

**To:** All SEVIS Users

**Date:** Dec. 13, 2016

**Re:** USCIS Policy Memo PM-602-0114 and MAVNI Enlistees

**Number:** 1612-04

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## **General Information**

On Nov. 23, 2016, U.S. Citizenship and Immigration Services (USCIS) issued Policy Memorandum [\(PM\)-602-0114 titled Discretionary Options for Designated Spouses, Parents, and Sons and Daughters of Certain Military Personnel, Veterans, and Enlistees.](#)

Certain Military Accessions Vital to the National Interest (MAVNI) program participants who have experienced delays in reporting to basic training fall out of nonimmigrant status due to the length of the enlistment process. This USCIS notice provides clarification on parole in place and deferred action options for MAVNI program participants and their family members.

## **Background**

MAVNI enlistees seeking U.S. citizenship or lawful permanent resident (LPR) status through their enlistment enter the Department of Defense's Delayed Entry Program (DEP). The DEP requires enlistees with no prior military experience to sign a contract for up to 365 days while they are waiting to begin basic training. MAVNI DEP enlistees whose nonimmigrant status lapses prior to beginning basic training can seek deferred action. Deferred action enables individuals to remain in the United States without repercussions. USCIS will make deferred action decisions on a case-by-case basis. If authorized, the period of deferred action will last for two years and may be renewed. See the above USCIS notice for more information, including step-by-step instructions.

The parents, spouse, sons and daughters of a MAVNI enlistee may also seek U.S. citizenship or LPR status. These family members may choose to parole in place or seek deferred action in order to prevent a gap between their nonimmigrant and their citizenship or LPR status.

Family members who have been granted parole in place or deferred action must also complete a [Form I-130, "Petition for Alien Relative,"](#) and may apply for work authorization, if they can demonstrate the economic necessity for such employment.

The Student and Exchange Visitor Program (SEVP) is in the process of reviewing SEVP Fact Sheet: F and M Nonimmigrants and MAVNI: A Guide for Designated School Officials based on the release of USCIS PM-602-0114. SEVP will make updates as necessary at a later date.

## **Comments**

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