Instructions for Application for Waiver of Grounds of Inadmissibility

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

USCIS
Form I-601
OMB No. 1615-0029
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What is the Purpose of This Application?

An individual who is ineligible to be admitted to the United States as an immigrant or to adjust status in the United States, and certain nonimmigrant applicants who are inadmissible, must file this application to seek a waiver of certain grounds of inadmissibility.

Review the **Who May File This Application** section of these instructions to determine your eligibility to submit this application. This section outlines possible waivers and can help you determine if you need a qualifying family relationship to be eligible to file. Information on qualifying family members is listed in the **Reasons for Inadmissibility** section of these instructions.

The **Reasons for Inadmissibility** section of these instructions outlines requirements you must establish in order to have a particular ground of inadmissibility waived.

NOTE: Use Form I-601A, Application for Provisional Unlawful Presence Waiver, to request a provisional waiver of the ground of inadmissibility for unlawful presence in the United States under INA section 212(a)(9)(B) only. DO NOT use this Form I-601 if you are applying for a provisional unlawful presence waiver.

Who May File This Application?

Whether you are eligible for a waiver depends on the immigration benefit you are seeking and the reason for your inadmissibility. Below is a list that details which immigrant benefits allow for a waiver of certain grounds of inadmissibility. Go to the page number listed to obtain more information.

Categories **Page Number**

If you are an applicant for an immigrant, K, or V nonimmigrant visa (and you are outside the United States, have had a visa interview with a consular officer, and during the interview, you were found inadmissible), or you are an applicant for adjustment of status to lawful permanent residence (excluding adjustment categories listed below), you may file this application to obtain relief from the following grounds:

1. Health-related grounds of inadmissibility (INA section 212(a)(1)) **9**

2. Certain criminal grounds of inadmissibility (INA section 212(a)(2)) **10**

3. Immigration fraud and misrepresentation (INA section 212(a)(6)(c)) **10**

4. Immigrant membership in totalitarian party (INA section 212(a)(3)) **12**

5. Alien smuggler (INA section 212(a)(6)(E)) **12**

6. Being subject to civil penalty (INA section 212(a)(6)(F)) **12**

7. The 3-year or 10-year bar due to previous unlawful presence in the United States (INA section 212(a)(9)(B)) **12**

If you are an applicant for Temporary Protected Status (TPS), you may file this application to obtain relief from the following grounds:

1. Most grounds of inadmissibility listed in INA section 212(a) **13**

If you are an applicant for adjustment of status under the Nicaraguan Adjustment and Central American Relief Act (NACARA) 202 or Haitian Refugee Immigration Fairness Act (HRIFA) 902, you may file this application to obtain relief from the following grounds:

1. All grounds listed for the adjustment of status applicants except the 3-year or 10-year bar due to previously unlawful presence in the United States (See pages relating to the adjustment of status applicants, listed above.) **14**
2. Aliens previously removed (INA section 212(a)(9)(A)) **14**
3. Unlawfully present after previous immigration violations (INA section 212(a)(9)(C)) **14**

If you are an applicant for an immigrant visa or adjustment of status as a Violence Against Women Act (VAWA) self-petitioner or the child of a VAWA self-petitioner, you may file this application to obtain relief from the following grounds:

1. All grounds listed for the adjustment of status applicants. (See pages relating to the adjustment of status applicants, listed above.) **15**
2. Unlawfully present after previous immigration violations (INA section 212(a)(9)(C)) **15**

NOTE: VAWA self-petitioners (and their children) seeking adjustment have a special form of relief available if they are inadmissible under the 3-year or 10-year bar (INA section 212(a)(9)(B)(i)). VAWA self- petitioners (and their children) who are not eligible for this special form of relief, but meet the requirements for the waiver under INA section 212(a)(9)(B)(v), may file Form I-601. See the **You Are an Approved VAWA Self-Petitioner or the Child of an Approved VAWA Self-Petitioner Seeking a Waiver Under INA Section 212(a)(9)(C)(iii) for Being Unlawfully Present After Previous Immigration Violations Under INA Section 212(a)(9)(C)** of these Instructions.

If you are an applicant for adjustment of status based on T nonimmigrant status, you may file this application to obtain relief from the following grounds:

1. Most grounds listed in INA section 212(a) **16**

If you are an applicant for adjustment of status as a Special Immigrant Juvenile (SIJ) based on an approved Form I-360, you may file this application to obtain relief from the following grounds:

1. Most grounds listed in INA section 212(a) **16**

How Long Is a Waiver Valid?

Except as provided below, if you are granted a waiver of grounds of inadmissibility in connection with your immigrant visa or adjustment of status application, the waiver is valid indefinitely. This is true even if you do not obtain your immigrant visa, or immigrant admission, or adjustment of status, or if you lose your legal permanent resident status.

NOTE: If this Form I-601 is approved, the waiver that is granted will apply **only** to the grounds of inadmissibility and those crimes, incidents, events, or conditions that you have included in your application. For this reason, it is important that you disclose all conduct or conditions that may cause you to be inadmissible and list all grounds of inadmissibility for which you seek a waiver.

