



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		
		Received	Sent	

To Be Completed by an *Attorney or BIA-Accredited Representative*, if any.

☐ Check box if G-28 is attached to represent the applicant.

Attorney State License Number: _____

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

Part 1. Information About Applicant

Provide the following information about yourself.

1. Alien Registration Number (A-Number) *(if applicable)*

► A-

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2. U.S. Social Security Number *(optional)*

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Your Full Name

3.a. Family Name *(Last Name)*

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3.b. Given Name *(First Name)*

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3.c. Middle Name

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Other Names Used *(if any)*

4.a. Family Name *(Last Name)*

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4.b. Given Name *(First Name)*

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4.c. Middle Name

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5.a. Family Name *(Last Name)*

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5.b. Given Name *(First Name)*

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5.c. Middle Name

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Home Address *(where you physically reside)*

6.a. Street Number and Name

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6.b. Apt. ☐ Ste. ☐ Flr. ☐

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6.c. City or Town

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6.d. State

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 6.e. Zip Code

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Mailing Address *(if different from Home Address)*

7.a. In Care Of Name

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7.b. Street Number and Name

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7.c. Apt. ☐ Ste. ☐ Flr. ☐

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7.d. City or Town

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7.e. State

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 7.f. Zip Code

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Contact Information

9. E-mail Address (*if any*)

11. City or Town of Birth

12. Province of Birth (if applicable)

13. Country of Birth

14. Country of Citizenship

15. Date of Entry (mm/dd/yyyy) ▶

16.a. Place or Port of Entry (*City or Town*)

16.b. State

17. Immigration Status (*at the time of entry*)

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

18.b. State

19.a. Date From (mm/dd/yyyy) ►

19.b. Date To (mm/dd/yyyy) ►

20. Immigration Status (*at the time of entry*)

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21.b. State	
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22.a. Date From (mm/dd/yyyy) ►

22.b. Date To (mm/dd/yyyy) ►

23. Immigration Status (*at the time of entry*)

If "Yes," include the place of entry, dates, and immigration status for previous entries in **Part 5, Additional Information**, of this form.

25. Are you currently in removal proceedings (this includes being subject to a final removal order or to a DHS order reinstating a prior removal order)? ☐ Yes ☐ No

Note: If your case has been administratively closed, you are still “in removal proceedings” until the Department of Justice, 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 to continue your removal proceedings.

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

Note: Provide a copy of the administrative closure notice. You should seek termination or dismissal of your removal proceedings **before** you depart the United States if your application for a provisional unlawful presence waiver is approved.

☐ I am now subject to a final order of removal, deportation, or exclusion, or to the reinstatement of a prior removal order.

☐ I am subject to a DHS order reinstating a prior removal order.

☐ I am currently in removal proceedings that are not administratively closed, or I am currently in removal proceedings that were administratively closed, but my proceedings have been placed back on EOIR's calendar to continue my removal proceedings.

27. 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
28. 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
29. 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
30. 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

Have you ever engaged in, ordered, incited, assisted or otherwise participated in any of the following:

- 31.a. Acts involving torture, genocide, or human trafficking? ☐ Yes ☐ No
- 31.b. Killing any person? ☐ Yes ☐ No
- 31.c. Severely injuring any person? ☐ Yes ☐ No
- 31.d. Any kind of sexual contact or relations with any person who was being forced or threatened? ☐ Yes ☐ No

Note: If you answered "Yes" to any item in **Item Numbers 27.-31.d.**, you may be ineligible for a provisional unlawful presence waiver, and your application may be denied. For each "Yes" response, provide the location and date of the event, and a brief description in **Part 5., Additional Information**, of this form. For **Item Number 29.**, 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 answered "Yes" to **Item Number 30.**, you must provide all related court dispositions.

