



## Filipino World War II Veterans Parole (FWVP) Program

This program offers certain beneficiaries of approved family-based immigration petitions the opportunity to reunite with family and work in the United States before their immigrant visas become available. Approved beneficiaries will enter the United States on parole and be able to apply for lawful permanent resident (Green Card holder) status once their visas become available. For more details on eligibility, go to [uscis.gov/FWVP](https://uscis.gov/FWVP).

### Terms to Know

- **Filipino World War II veteran:** A veteran whose military service has been recognized by the Department of Defense, as described in section 405 of the Immigration Act of 1990 (as amended).
- **Parole:** A discretionary case-by-case decision to allow a person to enter the United States for a certain period of time for urgent humanitarian reasons or significant public benefit. Being “paroled” into the country is not the same as being “admitted” to the United States.
- **Qualified petitioner:** A person who is eligible to apply for the FWVP Program on behalf of certain beneficiaries or as a self-petitioner.
- **Principal beneficiary:** The spouse, son, daughter, brother or sister for whom the [Form I-130, Petition for Alien Relative](#), was filed.
- **Derivative beneficiaries:** The spouse and unmarried children under age 21 of the principal beneficiary.

### Eligibility to Request Parole

#### *Qualified Petitioner*

To be qualified, a petitioner must:

1. Be a Filipino World War II veteran *or* the veteran’s surviving spouse; and
2. Reside in the United States, or if the veteran has died, he or she must have maintained primary residence in the United States.

USCIS must approve or reinstate the Form I-130 petition *before* parole may be authorized.

**NOTE:** If the Filipino World War II veteran and spouse are both deceased, certain beneficiaries will be allowed to seek parole on their own behalf as qualified self-petitioners. For more information on self-petitioners, see below.

## ***Qualified Principal Beneficiary***

A qualified principal beneficiary must:

1. Be the principal beneficiary of a Form I-130 petition that was filed by the veteran or the veteran's surviving spouse and approved by USCIS *before* the qualifying petitioner requests parole on behalf of the principal beneficiary; and
2. Have had a qualifying, legally recognized relationship with the veteran that existed on or before May 9, 2016.

### **If the Form I-130 was filed by the surviving spouse...**

Then eligible principal beneficiaries can only include the surviving spouse's son or daughter who is also the son or daughter of the deceased Filipino WWII veteran.

### **If the Form I-130 was filed by the deceased veteran...**

Then the surviving spouse may request parole on behalf of the principal and derivative beneficiaries of the veteran's Form I-130 petition if either:

- The veteran's Form I-130 petition was approved before the veteran's death and was later reinstated by USCIS, or USCIS granted relief<sup>1</sup>; or,
- If at least one of the beneficiaries was living in the United States at the time of the veteran's death and the veteran's Form I-130 was still pending, and was later approved.<sup>2</sup>

### **If the Filipino WWII veteran and spouse are *both* deceased...**

Certain relatives will be allowed to seek parole on their own behalf ("self-petition") provided that

- Either the Form I-130 petition was approved before the I-130 petitioner's death and was later reinstated by USCIS or USCIS granted relief<sup>3</sup>; or,
- If at least one of the beneficiaries was living in the United States at the time of the I-130 petitioner's death, and the Form I-130 petition was still pending and later approved.<sup>4</sup>

In such cases, the self-petitioner must establish that:

- He or she is the son, daughter, brother or sister of the deceased Filipino WWII veteran, and that the legally recognized relationship existed on or before May 9, 2016;
- The deceased Filipino veteran had qualifying WWII military service and was living in the United States at the time of death; and
- The Filipino veteran's spouse is also deceased.

Only beneficiaries whose Filipino WWII veteran petitioner and the veteran's spouse are *both* deceased may self-petition.

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<sup>1</sup> Under 8 CFR 205.1(a)(3)(i)(C)(2) or INA section 204(l).

<sup>2</sup> INA section 204(l).

<sup>3</sup> Under 8 CFR 205.1(a)(3)(i)(C)(2) or INA section 204(l).

<sup>4</sup> INA section 204(l).

