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Form I-192, Application for Advance Permission to Enter as a Non-Immigrant and Inadmissible Canadian Information

(12/07/2009)

There are many reasons why a person may be ineligible to enter the United States. The legal descriptions are lengthy and complex, so to help you understand them, we are providing a general description of the most common ones. This list should not be taken as a complete list of reasons to be excluded from entry. (Legal Descriptions) In general, you might be denied entry:

- · If you have a communicable disease,
- If you have a criminal record for crimes of moral turpitude,
- For possession of or trafficking in a controlled substance,
- If you have any involvement with terrorism or terrorist organizations (no waivers can be approved for this category),
- · If you have trafficked in persons,
- If you have been involved in money laundering,
- If you might become a public charge because of limited financial resources,
- If you have been previously removed (deported) or have overstayed a previous period of admission to the United States

Again, this list is not comprehensive and you should use the legal descriptions link to read the complete list. (Legal Descriptions)

The list of crimes of moral turpitude that are reasons for exclusion from the United States is also quite detailed. (List of Crimes of Moral Turpitude) The most common types of crimes involving moral turpitude that would make you inadmissible are murder, manslaughter, rape, theft, bribery, forgery, aggravated battery, prostitution, and fraud. At this time, driving under the influence, breaking and entering, disorderly conduct and simple assault are not considered crimes that make a person inadmissible to the United States.

see also:

in For International Visitors:

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Automatic Revalidation: Valid I-94, Expired Non-Immigrant Visa (pdf - 23 KB.)

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on cbp.gov:

Ports

Preclearance Locations

www.cbp.gov

Form I-192

on the web:

Legal Descriptions

List of Crimes of Moral Turpitude

Form G-28

Form G-325A

RCMP

Depending on the reason for your inadmissibility into the United States, and if you are a class of nonimmigrant where a visa is not required, e.g., most citizens of Canada, or you are a nonimmigrant with appropriate documents who subsequently becomes inadmissible, you may be eligible to apply in advance of your travel directly to U.S. Customs and Border Protection (CBP) for a temporary waiver of inadmissibility. The waiver application process can be lengthy (up to a year) and there is a cost of US \$545.00 per application regardless of the decision on the application.

The temporary waiver application, Form I-192, Application for Advance Permission to Enter as Nonimmigrant [Pursuant to Section 212(d)(3)(A) of the Immigration and Nationality Act (INA)], is on the U.S. Citizenship and Immigration Services' web site, as well as instructions for filling it out. The Form I-192 can be downloaded at the U.S. Citizenship and Immigration Services Immigration Forms website (Form I-192). (Form I-192) This form should be filed with CBP if you are an inadmissible visa exempt nonimmigrant or a nonimmigrant with appropriate documents who subsequently becomes inadmissible under Section 212(a) of the INA. (Please refer to Section 212 (d)(3)(A)(ii) of the INA and Title 8 Code of Federal Regulation 212.4(b) for pertinent statute and regulation). Please note that only forms with the expiration date 11/30/2009 in the upper right hand corner are acceptable. After February 20, 2009, older versions of the form cannot be used.

If you are an applicant for T nonimmigrant status or an applicant for U nonimmigrant status and you are inadmissible, you should file your Form I-192 with U.S. Citizenship and Immigration Services.

Landed Immigrants and certain Canadians who require a visa (e.g. for E, K, or V status applicants) to enter the United States, but are ineligible for one of the reasons previously mentioned should contact a local United States Consulate to discuss their situation. Likewise, citizens of other countries may discuss waivers of ineligibility with a consular officer if they are likely to be denied entry for one of the previously mentioned reasons. Consular officers may recommend a waiver for certain ineligible visa applicants.