The following waivers are either conditional or limited to certain benefits.

Convention Adoptee. If you obtain a waiver in connection with Form I-800, Petition to Classify Convention Adoptee as an Immediate Relative, the approval of your waiver is conditioned upon the final issuance of an immigrant or nonimmigrant visa based on the final approval of Form I-800.

K Nonimmigrant Visa Applicant. If you obtain a waiver in connection with an application for a K-1 or K-2 nonimmigrant visa, the approval of your waiver is conditioned upon the marriage of the K-1 visa applicant and the K-1 visa petitioner after the K-1 nonimmigrant visa applicant is admitted to the United States.

Conditional Resident. If you obtain a waiver in connection with an application for lawful permanent residence on a conditional basis under INA section 216 or INA section 216A, the validity of the waiver automatically ceases with the termination of such residence. No separate notification of termination of the waiver is needed, and you cannot appeal the termination of the waiver. However, if the immigration judge determines that you are not removable based on the termination of your conditional resident status, the waiver will become effective again.

TPS Applicant. If you obtain a waiver in connection with Form I-821, Application for Temporary Protected Status, the waiver is only valid for the TPS application. If granted, the waiver will apply to subsequent TPS re-registration applications, but not to any other immigration benefit requests.

General Instructions

Read these instructions carefully to properly complete this application.

U.S. Citizenship and Immigration Services (USCIS) provides forms free of charge through the USCIS Web site. In order to view, print, or fill out 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 National Customer Service Center at **1-800-375-5283** and ask that we mail a form to you. For TTY (deaf or hard of hearing) call: **1-800-767-1833**.

Signature. Each application must be properly signed and filed. For all signatures on this application, the agency adjudicating your application will not accept a stamped or typewritten name in place of a signature. If you are under 14 years of age, your parent or legal guardian may also sign the application on your behalf. A legal guardian may also sign for a mentally incompetent person.

Filing Fee. Each application must be accompanied by the appropriate filing fee. (See the **What Is the Filing Fee** section of these instructions.)

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 it. 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.

Evidence. At the time of filing, you must submit all evidence and supporting documentation listed in the **What Evidence Should Be Submitted With the Application** section of these instructions. If you file your application without the required evidence, you will not establish a basis for eligibility. The agency adjudicating your application may request additional evidence or deny your application.

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 criminal history records maintained by the Federal Bureau of Investigation (FBI), before making a decision on your application. 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. If you fail to attend your biometric services appointment, USCIS may deny your application.

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.

Acknowledgement of Appointment at USCIS Application Support Center (For USCIS Applicants Only). Review the ASC Acknowledgement that appears in **Part 7.** of the application. The purpose of this ASC Acknowledgement is to confirm that you have completed your application, reviewed your responses, and affirmed that the information was provided by you and is complete, true, and correct. If someone helped you fill out your application, that person must review the ASC Acknowledgement with you to make sure you understand it.

Copies. You may 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 you submit original documents when not required, the documents may remain a part of the record, and USCIS will not automatically return them to you.

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 he or she is competent to translate from the foreign language into English.

How to Fill Out Form I-601

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 10. 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 sign and date 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.

Specific Instructions

Part 1. Information About You

Item Number 1. Alien Registration Number (A-Number) (if any). An Alien Registration Number, otherwise known as an "A-Number," is typically issued to persons who apply for, or are granted, certain immigration benefits. In addition to USCIS, U.S. Immigration and Customs Enforcement (ICE), U.S. Customs and Border Protection (CBP), Executive Office for Immigration Review (EOIR), and U.S. Department of State (DOS) may also issue an A-Number to certain aliens. If you were issued an A-Number, type or print it in the spaces provided. If you do not have an A-Number, or if you cannot remember it, leave this space blank.

Item Number 2. USCIS Online Account Number (if any). If you have previously filed an application, petition, or request using the USCIS online filing system (previously called USCIS Electronic Immigration System (USCIS ELIS)), provide the USCIS Online Account Number you were issued by the system. You can find your USCIS Online Account Number by logging in to your account and going to the profile page. If you previously filed certain applications, petitions, or requests on a paper form via a USCIS Lockbox facility, you may have received a USCIS Online Account Access Notice issuing you a USCIS Online Account Number. If you received such a notice, your USCIS Online Account Number can be found at the top of the notice. If you were issued a USCIS Online Account Number, enter it in the space provided. The USCIS Online Account Number is not the same as an A-Number.

Item Numbers 3.a. - 3.c. Your Full Name. Provide your full legal name as shown on your identity documents or legal change of name document in the spaces provided.

Item Numbers 4.a - 4.c. Other Names Used. Provide other names you have used since birth, including your maiden name, any nicknames, and any names that appear in your documents. If you need extra space to complete this section, use the space provided in **Part 10. Additional Information** to provide other names used.