Part 2. Information About Immediate Relative Petition and Immigrant Visa Processing

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

Approved Visa 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
3. Petitioner's Relationship to Applicant (Select only one)
- ☐ U.S. Citizen Spouse
- ☐ U.S. Citizen Parent
- ☐ U.S. Citizen Son or Daughter
- ☐ Self (I-360 petitioner only)

Immigrant Visa Processing

4. Consular Case Number (NVC Case Number)
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5. Did the Department of State initially act **before January 3, 2013**, to schedule you to appear at a U.S. Embassy or consulate for an immigrant visa interview based on the approved immediate relative petition listed in **Part 2., Item Number 1.**? ☐ Yes ☐ No

Note: USCIS may reject or deny your application if you answer "Yes," do not answer the question, or answer "No" but DOS records indicate that DOS initially acted prior to January 3, 2013, to schedule you for an immigrant visa interview.

Part 3. Information About Qualifying Relative

Provide the following information about the U.S. citizen spouse or parent (qualifying relative) who would experience extreme hardship if you were refused admission to the United States:

Qualifying Relative's Full Name

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

Part 3. Information About Qualifying Relative (continued)

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

If you answered “Yes” provide the name, relationship and evidence of the U.S. citizenship of the other qualifying relative in **Part 5., Additional Information**, of this form.

Part 4. Statement From Applicant

In the space provided, explain in detail why you believe your application for a provisional unlawful presence waiver should be approved as a matter of discretion. List all of the reasons you believe support your application for a provisional unlawful presence waiver, including information about the extreme hardship your qualifying relatives would experience if you were refused admission to the United States.

[illegible]

Part 5. Additional Information

If you need more space to provide any additional information within this application, please use the space below. If you require more space than what is provided in this section, you may use a separate sheet(s) of paper. You must include your full name on each sheet of paper along with the **Page Number**, **Part Number**, and **Item Number** related to your explanation.

Part 6. Signature of Applicant *(Read the Penalties section of the instructions before you sign this application.)*

I certify, under penalty of perjury under the laws of the United States, that this application and the evidence submitted with it are all true and correct to the best of my knowledge and abilities. I authorize the release of any information from my records that U.S. Citizenship and Immigration Services (USCIS) needs to determine my eligibility for this provisional unlawful presence waiver.

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

1.a. Signature of Applicant

1.b. Date of Signature (mm/dd/yyyy) ►

Part 7. Signature and Contact Information of Person Preparing This Application *(if other than the applicant)*

NOTE: If you are an attorney or BIA-accredited representative, you must submit a completed Form G-28, Notice of Entry of Appearance as Attorney or Accredited Representative, along with this form.

- 1.** Attorney or Representative: In the event of a Request for Evidence (RFE), may USCIS contact you by e-mail?

☐ Yes ☐ No

Preparer's Full Name

Provide the following information concerning the preparer:

2.a. Preparer's Family Name *(Last Name)*

2.b. Preparer's Given Name *(First Name)*

3. Preparer's Business or Organization Name

Part 7. Signature and Contact Information of Person Preparing This Application *(continued)*

Preparer's Mailing Address

- 4.a. Street Number and Name
- 4.b. Apt. ☐ Ste. ☐ Flr. ☐
- 4.c. City or Town
- 4.d. State 4.e. Zip Code
- 4.f. Postal Code
- 4.g. Province
- 4.h. Country

Preparer's Contact Information

5. Preparer's Daytime Phone Number Extension
() -
6. Preparer's E-mail Address *(if any)*

Declaration of Preparer

I declare that this document was prepared by me at the request of the applicant, and it is based on all information of which I have knowledge and/or was provided to me by the above named person in response to the exact questions contained on this form. I have not knowingly withheld any information or provided responses for the applicant.

- 7.a. Signature of Preparer
- 7.b. Date of Signature *(mm/dd/yyyy)* ►

Part 8. Signature of Interpreter

1. Language Used

I certify that I am fluent in English and the language above. I further certify that I have read each and every question and instruction on this form, as well as the answer to each question, to this applicant in the above-mentioned language, and that the applicant has informed me that he or she has understood each and every instruction and question of the form, as well as the answer to each question on the form.

- 2.a. Signature of Interpreter

- 2.b. Date of Signature *(mm/dd/yyyy)* ►

Interpreter's Information

- 3.a. Interpreter's Family Name *(Last Name)*

- 3.b. Interpreter's Given Name *(First Name)*