The Form I-192 application package must include the following:

- 1. Evidence of your Citizenship.
- 2. Completed form I-192 signed and submitted by you (no copies). If you retained an attorney to file this application, counsel must complete form G-28. (Form G-28)
- U.S. Fingerprint chart FD-258. This fingerprint chart will be completed by a U.S. CBP
 Officer at a designated location when you come in person to submit the application, or if
 you have mailed the application, instructions for obtaining it will be given to you after the
 rest of the application has been received.
- A Form G-325A, completed and signed by you. Please ensure that all copies of this form are legible. (Form G-325A)
- Each application, regardless of the ground of inadmissibility, must be accompanied by a copy of an official police record or evidence that no record exists, from your country of residence or nationality. This record is valid for 15 months.

Canadians: You can obtain verification of your criminal record or evidence of a lack thereof from the Royal Canadian Mounted Police (RCMP) by submitting your fingerprints on Form C216C. The returned Civil Product and any accompanying records must be dated and endorsed by the RCMP within 15 months of submission with your Form I-192. For instructions, addresses and payment information, please visit the RCMP website. (RCMP) Do not submit the Form I-192 application until you have obtained the documents from the RCMP. Incomplete packages will not be processed.

- 6. If you have a criminal record in any other country's court system, you must also obtain a copy of the applicable record or an official letter from the court of jurisdiction stating the reason why a copy of the record is not available.
- A statement regarding the purpose of your intended activities in the United States, e.g. vacation, business, etc.
- A copy of the official court record from the actual court of conviction indicating plea indictment, conviction and disposition for each and every crime committed anywhere in the world.
- 9. If you are inadmissible to the United States because of a criminal conviction, you should submit a statement in your own words, signed by you, explaining the circumstances of each arrest, conviction, and sentence or fine imposed. Additionally you should submit any evidence or explanation of your reform or rehabilitation such as counseling or rehabilitation programs completed, current employment, marital status, community service etc. or any other information you wish to be considered and you believe strengthens your request.
- 10. If you have been found inadmissible under section 212(a)(9)(B) of the Immigration and Nationality Act (unlawfully present in the United States) please submit detailed information regarding:
 - Current foreign employment.
 - o Previous U.S. employment.
 - o Family members presently living in the United States.
 - Past and current United States and/or foreign business investments.
 - o Any and all ties you have to your present foreign country/residence.

Payment must be with a certified check in U.S. funds drawn on a U.S. bank for the \$545.00 application fee.

Not all ports of entry are able to process applications for temporary waivers in advance of travel. (Ports)

Filing at a Land Border Port of Entry:

For Ports of Entry - you may file in person at a designated land border port of entry. When you bring in your application, you will be given a receipt for your application fee and the U.S. set of fingerprints will be taken. The following is a list of designated ports that accept the Form I-192 in advance of travel.

Boston Field Office Port Address

Portland Port of Entry 312 Fore Street Portland, ME 04101 Phone: (207) 771-3600 Fax: (207) 771-3608

Houlton Port of Entry 27 Customs Loop Houlton, ME 04730 Phone: (207) 532-2131 x 0 Fax: (207) 532-4153

Fort Fairfield Port of Entry 4 Boundry 4 Line Road Fort Fairfield, ME 04742 Phone: (207) 473-7474

Ft. Kent Port of Entry 401 West Main Street Fort Kent, ME 04743 Phone: (207) 834-5255

Van Buren Port of Entry 137 Bridge Street, P.O. Box 146 Van Buren, ME 04785 Phone: (207) 868-3391

Madawaska Port of Entry 63 Bridge Avenue, Suite 101 Madawaska, ME 04756 Phone: **(207) 728-4376 x 0**

Calais Port of Entry 3 Customs Street Calais, ME 04619 Phone: (207) 454-3621

Jackman Port of Entry 2614 Main Street Sandy Bay Twp, ME 04945 Phone: (207) 668-3711

Highgate Springs Port of Entry 480 Welcome Center Road Swanton, VT 05488 Phone: **(802) 868-2778**

Richford Port of Entry 705 Province Street Richford, VT 05476 Phone: (802) 848-7766

Derby Line Port of Entry 107 Interstate 91 South Derby Line, VT 05830 Phone: **(802)** 873-3219

