

TABLE OF CHANGES – INSTRUCTIONS
Instructions for Form I-601, Application for Waiver of Grounds of Inadmissibility
OMB Number: 1615-0029
05/12/2020

Reason for Revision: Biometrics Rule
Project Phase: NPRM

Legend for Proposed Text:

- Black font = Current text
- Red font = Changes

Expires 10/31/2021
Edition Date 10/15/2019

Current Page Number and Section	Current Text	Proposed Text
Pages 3-4, General Instructions	<p>[page 3]</p> <p>Filing Fee. Each application must be accompanied by the appropriate filing fee. (See the What Is the Filing Fee section of these Instructions.)</p> <p>Biometric Services Fee. If you file this application with USCIS, you do not need to include a biometric services fee at the time you submit your application. If you are later notified that you must submit biometrics, you will receive a biometric services appointment notice with instructions on how to submit the additional biometric services fee. If you file this application with an agency other than USCIS, please check with that agency to determine if and when you must submit a biometric services fee.</p> <p>Evidence. At the time of filing, you must submit all evidence and supporting documentation listed in the Specific Instructions and/or What Evidence Must You Submit section of these Instructions.</p> <p>Biometric Services Appointment. USCIS may require that you appear for an interview or provide fingerprints, photograph, and/or signature at any time to verify your identity, obtain additional information, and conduct background and security checks, including a check of</p>	<p>[page 3]</p> <p>Filing Fee. Each application must be accompanied by the appropriate filing fee. (See the What Is the Filing Fee section of these Instructions.)</p> <p>[deleted]</p> <p>Evidence. At the time of filing, you must submit all evidence and supporting documentation listed in the Specific Instructions and/or What Evidence Must You Submit section of these Instructions.</p> <p>Biometric Services Appointment. Every individual who is an applicant, petitioner, derivative, beneficiary, or sponsor of an immigration benefit request or other request submitted to USCIS is required to submit biometrics unless USCIS waives or exempts the requirement. USCIS currently</p>

	<p>criminal history records maintained by the Federal Bureau of Investigation (FBI), before making a decision on your application, petition, or request. After USCIS receives your application and ensures it is complete, we will inform you in writing if you need to attend a biometric services appointment. If an appointment is necessary, the notice will provide you the location of your local or designated USCIS Application Support Center (ASC) and the date and time of your appointment or, if you are currently overseas, instruct you to contact a U.S. Embassy, U.S. Consulate, or USCIS office outside the United States to set up an appointment.</p> <p>[page 4]</p> <p>...</p> <p>3. All of this information was complete, true, and correct at the time of filing.</p> <p>If you fail to attend your biometric services appointment, USCIS may deny your application.</p> <p>If you file this application with an agency other than USCIS, review the instructions provided by that agency to determine whether you should provide biometrics.</p> <p>Copies. You should submit legible photocopies of documents requested, unless the Instructions specifically state that you must submit an original document. USCIS may request an original document at the time of filing or at any time during processing of an application, petition, or request. If USCIS requests an original document from you, it will be returned to you after USCIS determines it no longer needs your original.</p>	<p>exempts all I-601 applicants from this requirement unless USCIS notifies the applicant that biometrics are required. You will be notified of the time and place of your appointment if you must appear and you will be provided requirements for rescheduling if necessary. If you fail to submit any biometrics as required, USCIS may deny your application, petition, or request.</p> <p>DHS may store the biometrics submitted by an individual and use or reuse biometrics to conduct background and security checks, including a check of criminal history records maintained by the Federal Bureau of Investigation (FBI), verify identity, produce documents, determine eligibility for immigration and naturalization benefits, or to perform any other functions necessary for administering and enforcing immigration and naturalization laws, and any other law within DHS authority.</p> <p>[page 4]</p> <p>...</p> <p>3. All of this information was complete, true, and correct at the time of filing.</p> <p>[deleted]</p> <p>Copies. You should submit legible photocopies of documents requested, unless the Instructions specifically state that you must submit an original document. USCIS may request an original document at the time of filing or at any time during processing of an application, petition, or request. If USCIS requests an original document from you, it will be returned to you after USCIS determines it no longer needs your original.</p>
Pages 4-9,	[page 6]	[page 6]