Item Numbers 5.a. - 5.i. Mailing Address. Provide a valid mailing address. Use an address in the United States, if one is available. If you do not have a U.S. mailing address, provide your foreign mailing address.

Item Numbers 6. - 7.h. Physical Address. If the place where you live is different from your mailing, type or print the address where you currently live.

Item Number 8. U.S. Social Security Number (if any)**.** Provide your U.S. Social Security Number. Also include all social security numbers you have ever used. If you need extra space to complete this section, use the space provided in **Part 10. Additional Information** to provide additional U.S. Social Security Numbers.

Item Number 9. Gender. Select the box that indicates whether you are male or female.

Item Number 10. Date of Birth. Provide your date of birth in mm/dd/yyyy format in the space provided.

Item Numbers 11. - 13. Place of Birth. Provide the name of the city or town, province, and country where you were born. Type or print the name of the country as it was named when you were born, even if the country's name has changed or the country no longer exists.

Item Number 14. Country of Citizenship or Nationality. Type or print the name of the country where you are currently a citizen or national. If you are stateless, type or print the name of the country where you were last a citizen or national. If you are a citizen or national of more than one country, type or print the name of the foreign country that issued your last passport.

Item Numbers 15.a. - 15.b. Form I-601 Waivers Filed with Immigrant Visa or K or V Nonimmigrant Visa Applications. If you are seeking an immigrant visa or a K or V nonimmigrant visa and you were already interviewed by a DOS consular officer, provide the DOS Consular Case Number for your visa application (if available) and indicate where your visa interview occurred (that is, the location of the U.S. Embassy or U.S. Consulate).

Item Numbers 16.a. - 16.b. Form I-601 Waivers Filed with Adjustment of Status Applications. If you are filing this application after you have filed an application to adjust your immigration status to that of a lawful permanent resident, provide the USCIS receipt number for your Form I-485.

Item Numbers 17.a. - 17.b. Form I-601 Waivers Filed with Temporary Protected Status Applications. If you are filing your Form I-601 after you have already filed Form I-821, provide the USCIS receipt number for your Form I-821.

Item Numbers 18.a. - 19. Form I-601 Waivers Filed with Consent to Reapply Applications. If you previously filed an application for consent to reapply, provide the USCIS receipt number for your Form I-212. If you are filing Form I-212 with your Form I-601, select "Yes" for **Item Number 19.**

Part 2. U.S. Entry Information

Item Number 1.a. Date You Entered the United States. Beginning with your most recent arrival in the United States, provide the date you entered the United States in the mm/dd/yyyy format.

Item Number 1.b. Immigration Status at the Time You Entered the United States. Provide the letter and number that correlates with your status when you re-entered the United States.

Item Numbers 1.c. - 1.d. Location at Which You Entered the United States and **U.S. City or Town Where You Lived.** Provide the location where you entered the United States and the city or town where you lived.

Item Number 2.a. - 2.e. If you were previously in the United States on multiple occasions, continue to list your periods of stay, beginning with **Item Number 2.a.** If you need extra space to list other periods of stay, use the space provided in **Part 10. Additional Information.**

Part 3. Biographic Information (for USCIS Applicants only)

Provide the biometrics information requested in **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.

Item Numbers 1. - 2. Ethnicity and Race. Select the boxes that best describes your ethnicity and race.

Categories and Definitions for Ethnicity and Race

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 **Item Number 1.**)

2. **White.** A person having origins in any of the original peoples of Europe, the Middle East, or North Africa.

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.

4. **Black or African American.** A person having origins in any of the black racial groups of Africa.

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.

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.

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.

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.

Item Number 5. Eye Color. Select the box that best describes the color of your eyes.

Item Number 6. Hair Color. Select the box that best describes the color of your hair.

Part 4. Reasons for Inadmissibility

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.

Section A. Item Numbers 1. - 18. Applicants for Immigrant Visa, Adjustment of Status (other than based on T nonimmigrant status or based on classification as a Special Immigrant Juvenile), or K or V nonimmigrant status. Select all of the grounds of inadmissibility that you believe, to the best of your knowledge, apply to you. If a ground of inadmissibility does not appear in **Item Numbers 1. - 18.**, complete **Item Number 19.**, and specify the applicable ground of inadmissibility or other circumstances or conduct which you believe make you inadmissible to the United States.

Section B. Item Number 19. T nonimmigrants or Special Immigrant Juveniles Applying for Adjustment of Status. Specify the grounds of inadmissibility that, to the best of your knowledge, apply to you.

Section C. Item Numbers 20. - 39. Applicants for Temporary Protected Status. Select the grounds of inadmissibility that you believe, to the best of your knowledge, apply to you. If a ground of inadmissibility does not appear in **Item Numbers 20. - 39.**, complete **Item Number 40.**, and specify the applicable ground of inadmissibility and other circumstances or conduct which you believe make you inadmissible to the United States.

Section D. Item 40. Your Inadmissibility Statement. Provide a statement that explains the acts, convictions, and/or medical conditions you believe make you inadmissible to the United States. Include dates for all convictions and certified court documents, including judgments that show the disposition of any criminal arrests and/or convictions.

