

Matter NO: _____
 in tm NVC CASE # _____
 in tm INVOICE ID # _____

INTERNAL GUIDE
 130 to 601a and NVC Process
 Application for Provisional Unlawful Presence Waiver

General Overview

- Complete a Background Check
- File the 130-family petition
- Wait for the 130 approval
- Pay the NVC invoices, initiate the NVC process
- File the I601a waiver
- 601a USCIS Biometrics
- Wait for the 601a approval
- Continue with the NVC process
- Attend an interview abroad at the embassy

Contacting the NVC: <http://travel.state.gov/content/visas/english/immigrate/nvc/nvc-contact-information.html>

FPRT	_____	Complete a Background Check
130	_____	File the 130 family petition and wait for the approval.
	_____	Receive approval of I-130 Received - We need I-797 Receipt Notice of I-130 (not the officer approval) (if we only have the officer approval, we may need to send a letter to USCIS. See template in TM)
	_____	Confirm that the approval was forwarded to the Department of state/national visa center. If not, send an email to NVC requesting invoices and a case #. As a last resort, the client may have to file form I-824 and pay the associated fees.
INVOICES	_____	Receive NVC Invoices and call client. Have them gather the following info. for paying invoices: NVC CASE # _____ INVOICE ID # (on NVC invoice) _____ NAME of person, _____ CHECKING ACCOUNT number, _____ Bank ROUTING number. _____
	_____	If no invoices after 60 days, we must notify the NVC that we are requesting invoices, attached with a signed G-28, and a copy of the approval notice of I-130. (There is a template in TM). IF the client has a previous attorney who filed the I130 he/she may have the invoices or at least the case number/invoice ID's.
Pay the invoices	_____	- Once NVC invoices received (usually \$120 and \$325), you will need to pay online w/ C. Website to pay: https://ceac.state.gov/CTRAC/Invoice/signon.aspx You cannot pay invoices with a debit card. You can use the trust account if the client wants to pay cash but only if the client doesn't have a bank account. (Trust Account details are on Handout-416)



Print the invoices	_____	2-3 days later, print out "PAID" version of payment receipts. "in process" is not valid for I-601a purposes.
	_____	NVC should be Notified of the intent to file a I-601A Waiver. (NVCI601A@state.gov) there is a template available in TM
C at EOIR	_____	If C is in proceedings; email the attorneys to let them know that the case should be admin closed. Enter "to-do" for attorneys. This question is also asked on the 601a.
601a Billing	_____	if there are any concerns, start with a background check first
	_____	Retain/sign a contract for 601 if you only started with the 130 agreement. (the fee agreement must be specific to the service being provided) the fee agreements are specially designed to cover and discuss all risks and advisals for C to make an informed decision about whether or not they would like to invest the time, money and more importantly leave the US.
601a Administrative	_____	Open the file and enter the "to-do's and deadlines . Keep in mind that you may need to immediately enter SJC as the attorney of record. Or you may be up against a deadline where the NVC invoices will expire soon. Don't put our client or CLO in that unnecessary situation.
601a Background Check & Lists	_____	Complete a background check (fbi/doj/foia/cbp) if not already done with the 130 Talk to the client to see if there have been any new arrests since the filing of the 130
The List	_____	Give C the list of documents needed for their application It is not necessary to collect waiver fees until all documents have been received The client can start gathering documents as we wait for the background check
Review	_____	[] Ok to start apps if DOJ is clean or [] Continue to wait for Foia if necessary
Last Call	_____	Confirm background check is complete. Is FBI and CBP complete? https://foiaonline.regulations.gov/foia/action/public/search/ Is it still advisable to proceed with this particular application? Anything show up on the CBP we should be concerned about? Review background check with attorneys if necessary
Collect Docs and Fees	_____	Collect all Supporting documents and filing fees for the 601a https://drive.google.com/drive/my-drive
	_____	Follow up with client to obtain all supporting docs and filing fees if not already received. Now you can collect filing fees
Send I-601a	_____	Send 601a application to USCIS (use the "send" checklists on TM templates to avoid RFE's and ensure application accuracy)
Receipt / Biometrics	_____	Expect receipt of acceptance in 20-30 days Biometrics in 20-40 days



EAD (no)	_____	NOT eligible for a work card – during the 601a process . But okay to continue renewing EAD if eligible through E42 or Daca
RFE	_____	Request for additional evidence is very common for 601A waivers
Billing	_____	Check the billing and confirm the client is current on their billing schedule.
No Interview	_____	There is no interview at the 601a stage (the interview will take place at the NVC stage)
Decision	_____	If denied, have client discuss the decision and determine if it is worth refiling the application because you cannot appeal a denial
	_____	Once the waiver is approved, you can then proceed with the NVC. Now let's take the steps necessary to schedule an interview! Congrats!!! And Good Job!!! ☺
Billing	_____	Check the billing and confirm the client is current on their billing schedule, YES, again.
DS-260	_____	Complete Form DS-260 online https://ceac.state.gov/IV/Login.aspx Its biographical information regarding the beneficiary; very detailed about WHOLE life. Addresses, dates, schools, dates, parents & siblings biographical info.
Affidavit of Support	_____	Establish Financial Support - Your petitioner will document their ability to provide the required financial support by submitting the necessary Affidavit of Support and supporting documents. *CLO charges \$500 more for co-sponsors
Consular Processing List	_____	After the completion of the DS260, print the coversheet and review the NVC checklist to submit the 864 and civil documents together. Each submission to NVC starts the 60-day review wait. Verify if NVC wants everything emailed or mailed https://travel.state.gov/content/visas/en/immigrate/immigrant-process/documents/Submit_documents.html
The NVC Interview:	_____	After the necessary fees, forms, and documents have been collected, and when your priority date is current (if applicable), the NVC will schedule your interview at the appropriate U.S. Embassy or Consulate. The NVC will then transfer your case file to the U.S. Embassy or Consulate.
	_____	This client's Interview scheduled: _____ Your sponsor/petitioner does not attend the visa interview. The petitioner may accompany your home country, but will not be allowed into the building. Attorneys are also not allowed at the visa interview.
C still at EOIR?	_____	If C is or was in proceedings; let the attorneys know that the case should be reopened to seek voluntary departure. Enter "to-do" for attorneys. This is different from Administrative Closure.
CLO Interview Prep	_____	Schedule for Coghlan Law Office Interview Preparation: https://travel.state.gov/content/visas/en/immigrate/immigrant-process/interview/prepare.html Schedule and Complete a Medical Examination Register for Courier Service/Other Pre-Interview Instructions



		Gather Documents Required for the Interview Review the list of reasons a client may not be allowed to return to the US make sure they are sent with all the documents listed on the embassy/consulate specific list. There are coversheets and a sample packet on the google drive
The interview:	_____	http://travel.state.gov/content/visas/english/immigrate/immigrant-process/interview/applicant_interview.html
After the interview	_____	https://ceac.state.gov/ceacstatracker/status.aspx clients are often so excited that they forget to call you to let you know how it went. You can track the status at the link above
	_____	If denied, C will receive a written decision. look at the notice c received. Sometimes the embassy just wants a new 864 or some other doc. If C was denied, he/she may or may not be eligible for a 601 waiver of inadmissibility abroad.
Paying the Immigrant Fee	_____	\$220 – C must pay a fee in order to have the green card mailed to the US address listed on the DS260.