<p>Specific Instructions</p>	<p>...</p> <p>Part 3. Biographic Information (for USCIS Applicants only)</p> <p>Provide the biometrics information requested in Part 3., Item Numbers 1. - 6. Providing this information as part of your application also may reduce the time you spend at your USCIS ASC appointment as described in the Biometric Services Appointment section of these Instructions.</p> <p>Item Numbers 1. - 2. Ethnicity and Race. Select the boxes that best describe your ethnicity and race.</p> <p>Categories and Definitions for Ethnicity and Race</p> <p>1. Hispanic or Latino. A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race. (NOTE: This category is only included under Ethnicity in Part 3., Item Number 1.)</p> <p>2. White. A person having origins in any of the original peoples of Europe, the Middle East, or North Africa.</p> <p>3. Asian. A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.</p> <p>4. Black or African American. A person having origins in any of the black racial groups of Africa.</p> <p>5. American Indian or Alaska Native. A person having origins in any of the original peoples of North and South America (including Central America), and who maintains tribal affiliation or community attachment.</p> <p>6. Native Hawaiian or Other Pacific Islander. A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.</p>	<p>...</p> <p>[deleted]</p>
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	<p>Item Number 3. Height. Select the values that best match your height in feet and inches. For example, if you are five feet and nine inches, select “5” for feet and “09” for inches. Do not enter your height in meters or centimeters.</p> <p>Item Number 4. Weight. Enter your weight in pounds. If you do not know your weight, or need to enter a weight under 30 pounds or over 699 pounds, enter “000.” Do not enter your weight in kilograms.</p> <p>Item Number 5. Eye Color. Select the box that best describes the color of your eyes.</p> <p>Item Number 6. Hair Color. Select the box that best describes the color of your hair.</p> <p>...</p> <p>Part 4. Reasons for Inadmissibility</p> <p>This section outlines requirements you must establish in order to have a particular ground of inadmissibility waived. Before completing Part 4., carefully read through the Instructions.</p> <p>...</p> <p>Part 5. Information About Your Qualifying Relatives</p> <p>...</p> <p>Note to K-1 and K-2 Nonimmigrant Visa Applicants</p> <p>Since you do not have the requisite relationship to a citizen or lawful permanent resident of the United States to qualify for a waiver, you must enter one of the following in Part 5.</p> <p>...</p> <p>[page 8]</p> <p>Part 6. Information About Your Other Relatives with Ties to the United States</p> <p>...</p>	<p>...</p> <p>Part 3. Reasons for Inadmissibility</p> <p>This section outlines requirements you must establish in order to have a particular ground of inadmissibility waived. Before completing Part 3., carefully read through the Instructions.</p> <p>...</p> <p>Part 4. Information About Your Qualifying Relatives</p> <p>...</p> <p>Note to K-1 and K-2 Nonimmigrant Visa Applicants</p> <p>Since you do not have the requisite relationship to a citizen or lawful permanent resident of the United States to qualify for a waiver, you must enter one of the following in Part 4.</p> <p>...</p> <p>[page 8]</p> <p>Part 5. Information About Your Other Relatives with Ties to the United States</p> <p>...</p>
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	<p>Part 7. Applicant’s Statement, Contact Information, Declaration, Certification, and Signature</p> <p>...</p> <p>[page 9]</p> <p>Part 8. Interpreter’s Contact Information, Certification, and Signature</p> <p>...</p> <p>Part 9. Contact Information, Declaration, and Signature of the Person Preparing this Application, if Other Than the Applicant</p> <p>Item Numbers 1.a. - 8.b. This section must contain the signature of the person who completed your application, if other than you, the applicant. If the same individual acted as your interpreter and your preparer, that person should complete both Part 8. and Part 9. If the person who completed this application is associated with a business or organization, that person should complete the business or organization name and address information. Anyone who helped you complete this application MUST sign and date the application. A stamped or typewritten name in place of a signature is not acceptable. If the person who helped you prepare your application is an attorney or accredited representative, he or she may be obliged to also submit a completed Form G-28, Notice of Entry of Appearance as Attorney or Accredited Representative, or G-28I, Notice of Entry of Appearance as Attorney In Matters Outside the Geographical Confines of the United States, along with your application.