

TABLE OF CHANGES – INSTRUCTIONS
FORM I-601
01-22-2009

Form I-601 Instructions	Current Version	Proposed Version
Page 2, General Instructions, Step 1	1. When filling out the form, type or print legibly in black ink.	1. When filling out the form, type or print legibly in black ink. Make sure the entire form, including the Agency Copy, is properly completed.
Page 3, Item 3: Applicants with HIV Infection	<p>If you have an HIV infection, page four of this form must be completed.</p> <p>If page four of the application is not completed, the application will be returned to you without further action. The information provided in page four must establish that the danger to the public health of the United States and the possibility of the spread of infection created by your admission to the United States is minimal. In addition, you must establish that no government agency will incur any cost for your treatment without that agency's prior consent.</p>	<p>If you have an HIV infection, page seven of this form must be completed. In addition, you must submit evidence that establishes the following:</p> <ol style="list-style-type: none"> 1. The danger to the public health of the United States created by your admission is minimal; 2. The possibility of the spread of the infection created by your admission to the United States is minimal; and 3. There will be no cost incurred by any level of government agency of the United States without the prior consent of that agency. <p>Examples of the evidence considered sufficient to meet criteria 1 and 2 above may include but are not limited to: evidence that you have arranged for medical treatment in the United States; evidence of your awareness of the nature and severity of your medical condition; evidence of counseling; evidence of your willingness to attend educational seminars; and evidence of your knowledge of the modes of transmission of the disease.</p> <p>Examples of the evidence considered sufficient to meet</p>

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		<p>criteria 3 above may include but are not limited to: evidence of private insurance; personal financial resources, proof that a hospital, research organization, or other type of facility will provide care at no cost to the government; or any other evidence establishing the ability to cover the cost of your medical treatment for HIV/AIDS.</p>
<p>Page 3, Item 4 : Applicants With Physical or Mental Disorder and Associated Harmful Behavior</p>	<p>Applicants With Physical or Mental Disorder and Associated Harmful Behavior (INA section 212(a)(1)(A)(iii)) If you have a physical or mental disorder and behavior associated with the disorder that may pose, has posed, or will pose a threat to the property, safety, or welfare of you or others, you should file this form, and a waiver may be granted pursuant to INA section 212(g)(3)...</p>	<p>Applicants With Physical or Mental Disorder and Associated Harmful Behavior If you have a physical or mental disorder and behavior associated with the disorder that poses, may pose, or has posed a threat to the property, safety, or welfare of you or others, you must file this form, and a waiver may be granted pursuant to INA section 212(g)(3)...</p>
<p>Page 4, Item 5: Applicants Seeking to Waive the Vaccination Requirement</p>	<p>If you seek an exemption from the vaccination requirement because the vaccination would be against your religious beliefs or moral convictions, you should file this form...</p>	<p>If you seek an exemption from the vaccination requirement because being vaccinated is against your religious beliefs or moral convictions, you must file this form...</p>
<p>Page 7, Add new section</p>		<p>Applicants for Adjustment of Status Based on T Nonimmigrant Status</p> <p>If you are a T nonimmigrant status holder admitted to the United States and applying for adjustment of status, you may obtain a waiver of almost any ground listed in INA section 212(a).</p> <p>If you are inadmissible based on public health grounds (INA</p>

