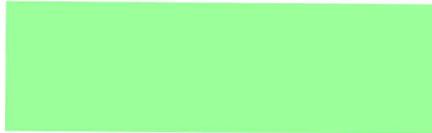
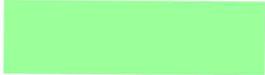


(b)(6)

U.S. Department of Homeland Security
U.S. Citizenship and Immigration Service
Administrative Appeals Office (AAO)
20 Massachusetts Ave., N.W., MS 2090
Washington, DC 20529-2090
**U.S. Citizenship
and Immigration
Services**

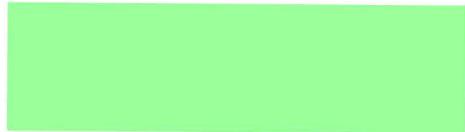


Date: **OCT 07 2014** Office: NATIONAL BENEFITS CENTER FILE: 

IN RE: Applicant: 

APPLICATION: Application for Waiver of Inadmissibility pursuant to Sections 245A and 210 of the Immigration and Nationality Act, as amended, 8 U.S.C. § § 1255a and 1160

ON BEHALF OF APPLICANT:



INSTRUCTIONS:

Enclosed please find the decision of the Administrative Appeals Office (AAO) in your case. This is a non-precedent decision. The AAO does not announce new constructions of law nor establish agency policy through non-precedent decisions.

Thank you,

A handwritten signature in black ink, appearing to read "Ron Rosenberg".

Ron Rosenberg
Chief, Administrative Appeals Office

DISCUSSION: The National Benefits Center director denied the application for waiver of inadmissibility. The matter is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be dismissed.

On October 18, 2013, the applicant filed a Form I-690, Application for Waiver of Grounds of Excludability (now referred to as "Inadmissibility") under Sections 245A or 210 of the Immigration and Nationality Act. The director denied the waiver application because the applicant did not have an underlying application pending for benefits under either section 245A of the Immigration and Nationality Act (Act), 8 U.S.C. § 1255a, or pursuant to the CSS/Newman (LULAC) Settlement Agreements.

The record reflects that on June 11, 1990, the applicant filed a Form I-687 to make a claim for class membership. He subsequently filed a Form I-485 pursuant to the LIFE Act. The director denied the Form I-485. The applicant appealed and we remanded the matter. The director certified its decision to deny the application to us. We affirmed the director's decision to deny the Form I-485 application on January 8, 2014.

The viability of a Form I-690 waiver application is dependent on an a pending application for benefits under either section 245A of the Act, 8 U.S.C. § 1255a, or section 210 of the Act, 8 U.S.C. § 1160. The record reflects that the applicant does not have a pending application for benefits under either section of the Act. In the absence of an underlying application, the Form I-690 waiver application is moot. The appeal of the denial of the waiver must therefore be dismissed as moot.

ORDER: The appeal is dismissed as moot.