</p> <p>Part 10. Additional Information</p> <p>Item Numbers 1.a. - 6.d. If you need extra space to provide any additional information within this application, use the space provided in Part 10. Additional Information. If you need more space than what is provided in Part 10., you may make copies of Part 10. to complete and</p>	<p>Part 6. Applicant’s Statement, Contact Information, Declaration, Certification, and Signature</p> <p>...</p> <p>[page 9]</p> <p>Part 7. Interpreter’s Contact Information, Certification, and Signature</p> <p>...</p> <p>Part 8. Contact Information, Declaration, and Signature of the Person Preparing this Application, if Other Than the Applicant</p> <p>Item Numbers 1.a. - 8.b. This section must contain the signature of the person who completed your application, if other than you, the applicant. If the same individual acted as your interpreter and your preparer, that person should complete both Part 7. and Part 8. If the person who completed this application is associated with a business or organization, that person should complete the business or organization name and address information. Anyone who helped you complete this application MUST sign and date the application. A stamped or typewritten name in place of a signature is not acceptable. If the person who helped you prepare your application is an attorney or accredited representative, he or she may be obliged to also submit a completed Form G-28, Notice of Entry of Appearance as Attorney or Accredited Representative, or G-28I, Notice of Entry of Appearance as Attorney In Matters Outside the Geographical Confines of the United States, along with your application.</p> <p>Part 9. Additional Information</p> <p>Item Numbers 1.a. - 6.d. If you need extra space to provide any additional information within this application, use the space provided in Part 9. Additional Information. If you need more space than what is provided in Part 9., you may make copies of Part 9. to complete and file with</p>
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	<p>file with your application, or attach a separate sheet of paper. Type or print your name and A-Number (if any) at the top of each sheet; indicate the Page Number, Part Number, and Item Number to which your answer refers; and sign and date each sheet.</p> <p>...</p>	<p>your application, or attach a separate sheet of paper. Type or print your name and A-Number (if any) at the top of each sheet; indicate the Page Number, Part Number, and Item Number to which your answer refers; and sign and date each sheet.</p> <p>...</p>
<p>Pages 9-17, Reasons for Inadmissibility</p>	<p>[page 9]</p> <p>...</p> <p>Then, use the space provided in Part 4, Item Number 40. to provide a statement explaining in your own words, the acts, convictions, and medical conditions that you believe make you inadmissible. Include copies of any documents that support your statement. Records of convictions must be certified court documents. An uncertified copy is not sufficient.</p> <p>...</p> <p>[page 10]</p> <p>If you have a Class A Tuberculosis Condition (as defined by HHS regulations), you and the physician at the local health department in the area where you plan to reside must complete Part 11. Statement for Applicants With a Class A Tuberculosis Condition (As Defined By HHS Regulations).</p> <p>...</p> <p>[page 13]</p> <p>...</p> <p>If you are a Temporary Protected Status (TPS) applicant applying for a waiver of any relevant ground of inadmissibility listed in INA section 212, you must establish that the approval of your waiver is warranted for humanitarian purposes, to assure family unity or is otherwise in the public interest. In Part 4, Item Number 39., you must provide all information that supports your request for a waiver for one</p>	<p>[page 9]</p> <p>...</p> <p>Then, use the space provided in Part 3, Item Number 40. to provide a statement explaining in your own words, the acts, convictions, and medical conditions that you believe make you inadmissible. Include copies of any documents that support your statement. Records of convictions must be certified court documents. An uncertified copy is not sufficient.</p> <p>...</p> <p>[page 10]</p> <p>If you have a Class A Tuberculosis Condition (as defined by HHS regulations), you and the physician at the local health department in the area where you plan to reside must complete Part 10. Statement for Applicants With a Class A Tuberculosis Condition (As Defined By HHS Regulations).</p> <p>...</p> <p>[page 13]</p> <p>...</p> <p>If you are a Temporary Protected Status (TPS) applicant applying for a waiver of any relevant ground of inadmissibility listed in INA section 212, you must establish that the approval of your waiver is warranted for humanitarian purposes, to assure family unity or is otherwise in the public interest. In Part 3, Item Number 39., you must provide all information that supports your request for a waiver for one</p>

