



Instructions for Application for Waiver of Grounds of Inadmissibility Under Sections 245A or 210 of the Immigration and Nationality Act

Department of Homeland Security
U.S. Citizenship and Immigration Services

USCIS
Form I-690
OMB No. 1615-0032
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What Is the Purpose of Form I-690?

An applicant for adjustment of status under Immigration and Nationality Act (INA) section 210 (Special Agricultural Workers) or 245A (Legalization, including LIFE Act Legalization) uses Form I-690 to apply for a waiver of inadmissibility.

Who Should Not File Form I-690?

You do not need to file Form I-690 for any inadmissibility ground that does not apply to Special Agricultural Worker (SAW) or Legalization applicants. The following inadmissibility grounds do not apply:

1. INA section 212(a)(5)(A) – Workers entering the United States without labor certification;
2. INA section 212(a)(6)(A)(i) – Aliens present without admission or parole; and
3. INA section 212(a)(7)(A)(i) – Documentation requirements (immigrants).

The following inadmissibility grounds cannot be waived. You should not file Form I-690 if any of the following inadmissibility grounds apply to you:

1. INA section 212(a)(2)(A)(i)(I) – Crime involving moral turpitude (CIMT);
NOTE: You are not inadmissible for having committed a CIMT if the crime was a purely political offense; the crime was a CIMT but you committed only one CIMT, were under 18 years of age at the time you committed the crime, and were released from any confinement to a prison or correctional institution imposed for the crime more than 5 years before you filed your application for adjustment of status; or the crime was a CIMT but you committed only one CIMT, for which the maximum possible sentence is 1 year or less of imprisonment, and the actual sentence you received was 6 months or less.
2. INA section 212(a)(2)(A)(i)(II) – Controlled substance violation of the laws and regulations of any country or U.S. state, except that a violation related to a single offense of simple possession of 30 grams or less of marijuana may be waived;
3. INA section 212(a)(2)(B) – Multiple criminal convictions;
4. INA section 212(a)(2)(C) – Controlled substance traffickers;
5. INA section 212(a)(3) – Security and related grounds; or
6. INA section 212(a)(4) – Public charge, except that Form I-687 applicants who are applying for Temporary Resident Status under INA section 245A may seek a waiver of the public charge ground, and the public charge ground of inadmissibility does not apply to Legalization (INA section 245A) applicants who are aged, blind, or disabled as defined by the Social Security Act. Form I-700 applicants, LIFE Act Form I-485 applicants, and Form I-698 applicants applying for lawful permanent resident status may not seek a waiver of the public charge ground of inadmissibility.

NOTE: As a SAW or Legalization applicant, you are not inadmissible under INA section 212(a)(4) even if your income is below the poverty level as long as you demonstrate a consistent employment history that shows the ability to support yourself without public cash assistance.

Who May File Form I-690?

U.S. Citizenship and Immigration Services (USCIS) may waive the following inadmissibility grounds at our discretion for humanitarian purposes, family unity, or in the public interest.

1. Applicants Who Require a Waiver of Inadmissibility Due to a Communicable Disease of Public Health Significance – INA Section 212(a)(1)(A)(i)

You must file this application if you seek a waiver of inadmissibility based on a communicable disease of public health significance as defined in 42 CFR 34.2(b) which include, but are not limited to:

- A. Class A Tuberculosis condition (as defined by Health and Human Services (HHS) regulations);
- B. Chancroid;
- C. Gonorrhea;
- D. Granuloma inguinale;
- E. Lymphogranuloma venereum;
- F. Syphilis, infectious stage;
- G. Leprosy, infectious; or
- H. Any other communicable disease as determined by the U.S. Secretary of HHS and as defined at 42 CFR 34.2(b).

If you have a Class A Tuberculosis condition, you and the physician or medical facility providing you with the required treatment must complete **Supplement 1, Applicants With a Class A Tuberculosis Condition (As Defined by Health and Human Services Regulations)**. Additionally, a state health department official in the jurisdiction where you will reside must complete and sign **Part 5. Endorsement of State Health Department Official**. If you are outside of the United States, a relative in the United States must complete this process for you.

2. Applicants Requesting a Waiver of the Vaccination Requirements of INA Section 212(a)(1)(A)(ii) on Account of Religious or Moral Objection

If your waiver application is based on religious or moral objections to vaccinations, you must establish that:

- A. You object to vaccinations in any form;
- B. You object because of your religious beliefs or moral convictions (you do not need to be a member of a mainstream or recognized religion); and
- C. Your beliefs are sincere.