Part 5. Information About Your Qualifying Relatives

Provide information about your qualifying relative through whom you are claiming eligibility for a waiver. Pay close attention to which qualifying family relationship you must establish when applying for a waiver. The different waivers require different qualifying relationships. The required relationship is discussed in the **Reasons for Inadmissibility** section.

Item Numbers l.a. - l.c. Relative's Full Name. Provide the full name of your qualifying relative.

Item Numbers 2.a. - 4. Physical Address and Contact Information. Provide the physical address where your qualifying relative currently resides in the spaces provided. Include his or her current daytime telephone number and email address (if any).

Item Numbers 5. - 8. Other Information. Indicate your relationship to your qualifying relative through whom you are claiming eligibility for a waiver (for example, U.S. citizen or LPR spouse, parent, or child). Also provide your relative's current immigration status, A-Number (if any), and date of birth in the mm/dd/yyyy format. If you have additional qualifying relatives through whom you claim eligibility, select the box under **Item Number 8.** and provide your other qualifying relative's name, relationship to you, current immigration status, A-Number (if any), and date of birth in the mm/dd/yyyy format.

Item Number 9. Statement from Applicant (Extreme Hardship). Explain the extreme hardship your qualifying relative (for example, U.S. citizen or LPR spouse, parent, or child) would experience if you were refused admission to the United States.

Note to K-1 and K-2 Nonimmigrant Visa Applicants

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.**

Information About Qualifying Relatives

1. **If you are a fiancé(e) of a U.S. citizen:**
   - **A.** Complete **Item Numbers 1.a. - 8.** with information about the U.S. citizen who filed a fiancé(e) petition on your behalf; and
   - **B.** Type or print "Prospective Spouse" in the space provided for **Item Number 5.**
2. **If you are the child of a fiancé(e) of a U.S. citizen and will be under 18 years of age when your parent marries that person:**
   - **A.** Complete **Item Numbers 1.a. - 8.** with information about the U.S. citizen who filed a fiancé(e) petition on your parent's behalf; and
   - **B.** Type or print "Prospective Step-Parent" in the space provided for **Item Number 5.**
3. **If you are the child of a fiancé(e) of a U.S. citizen, and will be at least 18 years of age but under 21 years of age when your parent marries such person:**
   - **A.** Complete **Item Numbers 1.a. - 8.** with information about your parent who will marry the U.S. citizen who filed a fiancé(e) petition on your parent's behalf;
   - **B.** Type or print "Parent" in the space provided for **Item Number 5.**; and
   - **C.** Type or print "Prospective LPR" in the space provided for **Item Number 6.**

USCIS will conditionally approve the waiver application if USCIS determines that you will be eligible for an immigrant waiver of inadmissibility upon your (or your parent's) proposed bona fide marriage to the K nonimmigrant petitioner. The condition imposed on the approval is the celebration of the proposed bona fide marriage between you (or your parent) and the K visa petitioner. If that marriage occurs, the waiver becomes valid indefinitely (although subject to 8 CFR 212.7(a)(4)(iv)) even if you later abandon or otherwise lose lawful permanent resident status. If you do not (or your parent does not) marry the K visa petitioner, you remain inadmissible for purposes of any application for a benefit on any basis other than the proposed marriage between you (or your parent) and the K visa petitioner.

Part 6. Information About Your Other Relatives with Ties to the United States

Item Numbers l.a. - l.c. Relative's Full Name. Provide the full name of your relative.

Item Numbers 2.a. - 4. Physical Address and **Contact Information.** Provide the physical address where your relative currently resides in the spaces provided. Include his or her current daytime telephone number and email address (if any).

Item Numbers 5. - 8. Other Information. Indicate your relationship to your other relatives in the United States and provide his or her current immigration status, A-number (if any), and date of birth in the mm/dd/yyyy format.

Item Number 9. Statement from Applicant (Discretion). Explain why you believe your application should be approved as a matter of discretion, if applicable, and why the favorable factors in your case should outweigh the unfavorable factors.

Part 7. Applicant's Statement, Contact Information, Acknowledgement of Appointment at USCIS Application Support Center, Certification, and Signature

Item Numbers 1.a. - 6.b. Select the appropriate box to indicate that you either read this application yourself or someone interpreted this application for you from English to a language in which you are fluent. If applicable, select the box to indicate if someone else prepared this application for you. You must also affirm that you have read and understand or that an interpreter or preparer read to you and you understand the **Acknowledgement of Appointment at USCIS Application Support Center** in **Part 7.** Further, you must sign and date your application and provide your daytime telephone number, mobile telephone number (if any), and email address (if any). Every application **MUST** contain the signature of the applicant (or parent or legal guardian, if applicable). A stamped or typewritten name in place of a signature is not acceptable.