	<p>or more of the above reasons.</p> <p>...</p> <p>[page 15]</p> <p>In addition to this application, you should either use the space provided in Part 10. Additional Information or submit a brief statement explaining why your application should be granted. Submit documentary evidence that may support your claims.</p> <p>...</p> <p>[Page 16]</p> <p>Reasons for Inadmissibility</p> <p>...</p> <p>You Are an Applicant for Adjustment of Status Based on T Nonimmigrant Status</p> <p>If you are an applicant for adjustment of status based on T nonimmigrant status, you may obtain a waiver of almost any ground of inadmissibility listed in INA section 212(a) that was not previously waived in connection with your T Nonimmigrant Status.</p> <p>If you are inadmissible based on health-related grounds (INA section 212(a)(1)), the waiver may be approved if granting the waiver is in the national interest.</p> <p>...</p> <p>[page 17]</p> <p>If you are inadmissible under any other provisions of INA section 212(a), you must file Form I-601 with your adjustment application. Your inadmissibility may be waived if doing so is justified for humanitarian purposes, family unity, or for other reasons in the public interest. You do not need to show extreme hardship for a waiver under INA section 245(h). You do not need a qualifying relative for a waiver under INA section 245(h). The relationship to your natural parents or prior adoptive parents will not be considered a factor in making a decision on your waiver</p>	<p>or more of the above reasons.</p> <p>...</p> <p>[page 15]</p> <p>In addition to this application, you should either use the space provided in Part 9. Additional Information or submit a brief statement explaining why your application should be granted. Submit documentary evidence that may support your claims.</p> <p>...</p> <p>[Page 16]</p> <p>Reasons for Inadmissibility</p> <p>...</p> <p>You Are an Applicant for Adjustment of Status Based on T Nonimmigrant Status</p> <p>If you are an applicant for adjustment of status based on T nonimmigrant status, you may obtain a waiver of almost any ground of inadmissibility listed in INA section 212(a) that was not previously waived in connection with your T Nonimmigrant Status.</p> <p>If you are inadmissible based on health-related grounds (INA section 212(a)(1)), the waiver may be approved if granting the waiver is in the national interest.</p> <p>...</p> <p>[page 17]</p> <p>If you are inadmissible under any other provisions of INA section 212(a), you must file Form I-601 with your adjustment application. Your inadmissibility may be waived if doing so is justified for humanitarian purposes, family unity, or for other reasons in the public interest. You do not need to show extreme hardship for a waiver under INA section 245(h). You do not need a qualifying relative for a waiver under INA section 245(h). The relationship to your natural parents or prior adoptive parents will not be considered a factor in making a decision on your waiver</p>
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	<p>application. Therefore, it is not necessary for an SIJ to complete Part 5. of the application.</p> <p>...</p>	<p>application. Therefore, it is not necessary for an SIJ to complete Part 4. of the application.</p> <p>...</p>
<p>Pages 17-18, What Evidence Must You Submit?</p>	<p>[page 17]</p> <p>What Evidence Must You Submit?</p> <p>In support of your application, you should provide evidence that establishes why you may qualify for a waiver of inadmissibility. In all cases, you must show that the approval of your application is warranted as a matter of discretion, with the favorable factors outweighing the unfavorable factors in your case. In Part 6., Item Number 9., include a statement explaining why you believe your application should be approved as a matter of discretion, with the favorable factors outweighing the unfavorable factors in your case. If you include a separate letter that contains the statement explaining why you believe your application should be approved as a matter of discretion, you must type or print into the space provided in Item Number 9. that you are attaching a letter. The letter must be submitted at the same time as your Form I-601 application.</p> <p>NOTE: If you are filing as an SIJ, and seeking a waiver under INA section 245(h), you may explain in Part 6., Item Number 9., why your waiver should be granted for humanitarian purposes, family unity, or other reasons in the public interest.</p> <p>...</p> <p>7. If you are applying for a waiver from a ground of inadmissibility that requires a showing of extreme hardship and you are the spouse, parent, son, or daughter of a U.S. citizen or an alien lawfully admitted for permanent residence, the fiancé(e) of a U.S. citizen, or if you are a VAWA self-petitioner (or his or her child), you must submit evidence establishing the family relationship (such as a birth certificate or marriage certificate, etc.) and include evidence that shows your denial of admission would result in extreme hardship to your qualifying relative (the</p>	<p>[page 17]</p> <p>What Evidence Must You Submit?</p> <p>In support of your application, you should provide evidence that establishes why you may qualify for a waiver of inadmissibility. In all cases, you must show that the approval of your application is warranted as a matter of discretion, with the favorable factors outweighing the unfavorable factors in your case. In Part 5., Item Number 9., include a statement explaining why you believe your application should be approved as a matter of discretion, with the favorable factors outweighing the unfavorable factors in your case. If you include a separate letter that contains the statement explaining why you believe your application should be approved as a matter of discretion, you must type or print into the space provided in Item Number 9. that you are attaching a letter. The letter must be submitted at the same time as your Form I-601 application.</p> <p>NOTE: If you are filing as an SIJ, and seeking a waiver under INA section 245(h), you may explain in Part 5., Item Number 9., why your waiver should be granted for humanitarian purposes, family unity, or other reasons in the public interest.</p> <p>...</p> <p>7. If you are applying for a waiver from a ground of inadmissibility that requires a showing of extreme hardship and you are the spouse, parent, son, or daughter of a U.S. citizen or an alien lawfully admitted for permanent residence, the fiancé(e) of a U.S. citizen, or if you are a VAWA self-petitioner (or his or her child), you must submit evidence establishing the family relationship (such as a birth certificate or marriage certificate, etc.) and include evidence that shows your denial of admission would result in extreme hardship to your qualifying relative (the</p>

