

**Instructions for I-601, Application for Waiver
of Grounds of Inadmissibility****Instructions**

Please read these instructions carefully to properly complete this form. If you need more space to complete an answer, use a separate sheet(s) of paper. Write your name and Alien Registration Number (A #), if any, at the top of each sheet of paper and indicate the section and number of the item to which the answer refers.

What Is the Purpose of This Form.

For an alien who has been found to be inadmissible to the United States to apply for a waiver of inadmissibility.

Who May File This Form.**1. Applicants With Tuberculosis.**

An applicant with active tuberculosis or suspected tuberculosis must complete **Statement A** on **Page 3** of this form. The applicant and his or her sponsor are also responsible for having:

A. Statement B completed by the physician or health facility which has agreed to provide treatment or observation.

B. Statement D, if required, completed by the appropriate local or state health officer.

This form should then be returned to the applicant for presentation to the consular office or appropriate USCIS office.

Submission of the application without the required fully executed statements will result in the return of the application to the applicant without further action.

2. Applicants With HIV Infection.

An applicant with Human Immunodeficiency Virus (HIV) infection must complete **Statement A** on **Page 4** of this form. If the applicant has a sponsor, the sponsor must complete **Statement C**. The applicant and his or her sponsor are also responsible for having:

A. Statement B completed by physician or health facility which has agreed to provide counseling and treatment or observation, and

B. Statement D, if required, completed by the appropriate local or state health officer.

This form should then be returned to the applicant for presentation to the consular officer or appropriate USCIS office.

Submission of the application without the required fully executed statements will result in the return of the application to the applicant without further action.

3. Applicants With Mental Conditions.

An alien who is mentally retarded or who has a history of mental illness shall attach a statement that arrangements have been made for the submission of a medical report, as follows, to the office where this form is filed:

The medical report shall contain:

A. A complete medical history of the alien, including details of any hospitalization or institutional care or treatment for any physical or mental condition;

B. Findings as to the current physical condition of the alien, including reports of chest X-rays and a serologic test if the alien is 15 years of age or older, and other pertinent diagnostic tests; and

C. Findings as to the current mental condition of the alien, with information as to prognosis and life expectancy and with a report of a psychiatric examination conducted by a psychiatrist who shall, in the case of mental retardation, also provide an evaluation of intelligence.

For an alien with a past history of mental illness, the medical report shall also contain available information on which the U.S. Public Health Service can base a finding as to whether the alien has been free of such mental illness for a period of time, sufficient in the light of such history, to demonstrate recovery.

The medical report will be referred to the U.S. Public Health Service for review and, if found acceptable, the alien will be required to submit such additional assurances as the U.S. Public Health Service may deem necessary in his or her particular case.

General Instructions.

Step 1. Fill Out the Form I-601.

1. Type or print legibly in black ink.
2. If extra space is needed to complete any item, attach a continuation sheet, indicate the item number, and date and sign each sheet.
3. Answer all questions fully and accurately. State that an item is not applicable with "N/A." If the answer is none, write "none."

Where To File.

The application and supporting documents should be taken or mailed to:

1. The American Embassy or Consulate where the applicant is applying for a visa, if the applicant is not in the United States; or
2. The office of the U.S. Citizenship and Immigration Services (USCIS) having jurisdiction over the applicant's place of residence, if the applicant is in the United States and applying for status as a permanent resident.

What Is the Filing Fee.

No fee is required if this application is filed for an alien who:

1. Is afflicted with tuberculosis;
2. Is mentally retarded; or
3. Has a history of mental illness.

All other applications must be accompanied by a fee of **\$545.00**. The fee cannot be refunded, regardless of the action taken on the application. **Do not mail cash.**

NOTE: Only a single application and fee is required when an alien is applying simultaneously for a waiver of both sections 212(h) and (i) of the Immigration and Nationality Act.

Use the following guidelines when you prepare your check or money order for the Form I-601 fee:

1. The check or money order must be drawn on a bank or other financial institution located in the United States and must be payable in U.S. currency; and
2. Make the check or money order payable to **U.S. Department of Homeland Security**, unless:

- A. If you live in Guam and are filing your petition there, make it payable to **Treasurer, Guam**.
- B. If you live in the U.S. Virgin Islands and are filing your petition there, make it payable to **Commissioner of Finance of the Virgin Islands**.
- C. If you live outside the United States, Guam, or the U.S. Virgin Islands, contact the nearest U.S. consulate or embassy for instructions on the method of payment.

