

July 30, 2009

U.S. Citizenship and Immigration Services
Vermont Service Center
Attn: VAWA, U and T Unit
75 Lower Welden Street
St. Albans, VT 05479-0001

Re: I-192 Waiver Application for Grounds of Inadmissibility
Derivative Beneficiary: Elizabeth XX, A#
Receipt Number: EACXXX

Dear Sir or Madam:

Ms. XX hereby submits an I-192 application for a waiver of inadmissibility in connection with her application for U nonimmigrant status. Ms. XX is seeking a waiver of the grounds of inadmissibility found at INA §§ 212(a)(6)(A)(i) and 212(a)(9)(C)(i)(I).

Ms. XX's son Juan (the principal beneficiary in this case, A#) was the victim of a terrible crime: abusive sexual contact as a minor. He assisted law enforcement at all stages of the investigation and prosecution of the crime. Ultimately his assailant was convicted of the crime and is serving his sentence in a California state prison. Ms. XX's support of her son was crucial to every step of the investigative and judicial processes. She took her son to meet with police investigators, she was in constant touch with the District Attorney who prosecuted the case, she attempted to shield her son from media attention, she made sure he went to see a therapist, and she provided him with emotional support. Because Ms. XX was so strong and supportive of her son, he has been able to succeed in spite of the horrible trauma he experienced. He graduated from high school and is now attending California State University at Sacramento with hopes of becoming a civil engineer.

Ms. XX is a valuable member of our community. She has raised two sons alone, working long hours to provide for their needs. She and her sons are very close. She has instilled in her children the importance of hard work and being productive members of society. She has shepherded Juan through the legal system so that he could make sure his assailant would not harm other young boys. She has encouraged Juan to overcome the trauma he experienced and to strive to attain his goals. Her younger son, Daniel is a U.S. citizen. He is a senior in high school and excels both in academics and sports.

Ms. XX who would suffer great hardship if she were forced to leave the United States. Her son Juan, who was the victim of a horrible crime, and her other son, Daniel, a U.S. citizen would suffer immeasurable hardship if their mother were not permitted to remain in the United States. As is indicated in the attached letter from San Francisco District Attorney Kamala Harris and the Resolution of the City of Oakland, California, granting Ms. XX a waiver necessary for the U visa is in the public interest generally because local law enforcement use of U visas sends a crucial message to immigrants that they can report crime and to perpetrators that they cannot victimize immigrants with impunity. A waiver in this case furthers that public benefit and American humanitarian values because Mr. XX assisted in the investigation and prosecution of this crime and continues to recover from his ordeal.

Please find the enclosed documents in support of Ms. XX's request for a waiver of the grounds of inadmissibility:

1. Fee waiver request
2. Copy of Form G-28, Notice of Entry of Appearance as Attorney
3. Form I-192, Application for Waiver of Ground of Inadmissibility
4. Copy of Form I-797, Notice of Deferred Action
5. Copy of Receipt Notice for I-918
6. Declaration of Ms. XX, describing the hardships if she were forced to leave the U.S.
7. Copy of the United States birth certificate of Ms. XX's son Daniel
8. Copy of the United States passport of Ms. XX's son Daniel
9. Letters of support for Ms. XX from four members of the community
10. Letters of support regarding Ms. XX's son, Daniel, demonstrating the support Ms. XX provides to her children and the hardship her removal would pose to her U.S. citizen son.
11. Copies of (a) Resolution of the City Council of Oakland, CA stating that U visas are in Oakland's public interest and (b) letter from San Francisco District Attorney Kamala Harris, stating that granting this waiver serves the interest of public safety

Sincerely,

Sarah Bronstein, Esq.

(encs.)