Norton Port of Entry 115 Rte. 147 N. Norton, VT 05907 Phone: **(802) 822-5222**

Buffalo Field Office Port Address

Buffalo - Peace Bridge Port of Entry Monday - Thursday 3:00 PM - 8:00 PM

Lewiston / Queenston Bridge Port of Entry Monday - Thursday 1:00 PM - 9:00 PM

Thousand Islands Bridge Port of Entry (Alexandria Bay) Monday - Thursday 9:00 AM - 3:00 PM For an appointment call **(315) 482-2065**

Ogdensburg - Port of Entry Monday - Thursday 9:00 AM - 3:00 PM For an appointment call **(315) 393-1390**

Massena - Port of Entry Monday - Thursday 9:00 AM - 3:00 PM For an appointment call **(315) 769-3091**

Champlain - Port of Entry Monday - Thursday For an appointment call **(518) 298-8346**

Seattle Field Office Port Address

Pacific Highway Port of Entry 9950 Pacific Highway Blaine, WA 98230 Monday and Wednesday 9 AM-3:00 PM

Sumas Port of Entry 109 Cherry Street Sumas, WA 98295 Tuesday and Friday 9:00 AM - 3 PM

Lynden Port of Entry 9949 Guide Meridian Road Lynden, WA 98264 Thursday Only 9 AM - 3 PM

Oroville Port of Entry 33643 Hwy 97 North Oroville, WA 98844 Monday-Friday 9 AM - 3 PM

Eastport Port of Entry Highway 95 North Eastport, ID 83826 Monday-Fri 9 AM - 3 PM

Roosville Port of Entry 8395 Highway 93 North Eureka, MT 59917 Monday-Friday 9 AM - 3 PM

Sweetgrass Port of Entry Interstate 15 North Sweetgrass, MT 59484 Monday-Friday 9 AM - 3 PM

Raymond Port of Entry

Highway 16 North Raymond, MT 59256 Monday-Friday 9 AM - 3 PM

Portal Port of Entry 301 W. Railway Ave Portal, ND 58772 Monday-Friday 9 AM - 3PM

Pembina Port of Entry 112 W. Stutsman Pembina, ND 58271 Monday-Friday 9 AM - 3PM

Dunseith Port of Entry State Highway Dunseith, ND 58239 Monday-Friday 9 AM - 3 PM

International Falls Port of Entry 2nd Avenue International Falls, MN 55649 Monday-Friday 9 AM - 3 PM

Grand Portage Port of Entry 9403 Highway 61 Grand Portage, MN Monday-Friday 9 AM - 3 PM

Del Bonita Port of Entry 4071 Chalk Butte 41 miles north of Cut Bank on Hwy. 213 Cut Bank, MT 59427-9109 (406) 336-2130 Monday-Friday 9 AM - 3 PM

Morgan Port of Entry 53869 US Highway 191 N. Loring, MT 59537-9600 (406) 674-5248 Monday-Friday 9 AM - 3 PM

Opheim Port of Entry 6071 State Highway 24 North Opheim, MT 59250-0376 (406) 724-3212 Monday-Friday 9 AM - 3 PM

Piegan Port of Entry 10 miles North of Babb on Highway 89 Babb, MT 59411-0109 (406) 732-5572 Monday-Friday 9 AM -3 PM

Scobey Port of Entry HWY 13 North at Canadian Border Scobey, MT 59263-2300 (406) 783-5375

Monday-Friday 9 AM -3 PM

Turner Port of Entry 12 miles North of Turner on Highway 24 Turner, MT 59542-0089 (406) 379-2651 Monday-Friday 9 AM -3 PM

Whitetail Port of Entry Highway 511 North at Canadian Border Whitetail, MT 59276-0038 (406) 779-3531 Monday-Friday 9 AM -3 PM

Wild Horse Port of Entry 29966 Wild Horse Road, Highway 232 Havre, MT 59501-8058 (406) 394-2371 Monday-Friday 9 AM -3 PM

Willow Creek Port of Entry 29942 St Joe Road Havre, MT 59501-8072 (406) 398-5512 Monday-Friday 9 AM -3 PM

