

Provisional Waiver Process

The Provisional Waiver Process allows certain immigrant visa applicants who are relatives of U.S. citizens or lawful permanent residents to request a provisional unlawful presence waiver before they depart the United States for their immigrant visa interview abroad.

Eligibility Requirements

- Must be physically present in the United States.
- Be at least 17 years old at the time of filing.
- Have an approved immigrant visa petition (Form I-130 or I-140).
- Establish that refusal of your admission would cause extreme hardship to your U.S. citizen or permanent resident spouse or parent.

Steps in the Provisional Waiver Process

1. **File Form I-130:** Submit the immigrant petition (if not already approved).
2. **Wait for NVC Notice:** National Visa Center (NVC) confirms receipt and case creation.
3. **File Form I-601A:** Submit the provisional waiver application to USCIS.
4. **USCIS Decision:** Wait for approval or denial of the waiver request.
5. **Consular Interview:** If approved, depart the U.S. to attend the immigrant visa interview at the consulate or embassy abroad.
6. **Re-entry:** If the visa is granted, return legally to the United States.

Required Documents

- Form I-601A, Application for Provisional Unlawful Presence Waiver
- Proof of approved immigrant visa petition
- Evidence of qualifying relationship
- Proof of extreme hardship
- Supporting identity documents

Applicant Information

Full Name:

Date of Birth:

Email Address:

Phone Number:

Relationship to Qualifying Relative:

Additional Comments:

Submit