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		<p>section 212(a)(1)) or public charge (INA section 212(a) (4)), the waiver may be approved if granting the waiver is in the national interest.</p> <p>If you are inadmissible based on any other ground of inadmissibility, the waiver may be approved if the activities making you inadmissible were caused by or were incident to your trafficking victimization, and granting the waiver is in the national interest.</p> <p>No waiver of inadmissibility is available to adjustment of status applicants based on T nonimmigrant status, for the following grounds of inadmissibility:</p> <ul style="list-style-type: none"> A. INA section 212(a)(3) (Security Related Grounds) B. INA section 212(a)(10) (C)(International Child Abductors); C. INA section 212(a)(10)(E) (Former Citizens who Renounced Citizenship to Avoid Taxation) <p>Note: You do not need to file Form I-601 if you are inadmissible because you have been unlawfully present in the United States and then departed (INA section 212(a)(9)(B)). You may be exempt from the 3-year or 10-year bar if you can establish that your victimization was at least one central reason for your unlawful presence in the United States. You should</p>
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		<p>submit evidence with your Form I-485, Application to Register Permanent Residence or Adjust Status, to demonstrate that the victimization you suffered was a central reason for the unlawful presence in the United States.</p>
<p>Page 8, Where to File?</p>	<p>The application and supporting documents should be taken or mailed to the following locations:</p> <ol style="list-style-type: none"> 1. If you are outside the United States, you should submit Form I-601 to the U.S. Embassy or consulate where you are applying for a visa. 2. If you are an approved VAWA self-petitioner, whether inside or outside the United States, you should submit Form I-601 to the Vermont Service Center. The address is: U.S. Citizenship and Immigration Services Attn: VAWA Unite 75 Lower Welden Street St. Albans, VT 05479-0001 3. If you are in the United States and filing Form I-601 together with Form I-485, Application to Register Permanent Residence or Adjust Status, you should file the I-485/I-601 at the filing location specified on the I-485. Please see I-485 filing instructions. 3. If you are in the United States and your I-485 is currently pending, you should file the I-601 with the USCIS office or Service center where your I-485 is CURRENTLY pending. 	<p>The application and supporting documents must be taken or mailed to the following locations:</p> <ol style="list-style-type: none"> 1. If you are outside the United States, you must submit Form I-601 to the U.S. Embassy or consulate where you are applying for a visa. For VAWA self-petitioners, see number 2 below: 2. If you are: <ol style="list-style-type: none"> a. An approved VAWA self-petitioner, whether inside or outside the United States; or b. A T nonimmigrant seeking adjustment of status: <p>You must file your Form I-601 with the Vermont Service Center. The address is: USCIS Vermont Service Center 75 Lower Welden Street St. Albans, VT 05479-0001</p> 3. If you are in the United States and filing Form I-601 together with Form I-485, Application to Register Permanent Residence or Adjust Status, you must file the I-485/I-601 at the filing location specified on the I-485. See the filing instructions for Form I-485.

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	<p>4. If you are in removal proceedings, you should file this application with the office of the Executive Office for Immigration Review (EOIR) with jurisdiction over your case, and according to the instructions that are provided to you in court. For information about EOIR, please visit EOIR’s website at www.usdoj.gov/eoir.</p>	<p>4. If you are in the United States and your Form I-485 is currently pending, you should file Form I-601 with the USCIS office or Service Center where your Form I-485 is CURRENTLY pending.</p> <p>5. If you are in removal proceedings, you must file this application with the Executive Office for Immigration Review (EOIR) office with jurisdiction over your case and according to the instructions that are provided to you in court. For information about EOIR, visit EOIR’s website at www.usdoj.gov/eoir.</p> <p>6. If you are an applicant for Temporary Protected Status (TPS) under INA section 244, you must file this form at the filing location specified on Form I-821, Application for Temporary Protected Status. See the filing instructions for Form I-821.</p>
<p>Page 8, What Is the Filing Fee?</p>	<p>No fee is required, if you are filing this application to have waived the following grounds of inadmissibility:</p> <p>1. Class A Tuberculosis condition, as per HHS regulations; or</p> <p>2. A physical or mental disorder with associated harmful behavior or a history of such a disorder that is likely to recur.</p> <p>A fee waiver request will be accepted in accordance with 8 CFR 103.7(c)(5) for a T or U Nonimmigrant visa status</p>	<p>All applications must be accompanied by a fee of \$545. The fee cannot be refunded, regardless of the action taken on the application. Do not mail cash. All fees must be submitted in the exact amount.</p> <p>A fee waiver request will be accepted in accordance with 8 CFR 103.7(c)(5) for the following individuals:</p> <p>A. An alien in lawful nonimmigrant status under section 101(a)(15)(T);</p> <p>B. An approved VAWA self-</p>

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	<p>holder.</p> <p>All other applications must be accompanied by a fee of \$545...</p>	<p>petitioner;</p> <p>C. An alien or to whom section 212(a)(4) of the Act does not apply with respect to adjustment of status.</p>
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