Porthill Port of Entry Highway 1 at Canadian Border Porthill, ID 83853-0040 (208) 267-5309 Monday-Friday 9 AM -3 PM

Baudette Port of Entry PO Box 617, HWY 72 North Baudette, MN 56623 Monday-Friday 9 AM - 3 PM

Warroad Port of Entry 41781 State Highway 313 Warroad, MN Monday-Friday 9 AM - 3 PM

Peace Arch Port of Entry 100 Peace Portal Drive Blaine, WA 98230 Monday-Friday 9 AM - 3 PM

Danville Port of Entry 19130 Highway 21 N. Danville, WA 99121 Monday-Friday 9 AM - 10 PM

Laurier Port of Entry 27017 Highway 395 N. Laurier, WA 99146 Monday-Friday 9 AM - 10 PM

Frontier Port of Entry 4939 Highway 25 N. Northport, WA 99157 Monday-Friday 9 AM - 3 PM

Metaline Falls Port of Entry 26781 SR 31 Metaline Falls, WA 99153 Monday-Friday 9 AM - 10 PM

Detroit Field Office Port Address

For Ports of Entry from St. Ste Marie, Michigan east to Detroit, Michigan, you may send the application, the additional required documents and check to:

Sault Ste Marie Port of Entry C/O I-192 Application Process 900 International Bridge Plaza Sault Ste Marie, Michigan 49873-1492 (906) 632 2631

You will be sent fingerprinting instructions once they receive your paperwork.

Filing at a Preclearance Office:

You may also file your application with a CBP Preclearance office in Canada. You must appear in person and the U.S. set of fingerprints will be taken at that time. There is no additional biometrics fee for fingerprinting. (Preclearance Locations)

It is highly recommended that you contact the Preclearance office where you plan to submit your application. You will be able to verify hours of operation and ask any questions that you may have. Contact numbers and address can be found at CBP.gov website. (www.cbp.gov)

For Review:

Legal language states that the Form I-192 and accompanying documents are filed in advance of travel and is limited to the class of aliens where a nonimmigrant visa is not required or an inadmissible nonimmigrant with appropriate documents who subsequently becomes inadmissible under Section 212(a) of the INA. Most citizens of Canada may use this form and submit their application at a major Port of Entry at the U.S. Border or a CBP Preclearance office in Canada. The application and required documents should be filed well in advance of travel.

Checking the status of your waiver request:

Please allow at least 90 days from the date of submission of your Form I-192 before making an inquiry about the status of your application. A full review of your circumstances can take up to a year, and requests for status updates may add to that timeline. However, if for some reason you are concerned about the status of your request, and you filed at a CBP Preclearance location or at a land border port of entry after August 26, 2007 you may ask for an update by emailing inquiry.waiver.aro@dhs.qov. In the email, be sure to provide your full name, DOB and your A number. If you filed at a land border port of entry prior to August 26, 2007, please contact them directly. Phone numbers are on our web site. (Ports)

Any applications that were filed at locations within the jurisdiction of the following field offices after the time frames listed below, are now being processed by the Admissibility Review Office.

Boston Field Office ports of entry: May 2007 Buffalo Field Office ports of entry: June 2007 Detroit Field Office ports of entry: Mid-July 2007 Seattle Field Office ports of entry: September 2007

Queries regarding the status of these applications may be made by submitting an electronic request, at least 90 days after submission of the application, to the following email addresses:

Inquiries about the status of a pending waiver request: inquiry.waiver.aro@dhs.gov

Attorney inquiries: attorneyinquiry.waiver.aro@dhs.gov

If you have submitted an application and you have had a change of address please remember to

notify ARO by e-Mail inquiry.waiver.aro@dhs.gov or mail: US Customs and Border Protection Admissibility Review Office 7th Floor Mail Stop 1340 12825 Worldgate Dr Herndon, VA 20598-1340

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Inquiries (877) CBP-5511 | International Callers (703) 526-4200 | TTD (866) 880-6582