Additional Information About Vaccination Requirements Waivers

You are eligible for a blanket waiver of the vaccination requirement and do not need to file Form I-690 if:

- A. You did not initially submit proof you received the required vaccinations, but you subsequently submitted proof that you are now vaccinated; or
- B. The civil surgeon or the panel physician certified that one or more of the required vaccinations is not medically appropriate for you. According to the Centers for Disease Control and Prevention (CDC) instructions, the phrase “not medically appropriate” covers the following situations:
 - (1) The vaccination is not recommended by the Advisory Committee for Immunization Practices for your age group;
 - (2) The vaccination is medically inadvisable;
 - (3) There is not enough time between doses for vaccines requiring a series of doses; or
 - (4) It is not the flu season, or the vaccine for the specific flu strain is no longer available (for the flu vaccine only).

C. USCIS determines after consultation with the CDC that there is a nationwide vaccination shortage (for applicants in the United States) or that the vaccine is not available in the applicant's country (for applicants overseas).

3. Applicants Who Have a Physical or Mental Disorder With Associated Harmful Behavior Under INA Section 212(a)(1)(A)(iii)(I) or (II)

If the designated physician determines that you have a physical or mental disorder with associated harmful behavior, or a past history of a physical or mental disorder with associated harmful behavior that is likely to recur, the HHS regulations in 42 CFR 34 and the technical instructions published by the CDC require the medical examination report completed by the designated physician to contain at least the following information:

- A. A complete medical history, including the details of any previous or current hospitalization, treatment, or care;
- B. The current findings, diagnosis, and prognosis; and
- C. Any other information necessary for USCIS to determine, in consultation with HHS, the terms and conditions that should be imposed on the waiver, if it is granted.

4. Applicants Who Are Inadmissible Because of Drug Abuse or Addiction Under INA Section 212(a)(1)(A)(iv)

You must file this application if you seek a waiver of inadmissibility because you have been determined to be a drug abuser or drug addict. The designated physician determines whether you are currently using or in the past have used any controlled substance. The designated physician makes this determination during the required medical exam, according to the applicable HHS regulations at 42 CFR 34 and the Technical Instructions published by the CDC.

In addition to this application, you must submit:

- A. A copy of the immigration medical examination report and documentation (Form I-693 or Form DS-2054 and its related worksheets);
- B. A copy of any medical documentation related to Form I-693 or DS-2054 that provides details of the diagnosis, including: the specific substance or substances involved; the level of severity of the abuse or addiction; time periods of abuse or addiction; and any therapy administered, rehabilitation, remission, counseling, or referrals; and
- C. A copy of all other relevant medical reports, laboratory tests and results, and evaluations related to the drug abuse or addiction.

After consulting with HHS/CDC, USCIS will exercise its discretion to determine whether to approve a waiver. USCIS will not approve this waiver if you are inadmissible under any other grounds that are not waivable.

NOTE: You are **not** inadmissible under INA section 212(a)(1)(A)(iv) (and so do not need to file this waiver application) if the designated physician determines you are in remission from previous drug abuse or addiction.

5. Applicants Who Are Inadmissible Due to a Controlled Substance Violation Related to a Single Offense of Simple Possession of 30 grams or Less of Marijuana – INA Section 212(a)(2)(A)(i)(II)

You must file this application if you seek a waiver for a controlled substance violation related to a single offense of simple possession of 30 grams or less of marijuana. This is the only waivable controlled substance offense under INA section 212(a)(2)(A)(i)(II). Other controlled substance offenses are not waivable.

NOTE: If you admit to use of any controlled substance in violation of any law or regulation you may be inadmissible on criminal grounds under INA section 212(a)(2)(A)(i)(II) relating to any controlled substance violation. See **Item 4.** above.

6. Applicants Who Are Inadmissible Based on Public Charge Under INA Section 212(a)(4)

USCIS cannot waive inadmissibility based on public charge under INA section 212(a)(4) except for Form I-687 applicants who apply for Temporary Residence under INA section 245A. You are not eligible for a waiver of the public charge ground if you are a Form I-700, LIFE Act Form I-485, or Form I-698 applicant applying for lawful permanent residence.

But, you are not inadmissible, even if your income is below the poverty level, as long as you demonstrate a consistent employment history that shows the ability to support yourself without public cash assistance.

And the public charge ground of inadmissibility does not apply to Legalization (INA section 245A) applicants who are aged, blind, or disabled as defined by the Social Security Act.