	<p>U.S. citizen or lawful permanent resident spouse, parent, child, or your U.S. citizen fiancé(e)), or to yourself (or other qualifying individuals) if you are a VAWA self-petitioner. Pay close attention to the qualifying relationship that you have to establish. While the relationships appear to be similar, the various waiver provisions contain different qualifying family relationships. The requirements that need to be established for each waiver are listed in Reasons for Inadmissibility. In Part 5., Item Number 9., include a statement explaining why your denial of admission would result in extreme hardship to your qualifying relative. If you include a separate letter that contains the statement, you must type or print into the space provided in Item Number 9. that you are attaching a letter. The letter must be submitted at the same time as your Form I-601 application.</p> <p>...</p>	<p>U.S. citizen or lawful permanent resident spouse, parent, child, or your U.S. citizen fiancé(e)), or to yourself (or other qualifying individuals) if you are a VAWA self-petitioner. Pay close attention to the qualifying relationship that you have to establish. While the relationships appear to be similar, the various waiver provisions contain different qualifying family relationships. The requirements that need to be established for each waiver are listed in Reasons for Inadmissibility. In Part 4., Item Number 9., include a statement explaining why your denial of admission would result in extreme hardship to your qualifying relative. If you include a separate letter that contains the statement, you must type or print into the space provided in Item Number 9. that you are attaching a letter. The letter must be submitted at the same time as your Form I-601 application.</p> <p>...</p>
<p>Page 19, What Is the Filing Fee?</p>	<p>[page 19]</p> <p>What Is the Filing Fee?</p> <p>The filing fee for Form I-601 is \$930.</p> <p>NOTE: The filing fee is not refundable, regardless of any action USCIS takes on this application. DO NOT MAIL CASH. You must submit all fees in the exact amount.</p> <p>...</p>	<p>[page 19]</p> <p>What Is the Filing Fee?</p> <p>The filing fee for Form I-601 is \$930. If you receive a notice to appear for a biometric services appointment, you may also be required to pay the \$85 biometric services fee.</p> <p>NOTE: The filing fee is not refundable, regardless of any action USCIS takes on this application. DO NOT MAIL CASH. You must submit all fees in the exact amount.</p> <p>...</p>
<p>Page 20, Processing Information</p>	<p>[page 20]</p> <p>...</p> <p>Requests for Interview (for USCIS applicants). We may request that you appear at a USCIS office for an interview based on your application. At the time of any interview or other appearance at a USCIS office, we may require that you provide your fingerprints, photograph, and/or signature to verify your identity</p>	<p>[page 20]</p> <p>...</p> <p>Requests for Interview (for USCIS applicants). We may request that you appear at a USCIS office for an interview based on your application. At the time of any interview or other appearance at a USCIS office, we may require that you provide your biometrics to verify your identity and/or update background and</p>

	and/or update background and security checks. ...	security checks. ...
Page 21, Paperwork Reduction Act	<p>[page 21]</p> <p>Paperwork Reduction Act</p> <p>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 Office of Management and Budget (OMB) control number. The public reporting burden for this collection of information is estimated at 1 hour and 45 minutes per response in paper format, including the time for reviewing instructions, gathering the required documentation and information, completing the application, preparing statements, attaching necessary documentation, and submitting the application. The collection of biometrics is estimated to require 1 hour and 10 minutes. 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 Coordination Division, Office of Policy and Strategy, 20 Massachusetts Ave NW, Washington, DC 20529-2140; OMB No. 1615-0029. Do not mail your completed Form I-601 to this address.</p>	<p>[page 21]</p> <p>Paperwork Reduction Act</p> <p>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 Office of Management and Budget (OMB) control number. The public reporting burden for this collection of information is estimated at 1 hour and 45 minutes per response in paper format, including the time for reviewing instructions, gathering the required documentation and information, completing the application, preparing statements, attaching necessary documentation, and submitting the application. 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 Coordination Division, Office of Policy and Strategy, 20 Massachusetts Ave NW, Washington, DC 20529-2140; OMB No. 1615-0029. Do not mail your completed Form I-601 to this address.</p>