NOTE: Please spell out U.S. Department of Homeland Security; do not use the initials "USDHS" or "DHS."

Notice to Those Making Payment by Check. If you send us a check, it will be converted into an electronic funds transfer (EFT). This means we will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will usually take 24 hours, and will be shown on your regular account statement.

You will not receive your original check back. We will destroy your original check, but we will keep a copy of it. If the EFT cannot be processed for technical reasons, you authorize us to process the copy in place of your original check. If the EFT cannot be completed because of insufficient funds, we may try to make the transfer up to two times.

How to Check If the Fees Are Correct.

The form fee on this form is current as of the edition date appearing in the lower right corner of this page. However, because USCIS fees change periodically, you can verify if the fees are correct by following one of the steps below:

1. Visit our website at **www.uscis.gov**, select "Immigration Forms" and check the appropriate fee;
2. Review the Fee Schedule included in your form package, if you called us to request the form; or
3. Telephone our National Customer Service Center at **1-800-375-5283** and ask for the fee information.

Address Changes.

If you change your address and you have an application or petition pending with USCIS, you may change your address on-line at **www.uscis.gov**, click on "Change your address with USCIS" and follow the prompts or by completing and mailing Form AR-11, Alien's Change of Address Card, to:

**U.S. Citizenship and Immigration Services
Change of Address
P.O. Box 7134
London, KY 40742-7134**

For commercial overnight or fast freight services only, mail to:

**U.S. Citizenship and Immigration Services
Change of Address
1084-I South Laurel Road
London, KY 40744**

Processing Information.

Any Form I-601 that is not signed or accompanied by the correct fee, will be rejected with a notice that the Form I-601 is deficient. You may correct the deficiency and resubmit the Form I-601. An application or petition is not considered properly filed until accepted by USCIS.

Initial processing. Once a Form I-601 has been accepted, it will be checked for completeness, including submission of the required initial evidence. If you do not completely fill out the form, or file it without required initial evidence, you will not establish a basis for eligibility and we may deny your Form I-601.

Requests for more information or interview. We may request more information or evidence, or we may request that you appear at a USCIS office for an interview. We may also request that you submit the originals of any copy. We will return these originals when they are no longer required.

Decision. The decision on a Form I-601 involves a determination of whether you have established eligibility for the requested benefit. You will be notified of the decision in writing.

USCIS Forms and Information.

To order USCIS forms, call our toll-free number at **1-800-870-3676**. You can also get USCIS forms and information on immigration laws, regulations and procedures by telephoning our National Customer Service Center at **1-800-375-5283** or visiting our internet website at **www.uscis.gov**.

As an alternative to waiting in line for assistance at your local USCIS office, you can now schedule an appointment through our internet-based system, **InfoPass**. To access the system, visit our website. Use the **InfoPass** appointment scheduler and follow the screen prompts to set up your appointment. **InfoPass** generates an electronic appointment notice that appears on the screen.

Penalties.

If you knowingly and willfully falsify or conceal a material fact or submit a false document with this Form I-601, we will deny the Form I-601 and may deny any other immigration benefit.

In addition, you will face severe penalties provided by law and may be subject to criminal prosecution.

Privacy Act Notice.

We ask for the information on this form, and associated evidence, to determine if you have established eligibility for the immigration benefit for which you are filing. Our legal right to ask for this information can be found in the Immigration and Nationality Act, as amended. We may provide this information to other government agencies. Failure to provide this information, and any requested evidence, may delay a final decision or result in denial of your Form I-601.

Paperwork Reduction Act.

An agency may not conduct or sponsor an information collection and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. The public reporting burden for this collection of information is estimated at 60 minutes per response, including the time for reviewing instructions, completing and submitting the form. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to: U.S. Citizenship and Immigration Services, Regulatory Management Division, 111 Massachusetts Avenue, N.W., 3rd Floor, Suite 3008, Washington, DC 20529. OMB No. 1615-0029. **Do not mail your application to this address.**