If you are filing this application to waive inadmissibility for a communicable disease of public health significance (under INA section 212(g)), and you are not competent to sign the application, a duly appointed guardian or a qualified relative listed in **Item Number 1.** of the **Specific Instructions** section titled **You Are Seeking a Waiver Under INA Section 212(g) of Health-Related Grounds of Inadmissibility Under INA Section 212(a)(1)** may file and sign the application on your behalf. This qualifying relative may sign the application for you even if you have a legal guardian, but that relative is not your legal guardian. If a qualifying relative signs for you, the relative will need to provide proof of the relationship (unless already submitted, such as with your visa petition).

Part 8. Interpreter's Contact Information, Certification, and Signature

Item Numbers 1.a. - 6.b. 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, provide his or her name, the name and address of his or her business or organization (if any), his or her daytime telephone number, and his or her email address (if any). The interpreter must also certify that he or she has read the **Acknowledgement of Appointment at USCIS Application Support Center** in **Part 7.** to you in the same language in which you are fluent. The interpreter must sign and date the application.

Part 9. Contact Information, Certification, and Signature of the Person Preparing this Application, If Other Than the Applicant

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 prepare this application **MUST** sign and date the application. A stamped or typewritten name in place of a signature is not acceptable. Anyone who helped you prepare your application must also certify that he or she has read the **Acknowledgement of Appointment at USCIS Application Support Center** in **Part 7.** to you, and that you informed him or her that you understood the ASC Acknowledgement. If the person who helped you prepare your application is an attorney or accredited representative, he or she must also submit a completed Form G-28, Notice of Entry of Appearance as Attorney or Accredited Representative, along with your application.

Part 10. Additional Information

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 file with your application. Include 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.

We recommend that you print or save a copy of your completed application to review in the future and for your records. We recommend that you review your copy of your completed application before you come to your biometric services appointment at a USCIS ASC. At your appointment, USCIS will permit you to complete the application process only if you are able to confirm, under penalty of perjury, that all of the information in your application is complete, true, and correct. If you are not able to make that attestation in good faith at that time, USCIS will require you to return for another appointment.

Reasons for Inadmissibility

Go to the section for the immigration benefit you are seeking. Select or enter all grounds of inadmissibility that you believe or that you have been told apply to you.

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.

You Are Seeking a Waiver Under INA Section 212(g) of Health-Related Grounds of Inadmissibility Under INA Section 212(a)(1)

1. You Are Seeking a Waiver Under INA Section 212(g)(1) for Inadmissibility Due to a Communicable Disease of Public Health Significance

You must file this application if you seek a waiver of inadmissibility based on a communicable disease of public health significance.

Communicable diseases of public health significance are defined in 42 CFR 34.2(b) and include, but are not limited to:

A. Class A tuberculosis condition (as defined by 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).

The application may be approved if:

A. You are the spouse, parent, unmarried son or daughter; unmarried minor lawfully adopted child of a U.S. citizen, an alien lawfully admitted for permanent residence, or of an alien who has been issued an immigrant visa, or if you are the fiancé(e) of a U.S. citizen or the fiancé(e)'s child; or

B. You are a VAWA self-petitioner.

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).**

2. You are Seeking a Waiver Under INA Section 212(g)(2)(C) of the Vaccination Requirement

You must file this application if you seek an exemption from the vaccination requirement because vaccinations are against your religious beliefs or moral convictions. You must establish with evidence that:

A. You are opposed to vaccinations in any form;

B. Your objection is based on religious beliefs or moral convictions; and

C. Your belief or conviction is sincere.

3. You are Seeking a Waiver Under INA Section 212(g)(3) for Inadmissibility Due to Physical or Mental Disorder and Associated Harmful Behavior

You must file this application if you seek a waiver of inadmissibility based on a physical or mental disorder with associated harmful behavior. Harmful behavior is behavior that poses, may pose, or has posed a threat to the property, safety, or welfare of you or others. You also must submit this application if you seek a waiver to overcome inadmissibility based on a history of a physical or mental disorder with behavior associated with the disorder that has posed a threat to the property, safety, or welfare of you or others, and that is likely to recur or to lead to other harmful behavior.

In addition to this application, you must submit a complete medical history and a report that addresses the following:

A. Your physical or mental disorder and the behavior associated with the disorder that poses, has posed, or may pose in the future a threat to your property, safety, or welfare or the property, safety, or welfare of others. The report should also provide details of any hospitalization, institutional care, or any other treatment you may have received in connection with your disorder;

B. Findings regarding your current physical condition, including, if applicable, reports of chest X-rays and a serologic test, if you are 15 years of age or older, and other pertinent diagnostic tests;

C. Findings regarding the mental or physical disorder, including a detailed prognosis that should specify, based on a reasonable degree of medical certainty, the possibility that the harmful behavior is likely to recur or that other harmful behavior associated with the disorder is likely to occur; and

D. A recommendation concerning treatment that is reasonably available in the United States and that is reasonably expected to significantly reduce the likelihood that the physical or mental disorder will result in harmful behavior in the future.

The adjudicating agency will refer the medical report to the U.S. Public Health Service for review. The U.S. Public Health Service may require you to submit additional assurances.

