



**U.S. Citizenship  
and Immigration  
Services**

# **Public Comment Period Ends for Proposed Rule to Create a Provisional Unlawful Presence Waiver Process**

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*USCIS to Review Comments and Reminds Public that Rule is Not Yet in Effect*

WASHINGTON—Today the formal public comment period closes for U.S. Citizenship and Immigration Services' (USCIS) [Provisional Unlawful Presence Waivers of Inadmissibility for Certain Immediate Relatives](#) rule. The proposed rule, published in the Federal Register on April 2, 2012, proposes a new filing process for certain immediate relatives of U.S. Citizens (i.e. spouses, children, and parents) who seek a waiver of inadmissibility for unlawful presence in the United States.

The provisional waiver process would allow applicants to remain in the United States with their U.S. citizen spouse, child or parent while USCIS processes their waiver requests. It would reduce the time U.S. citizens are separated from their immediate relatives who must obtain an immigrant visa abroad to become lawful permanent residents of the United States.

USCIS is currently considering the comments received as part of the federal rule making process and plans to publish a final rule in the coming months.

USCIS reminds the public that these proposed procedures are [not in effect](#) and will not be available to potential applicants until USCIS publishes a final rule in the Federal Register specifying an effective date.

A detailed Web page addressing the proposed rule is available at [www.uscis.gov/provisionalwaiver](http://www.uscis.gov/provisionalwaiver). This change is separate and distinct from the centralized filing and adjudication process for waivers of inadmissibility [announced](#) on May 23, 2012.

For more information on USCIS and its programs, please visit [www.uscis.gov](http://www.uscis.gov) or follow us on Twitter ([@uscis](#)), YouTube ([/uscis](#)) and the USCIS blog [The Beacon](#).