1	NOTE: If you are an attorney or accredited representative, you may need to submit a completed Form G-28, Notice of Entry of Appearance as Attorney or Accredited Representative, with this application.
Prep	parer's Certification
prepa applio me th in, an <b>Appl</b> i inforr applio	y signature, I certify, under penalty of perjury, that I red this application at the request of the applicant. The cant then reviewed this completed application and informed at he or she understands all of the information contained d submitted with, his or her application, including the leant's Declaration and Certification, and that all of this mation is complete, true, and correct. I completed this cation based only on information that the applicant ded to me or authorized me to obtain or use.
Prep	parer's Signature
8.a.	Preparer's Signature (sign in ink)
8.b.	Date of Signature (mm/dd/yyyy)

Form I-601A 12/15/17 N Page 8 of 9

Par	t 9. Additio	nal In	nformation			5.a.	Page Number	5.b.	Part Number	5.c.	Item Number
within space to consheet at the <b>Num</b>	n need extra spanthis application than what is pumplete and file of paper. Typotop of each should ber, and Item and date each should be a spanthis and date each should be a spanthis and date each should be a spanthis and be a sp	on, use rovided with the or princet; ind	the space below I, you may make it application on the your name a icate the <b>Page</b>	w. If your content of the copie	ou need more is of this page in a separate umber (if any) er, Part	5.d.	E				
	Family Name (Last Name)										
1.b.	Given Name (First Name)					- 4	POT				
1.c.	Middle Name										
2.	A-Number (if	any) 🕨	• A-								
3.a.	Page Number	3.b.	Part Number	3.c.	Item Number	6.a.	Page Number	6.b.	Part Number	6.c.	Item Number
3.d.					Jul	6.d.					
			01		30		20	1	8		
4.a. 4.d.	Page Number	4.b.	Part Number	4.c.	Item Number	7.a. 7.d.	Page Number	7.b.	Part Number	7.c.	Item Number

Form I-601A 12/15/17 N Page 9 of 9