You Are Seeking a Waiver Under INA Section 212(h) or (i) for Certain Criminal Grounds of Inadmissibility Under INA Section 212(a)(2) or for Immigration Fraud or Misrepresentation Under INA Section 212(a)(6)(c)

1. Criminal Grounds

If you are found inadmissible based on criminal grounds, you may seek a waiver of inadmissibility for the following:

A. A crime involving moral turpitude (CIMT);

NOTE: You are not inadmissible for having committed a CIMT, and do not need to file a waiver: if the crime was a purely political offense; if 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 application; or if 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.

B. A controlled substance violation of the laws and regulations of any country or U.S. state related to a single offense of simple possession of 30 grams or less of marijuana;

C. Two or more convictions, other than purely political ones, for which the sentences to confinement were a total of five years or more;

D. Prostitution;

E. Unlawful commercialized vice whether or not related to prostitution; and

F. Certain aliens involved in serious criminal activity who have asserted immunity from prosecution.

With the application, you must establish one of the following:

A. You are inadmissible only because of your participation in prostitution, including having procured others for prostitution or having received the proceeds of prostitution, but you have been rehabilitated and your admission to the United States will not be contrary to the national welfare, safety, or security;

B. At least 15 years have passed since the activity or event that makes you inadmissible, you have been rehabilitated, and your admission to the United States will not be contrary to the national welfare, safety, or security;

C. Your qualifying U.S. citizen, lawful permanent resident relative (spouse, son, daughter, parent), or K visa petitioner would experience extreme hardship if you were denied admission; **or**

D. You are an approved VAWA self-petitioner.

For information about how you can establish hardship, see the **What Evidence Should Be Submitted With the Application** section of these instructions.

NOTE: If you are convicted of a violent or dangerous crime, the agency adjudicating your application may not approve the waiver unless there is an extraordinary circumstance, such as one involving national security or foreign policy considerations, or if denying your admission would cause exceptional and extremely unusual hardship. Even if that standard is met, the agency adjudicating your application may still deny your request for a waiver as a matter of discretion. See 8 CFR 212.7(d).

NOTE: According to INA section 212(h), a waiver cannot be granted if you have been convicted of (or admitted committing acts that constitute) murder or criminal acts involving torture, or an attempt or conspiracy to commit murder or a criminal act involving torture.

2. Immigration Fraud or Misrepresentation

If you are inadmissible because you sought to procure an immigration benefit by fraud or misrepresented a material fact (INA section 212(a)(6)(C)(i)), you may seek a waiver by filing this application.

NOTE: If you are inadmissible based on a false claim to be a U.S. citizen (INA section 212(a)(6)(C)(ii)), and if you made your false claim on or after September 30, 1996, a waiver under INA section 212(i) is not available to you and you should not file this application.

A. Your qualifying U.S. citizen, or lawful permanent resident relative (spouse or parent), or the K visa petitioner would experience extreme hardship if you were denied admission; or

B. You are a VAWA self-petitioner and you or your U.S. citizen, lawful permanent resident, or qualified parent or child would experience extreme hardship if you were denied admission.

For information about how you can establish hardship, see the **What Evidence Should Be Submitted With the Application** section of these instructions.

You Are Seeking a Waiver Under INA Section 212(a)(3)(D)(iv) for Inadmissibility Because of Immigrant Membership in a Totalitarian Party Under INA Section 212(a)(3)(D)(i)

If you are inadmissible for having been a member of or affiliated with the Communist or any other totalitarian party (or subdivision or affiliate thereof), whether domestic or foreign, you may apply for a waiver under INA section 212(a)(3)(D)(iv) if you are the parent, spouse, son, daughter, brother, or sister of a U.S. citizen; a spouse, son, or daughter of an alien lawfully admitted for permanent residence; or if you are the K-1 fiancé(e) of a U.S. citizen. The waiver may be granted for humanitarian purposes, to assure family unity, or when it is otherwise in the public interest, if you are not a threat to the security of the United States.

You Are Seeking a Waiver Under INA Section 212(d)(11) or (12) for Smuggling Under INA Section 212(a)(6)(E) or for Being Subject of Civil Penalty Under INA Section 212(a)(6)(F)

If you are inadmissible for having engaged in alien smuggling (INA section 212(a)(6)(E)(i)), you may apply for a waiver under INA section 212(d)(11). The agency adjudicating your application may grant the waiver for humanitarian purposes, to assure family unity, or when it is otherwise in the public interest.

However, the agency adjudicating your application can only grant this waiver if you have encouraged, induced, assisted, or abetted, or aided only an individual who at the time of such action was your spouse, parent, son, or daughter (and no other individual) to enter the United States in violation of the law, and;

1. You are an alien lawfully admitted for permanent residence who temporarily proceeded abroad voluntarily, not under an order of removal, and who is otherwise admissible to the United States as a returning resident under INA section 211(b); or
2. You are seeking admission or adjustment of status as an immediate relative under INA section 201(b)(2)(A), as an immigrant under INA section 203(a) (preference allocation for family-sponsored immigrants based on the first, second, or third preference, but not on the fourth preference), or as the fiancé(e) of a U.S. citizen or the fiancé(e)'s child.