7. Other Inadmissibility Grounds

You may file Form I-690 if you are inadmissible under the following sections of law:

- A. INA section 212(a)(2)(D) – Prostitution and Commercialized Vice;
- B. INA section 212(a)(2)(E) – Asserted Immunity from Prosecution;
- C. INA section 212(a)(2)(G) – Particularly Severe Violations of Religious Freedom;
- D. INA section 212(a)(2)(H) – Significant Traffickers in Persons;
- E. INA section 212(a)(2)(I) – Money Laundering;
- F. INA section 212(a)(6)(B) – Failure to Attend Removal Proceedings
- G. INA section 212(a)(6)(C)(i) or (ii) – Misrepresentation - False Claim to U.S. Citizenship;
- H. INA section 212(a)(6)(D) or (E) – Stowaways or Smugglers;
- I. INA section 212(a)(6)(F) – Subject of Civil Penalty;
- J. INA section 212(a)(6)(G) – Student Visa Abusers;
- K. INA section 212(a)(8)(A) or (B) – Permanently Ineligible for Citizenship;
- L. INA section 212(a)(9)(A)(i) or (ii) – Aliens Previously Removed - Arriving or Other;
- M. INA section 212(a)(9)(B)(i)(I) or (II) – Aliens Unlawfully Present - 180 Days but Less than One Year or One Year or More;
- N. INA section 212(a)(9)(C)(i)(I) or (II) – Aliens Unlawfully Present after Previous Immigration Violations, More than One Year or Ordered Removed and Enters or Reenters; and
NOTE: If you are applying for LIFE Act legalization, you may apply for a waiver of inadmissibility to overcome INA section 212(a)(9)(A) and INA section 212(a)(9)(C) (Aliens Unlawfully Present after Previous Immigration Violations) even if your removal order has been reinstated (under INA section 241(a)(5)). See 8 CFR 245a.18(c)(1).
- O. INA section 212(a)(10)(A), (B), (C), (D), (E) Miscellaneous – Practicing Polygamist or Guardian Required to Accompany Helpless Alien or International Child Abductor or Unlawful Voters or Former Citizens Who Renounced Citizenship to Avoid Taxation.

General Instructions

We provide free forms through the USCIS website. To view, print, or complete our forms, you should use the latest version of Adobe Reader, which you can download for free at <http://get.adobe.com/reader/>. If you do not have internet access, you may call the USCIS Contact Center and ask that we mail a form to you.

Signature. You (or your signing authority) must properly complete your application. USCIS will not accept a stamped or typewritten name in place of any signature on this application. If you are under 14 years of age, your parent or legal guardian may sign the application on your behalf. A legal guardian may also sign for a mentally incompetent person. If your application is not signed, or if the signature is not valid, we will reject your application. See 8 CFR 103.2(a)(7)(ii) (A). If USCIS accepts a request for adjudication and determines that it has a deficient signature, USCIS may deny the request.

Validity of Signatures. USCIS will consider a photocopied, faxed, or scanned copy of the original, handwritten signature valid for filing purposes. The photocopy, fax, or scan must be of the original document containing the handwritten ink signature.

Filing Fee. See Form G-1055, Fee Schedule, available at www.uscis.gov/g-1055, for all information on filing fees.

Biometric Services Appointment. USCIS may require that you appear for an interview or provide biometrics (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 criminal history records maintained by the Federal Bureau of Investigation (FBI), before making a decision on your application or petition. If we determine that a biometric services appointment is necessary, we will send you an appointment notice with the date, time, and location of your appointment. If you are currently overseas, your notice will instruct you to contact a U.S. Embassy, U.S. Consulate, or USCIS office outside the United States to schedule an appointment.

At your biometrics appointment, you must sign an oath reaffirming that:

1. You provided or authorized all information in the application;
2. You reviewed and understood all of the information contained in, and submitted with, your application; and
3. All of this information was complete, true, and correct at the time of filing.

If you do not attend your biometric services appointment, USCIS may deny your application.

Copies. You should submit legible photocopies of requested documents unless the Instructions specifically instruct you to submit an original document. USCIS may request an original document at any time during our process. If we request an original document from you, we will return it to you after USCIS determines it no longer needs the original.

NOTE: If you submit original documents when they are not required or requested, **USCIS may destroy them after we receive them.**

Translations. If you submit a document with information in a foreign language, you must also submit a full English translation. The translator must sign a certification that the English language translation is complete and accurate, and that they are competent to translate from the foreign language into English. The certification must also include their signature, printed name, the signature date, and their contact information.

How To Complete Form I-690

1. Type or print legibly in black ink.
2. If you need extra space to complete any item within this application, use the space provided in **Part 6. Additional Information** or attach a separate sheet of paper. Type or print your name and Alien Registration Number (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 date and sign each sheet.
3. Answer all questions fully and accurately. If a question does not apply to you (for example, if you have never been married and the question asks, "Provide the name of your current spouse"), type or print "N/A" unless otherwise directed. If your answer to a question which requires a numeric response is zero or none (for example, "How many children do you have" or "How many times have you departed the United States"), type or print "None" unless otherwise directed.

