



NEWS RELEASE

Contact: Media Services
Office of Public Affairs
(202) 514-2648 Fax: (202) 514-1776

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INS Developing Regulations for New 'V' Nonimmigrant Status *Eligible Applicants Living in the United States Must Wait to Apply*

WASHINGTON – The Immigration and Naturalization Service (INS) announced today that persons eligible for "V" status living in the United States must wait until INS publishes "V" regulations in the *Federal Register* before applying for "V" nonimmigrant status and work authorization. The agency expects to have regulations published in the *Federal Register* by May 2001 that will establish an application form and filing procedures. The Department of State will begin processing "V" nonimmigrant visas for eligible persons living abroad on Monday, April 2.

The Legal Immigration Family Equity Act (LIFE Act), signed into law on December 21, 2000, created a number of immigration benefits, including a new "V" visa and status. This nonimmigrant status allows certain spouses and minor children of lawful permanent residents to live and work in the United States and to travel to and from this country while they wait until an immigrant visa number becomes available and they obtain lawful permanent resident status.

NOTE: Persons who have been unlawfully present in the United States for more than 180 days and depart the country must be cautious because their departure triggers the grounds of inadmissibility regarding unlawful presence. Although these grounds of inadmissibility— which bar admission to the United States for three years or 10 years— do not prevent eligible persons from obtaining "V" status or from being readmitted to the United States in "V" status following travel abroad, these grounds do prevent such persons from adjusting status to lawful permanent resident (for the applicable 3-year or 10-year period) unless they obtain a waiver.

Applicants for the "V" visa and status **MUST:**

- Be the spouse or unmarried child (under 21 years of age) of a lawful permanent resident;
- Have a Form I-130 (Petition for Alien Relative) filed with the INS on his or her behalf by the lawful permanent resident spouse or parent on or before December 21, 2000; and
- Have been waiting for at least three years after the Form I-130 was filed for their immigrant visa number (priority date) to become available in accordance with the Department of State's monthly Visa Bulletin; or

- Be the unmarried child (under 21 years of age) of a person who meets the above three requirements.

Persons who have been issued a "V" visa abroad from the Department of State and admitted to the United States may apply for authorization to work in the United States by mailing a Form I-765 (Application for Employment Authorization) along with the \$100 application fee to:

U.S. Immigration and Naturalization Service
P.O. Box 7216
Chicago, IL 60680-7216

Eligible applicants living in the United States must wait to apply until INS publishes its "V" regulations. INS will inform the public when that occurs through the Web site www.ins.usdoj.gov, toll-free telephone service 1-800-375-5283, and public outreach o the media and community-based organizations.

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