If you are inadmissible because you have been the subject of a final order for violation of INA section 274C, you may apply for a waiver under INA section 212(d)(12). A waiver may be granted for humanitarian purposes or to assure family unity if no previous civil monetary was imposed against you under INA section 274C, and the offense was committed solely to assist, aid, or support your spouse or child (and not another individual); and

1. You are an alien lawfully admitted for permanent residence who temporarily proceeded abroad voluntarily, not under an order of removal, and who is otherwise admissible to the United States as a returning resident under INA section 211(b); or
2. You are seeking admission or adjustment of status as an immediate relative under INA section 201(b)(2)(A), as an immigrant under INA section 203(a) (preference allocation for family-sponsored immigrants), or as the fiancé(e) (or his or her children) of a U.S. citizen.

You Are Seeking a Waiver of Inadmissibility Under INA Section 212(a)(9)(B)(v) of the 3-Year or 10-Year Unlawful Presence

If you are inadmissible because you were previously unlawfully present in the United States either for longer than 180 days, but less than 1 year (resulting in a 3-year bar), or 1 year or more (resulting in a 10-year bar), you may seek a waiver by filing this application.

With the application, you must establish that your qualifying U.S. citizen or lawful permanent resident relative (spouse or parent) or K visa petitioner would experience extreme hardship if you were denied admission.

For VAWA self-petitioners, see special instructions below.

For information about how you can establish extreme hardship, see the **What Evidence Should Be Submitted With the Application** section of these instructions.

NOTE: Applicants for adjustment based on T nonimmigrant status (victims of a severe form of trafficking) seeking exemption from only INA section 212(a)(9)(B) **DO NOT** need to file this Form I-601.

You Are a TPS Applicant Seeking a Waiver of Grounds of Inadmissibility Under INA Section 244(c)(2)(A)(ii)

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 or more of the above reasons.

You do not need to file this application if you are a TPS applicant and you are inadmissible for any of the following reasons:

1. Public charge (INA section 212(a)(4));

2. Labor Certifications and qualifications for certain immigrants (INA section 212(a)(5));

3. Aliens present without admission or parole (INA section 212(a)(6)(A));

4. Stowaways (INA section 212(a)(6)(D));

5. Student visa violators (INA section 212(a)(6)(G));

6. Documentation requirements for immigrants and nonimmigrants (INA section 212(a)(7));

7. Certain aliens previously removed (INA section 212(a)(9)(A));

8. Aliens unlawfully present (INA section 212(a)(9)(B)); or

9. Aliens unlawfully present after previous immigration violations (INA section 212(a)(9)(C)).

No waiver is available to TPS applicants for the following grounds of inadmissibility:

1. Crime involving moral turpitude (CIMT under INA section 212(a)(2)(A)(i)(I));
If your offense falls under a statutory exception, you are not inadmissible for having committed a CIMT. Since you are not inadmissible in these instances, you also do not need to apply for a waiver on this application. The exceptions are:

A. A purely political offense;

B. If you committed only one CIMT, you were under 18 years of age at the time, and you committed the crime (and were released from confinement), more than 5 years before your application; or

C. If you committed only one CIMT for which the maximum possible sentence was 1 year or less of imprisonment, and the actual sentence you received was not more than 6 months of imprisonment.

2. Controlled substance violations (INA section 212(a)(2)(A)(i)(II)), however, you may apply for a waiver on this application if your offense was a single offense relating to simple possession of 30 grams or less of marijuana;

3. Multiple criminal convictions (INA section 212(a)(2)(B)) (purely political offenses do not make you inadmissible);

4. Controlled substance traffickers (INA section 212(a)(2)(C));

5. General security and related grounds (INA section 212(a)(3)(A));

6. Terrorist activities (INA section 212(a)(3)(B));

7. Adverse foreign policy consequences for the United States (INA section 212(a)(3)(C));

8. Immigrant membership in totalitarian party (INA section 212(a)(3)(D)); and

9. Participants in Nazi persecution, genocide, or the commission of any act of torture or extrajudicial killing (INA section 212(a)(3)(E)).

NOTE: Although certain grounds of inadmissibility do not apply to TPS applicants, they may still apply to you if you seek an immigration benefit other than TPS, in the future. In addition, a waiver granted for TPS is valid only for purposes of your application for TPS. If you seek an immigrant visa or adjustment of status, you may need to apply for an additional waiver at that time.