### ***Qualified Derivative Beneficiary***

As with immigrant visas, the principal beneficiary's spouse and unmarried children under age 21 may also be eligible for benefits under the FWVP Program.

Derivative beneficiaries will only be considered for parole if the principal beneficiary is authorized for parole. Derivative beneficiaries are not eligible for the FWVP Program on their own.

USCIS will consider for parole any derivative children who are under 21 years old and unmarried on the date when USCIS receives the properly filed request for parole. Derivative children age 21 or older or married are not eligible for the FWVP Program.

### **Eligibility for Grant of Parole**

USCIS will authorize parole on a case-by-case basis. Generally, beneficiaries will qualify for a grant of parole if they are shown to possess a qualifying relationship with a Filipino WWII veteran; meet the eligibility requirements for an immigrant visa (if a visa were immediately available); pass criminal and national security background checks; pass a medical exam and an interview abroad; and merit a favorable exercise of discretion.

### **Applying to the FWVP Program**

To apply, petitioners must submit:

- A parole application ([Form I-131, Application for Travel Document](#)) along with the required fee (or fee waiver request) for *each* relative to be considered for parole; and
- At least one [Form I-134, Affidavit of Support](#), for *each* relative to be considered for parole.

**NOTE:** Petitioners must submit parole applications for all eligible relatives associated with the same underlying Form I-130 at the same time. This means petitioners will need to file any applications for derivative beneficiaries at the same time as the application for the principal beneficiary.

If a petitioner does not apply for the principal beneficiary, USCIS will not consider the associated derivative beneficiaries under the FWVP Program.

### ***Family members already in the United States***

The FWVP Program is intended for family members outside of the United States. However, certain relatives in the United States may be able to benefit from the FWVP Program. If USCIS conditionally approves the application for a parole document, the beneficiary will need to leave the United States and appear abroad at a USCIS office or U.S. embassy or consulate to be interviewed.

Individuals considering this option should consult with an [attorney or accredited representative](#). A departure from the United States after a period of unlawful presence in the country may trigger immigration consequences affecting the individual's ability to return to the United States.

## **Costs**

Petitioners must pay the Form I-131 filing fee (see [uscis.gov/i-131](http://uscis.gov/i-131) for the current fee) when applying, or file [Form I-912, Request for Fee Waiver](#).

Petitioners and/or beneficiaries are also required to cover all costs associated with attending an interview abroad, including the costs of a medical examination, and all costs associated with travel to the United States if granted parole.

## **Beneficiary Interview Required**

All beneficiaries must be interviewed abroad before parole may be authorized. Depending on location, a USCIS officer or Department of State (DOS) consular officer may conduct the interview.

USCIS or DOS will contact the beneficiary to schedule the appointment and explain any pre-interview requirements, including instructions on completing the medical exam.

## **If Travel Is Approved**

USCIS or DOS will issue travel documents for the beneficiaries to travel to the United States. At a U.S. port of entry, the beneficiaries will present the travel documents and request parole from Customs and Border Protection (CBP). CBP makes the final decision about granting parole.

Each beneficiary who is granted parole will be issued [Form I-94, Arrival/Departure Record](#), documenting the parole into the United States.

## **Initial Period of Parole**

Generally, beneficiaries will be paroled into the United States for an initial period of three years, as indicated on the Form I-94. If an immigrant visa does not become available during that time, the beneficiary must apply for re-parole (or for an immigration status for which he or she is otherwise eligible) in order to remain lawfully present in the United States. To apply for re-parole, each beneficiary will need to submit Form I-131, Application for Travel Document, with the required fee, and Form I-134, Affidavit of Support, at least 90 days before his or her parole expires.

## **Eligibility for Work Authorization**

Beneficiaries who are paroled into the United States under the FWVP Program will be eligible to apply for work authorization by submitting [Form I-765, Application for Employment Authorization](#), and the required fee.

## **Adjustment of Status**

Beneficiaries will be expected to apply for adjustment of status to lawful permanent resident (Green Card holder) as soon as their immigrant visas become available. If a visa has not become available at the time that their current parole expires, beneficiaries will have to apply for re-parole or for an immigration status for which they are otherwise eligible if they are to remain lawfully present in the United States.