- 4. USCIS Online Account Number.** You will only have a USCIS Online Account Number (OAN) if you previously filed a form that has a receipt number that begins with IOE. If you filed the form online, you can find your OAN in your account profile. If you mailed us the form, you can find your OAN at the top of the Account Access Notice we sent you. If you do not have a receipt number that begins with IOE, you do not have an OAN. The OAN is not the same as an A-Number.
- 5. Part 3. Applicant's Contact Information, Certification, and Signature.** You must sign and date your application and, if applicable, provide your daytime telephone number, mobile telephone number, and email address. The signature of a parent or legal guardian, if applicable, is acceptable. A stamped or typewritten name in place of a signature is not acceptable.
- 6. Part 4. Interpreter's Contact Information, Certification, and Signature.** If you used anyone as an interpreter to read the Instructions and questions on this application to you in a language in which you are fluent, the interpreter must fill out this section and sign and date the application.
- 7. Part 5. Contact Information, Declaration, and Signature of the Person Preparing this Application, If Other Than the Applicant.** The person who completed your application, if other than the applicant, must sign this section. If the same individual acted as your interpreter and your preparer, then that person should complete both **Part 4.** and **Part 5.** A stamped or typewritten name in place of a signature is not acceptable.

We recommend that you print or save a copy of your completed application for your records.

What Evidence Must You Submit?

You must submit evidence showing that a grant of the waiver would serve humanitarian purposes, family unity, or otherwise be in the public interest. 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. If you fail to submit evidence with your application, USCIS may deny your application in accordance with 8 CFR 103.2(b)(1) and these **Instructions**.

Where To File?

Please see our website at www.uscis.gov/i-690 for the most current information about where to file this application.

Address Change

If you are not a U.S. citizen, you must notify USCIS of your new address within 10 days of moving from your previous residence. For information on changing your address, go to our website at www.uscis.gov/addresschange or contact the USCIS Contact Center.

NOTE: Do not submit a change of address request to the USCIS Lockbox.

Processing Information

You must have a United States address to file this application.

An application is not considered properly filed until USCIS accepts it.

Initial Processing. Once USCIS accepts your application, we will check it for completeness. If you do not properly complete this application, you will not establish a basis for your eligibility and we may reject or deny your application.

Requests for More Information. USCIS may request that you provide more information or evidence to support your application. We may also request that you provide the originals of any copies you submit. If we request an original document from you, we will return it to you after USCIS determines it is no longer needed.

Requests for Interview. We may request that you appear at a USCIS office for an interview based on your application. During your interview, USCIS may require you to provide your biometrics to verify your identity and/or update background and security checks.

Decision. The decision on Form I-690 involves a determination of whether you have established eligibility for the immigration benefit you are seeking. USCIS will notify you of our decision in writing.

USCIS Forms and Information

To ensure you are using the latest version of this application, visit www.uscis.gov.

Penalties

If you knowingly and willfully falsify or conceal a material fact or submit a false document with your Form I-690, we will deny your application and may deny any other immigration benefit. In addition, you will face severe penalties provided by law and may be subject to criminal prosecution.

DHS Privacy Notice

AUTHORITIES: The information requested on this waiver, and the associated evidence, is collected under the Immigration and Nationality Act (INA) section 210 and 245A, the Immigration Reform and Control Act of 1986, and U.S. Department of State Authorization Bill of 1987 section 902.

PURPOSE: The primary purpose of this form is to apply for a waiver of inadmissibility for adjustment of status under section 210 or 245A of the INA. DHS will use the information you provide to grant or deny the waiver you are seeking.

DISCLOSURE: The information you provide is voluntary. However, failure to provide the requested information, including your Social Security number, and any requested evidence, may delay a final decision or result in denial of your request for a waiver of inadmissibility.

ROUTINE USES: DHS may share the information you provide on this waiver, and any additional requested evidence, with other Federal, state, local, and foreign government agencies and authorized organizations. DHS follows approved routine uses, as described in the associated published system of records notices [DHS-USCIS-001 - Alien File, Index, and National File Tracking System, DHS/USCIS-007 - Benefits Information System, and DHS/USCIS-018 Immigration Biometric and Background Check] and the published privacy impact assessment [DHS/USCIS/PIA-016(a) Computer Linked Application Information Management System and Associated Systems], which you find at www.dhs.gov/privacy. DHS may also share this information as appropriate for law enforcement purposes or in the interest of national security.

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 Office of Management and Budget (OMB) control number. The public reporting burden for this collection of information is estimated at **2.697** hours per response, 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, Office of Policy and Strategy, Regulatory Coordination Division, 5900 Capitol Gateway Drive, Mail Stop #2140, Camp Springs, MD 20588-0009; OMB No. 1615-0032. **Do not mail your completed Form I-690 to this address.**

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