You Are Seeking Adjustment of Status Under NACARA Section 202, or HRIFA Section 902, and a Waiver of Grounds of Inadmissibility Based on Prior Removal Under INA Section 212(a)(9)(A) or For Being Unlawfully Present After Previous Immigration Violations Under INA Section 212(a)(9)(C)

If you are a NACARA or HRIFA applicant for adjustment of status under section 202 of NACARA or section 902 of HRIFA, and you are inadmissible, you may apply for a waiver of inadmissibility based on the same grounds as an individual seeking adjustment of status based on the general adjustment of status provision (INA section 245(a)). However, you do not need a waiver of the 3-year or 10-year bar due to previous unlawful presence in the United States as INA Section 212(a)(9)(B) does not apply to NACARA or HRIFA applicants seeking adjustment of status.

In addition, if you are inadmissible under INA section 212(a)(9)(A) or (C), you may apply for a waiver of these grounds of inadmissibility while present in the United States. You seek this waiver by filing Form I-601 and not Form I-212, Application for Permission to Reapply for Admission into the United States after Deportation or Removal (also known as "Consent to Reapply"), the form that is normally used to apply for relief from these grounds of inadmissibility under INA section 212(a)(9)(A)(iii) or (C)(ii).

When adjudicating your waiver application, USCIS will consider the same factors that would be considered if you were seeking consent to reapply. Factors that may be considered include, but are not limited to:

1. Length of time you have lived in the United States, whether lawfully or unlawfully;

2. Whether you have any criminal records;

3. Your immigration history in the United States;

4. Your family ties to U.S. citizens or to aliens living lawfully in the United States;

5. Whether the denial of your application would impose hardship on you or your relatives and the degree of that hardship;

6. Likelihood that you will become a lawful permanent resident in the near future;

7. Your employment history in the United States and the continued need for your services;

8. Whether you are a person of good moral character; and

9. Any other factor that you believe should be considered in deciding your case.

In addition to this application, you should either use **Part 10. Additional Information** or submit a brief statement explaining why your application should be granted. Submit documentary evidence that may support your claims.

For information about how you can establish hardship, see the **What Evidence Should Be Submitted With the Application** section of these instructions.

You Are an Approved VAWA Self-Petitioner or the Child of an Approved VAWA Self-Petitioner Seeking a Waiver Under INA Section 212(a)(9)(C)(iii) for Being Unlawfully Present After Previous Immigration Violations Under INA Section 212(a)(9)(C)

In general, an applicant seeking adjustment of status or an immigrant visa as a VAWA self-petitioner may apply for a waiver of inadmissibility based on the same grounds as an individual seeking adjustment of status.

In addition, the INA provides special forms of relief for an approved VAWA self-petitioner and the children of approved VAWA self-petitioner, who are applying for adjustment of status or an immigrant visa, but who are inadmissible under INA section 212(a)(6)(A)(i), section 212(a)(9)(B)(i), or section 212(a)(9)(C)(i).

You should only file this Form I-601 to seek a waiver if you are inadmissible under INA section 212(a)(9)(C)(i). You do not need to file this application if you are inadmissible under INA sections 212(a)(6)(A)(i) or 212(a)(9)(B)(i), as explained in the NOTES below.

If you are inadmissible under INA section 212(a)(9)(C)(i): USCIS has discretion to waive this ground of inadmissibility under INA section 212(a)(9)(C)(iii) for an approved VAWA self-petitioner and his or her child, if the self-petitioner can establish a "connection" between the battery or extreme cruelty that is the basis for the VAWA claim and the self-petitioner's removal, departure from the United States, reentry or reentries into the United States, or attempted reentry into the United States.

If you seek such a waiver, complete Form I-601 and attach evidence that shows the "connection" between the battery or extreme cruelty and your removal, departure from the United States, your reentry or reentries, or attempted reentry into the United States.

NOTE: You do not need to file Form I-601 if you are an approved VAWA self-petitioner (or that person's child), inadmissible under INA 212(a)(6)(A)[presence in the United States without admission or parole, or arrival in the United States, other than at an open U.S. Port-of-Entry] and seeking adjustment of status under INA section 245(a). According to USCIS policy, you are eligible for adjustment of status under INA section 245(a) regardless of your unlawful entry and USCIS also considers inadmissibility under INA section 212(a)(6)(A)(i) waived for a beneficiary of an approved VAWA self-petition. Because inadmissibility under INA section 212(a)(6)(A)(i) ends when you leave the United States, you do not have to submit any special documentation with an immigrant visa application that is based on your approved VAWA self-petition.

NOTE: You do not need to file Form I-601 if you are an approved VAWA self-petitioner (or that person's child) and inadmissible under INA section 212(a)(9)(B)(i) (3-year or 10-year bar to admission). You may be exempt from this inadmissibility if you, the approved VAWA self-petitioner or your child, can establish a substantial connection between the battery or extreme cruelty that is the basis for your VAWA claim and the violation of your prior nonimmigrant admission. You must submit evidence of the substantial connection with your Form I-485, Application to Register Permanent Residence or Adjust Status, or your immigrant visa application.

If you cannot establish a substantial connection, but meet the requirements for the waiver of INA section 212(a)(9)(B)(i), you may file Form I-601. The waiver may be granted if your qualifying U.S. citizen or lawful permanent resident relative (spouse or parent) would experience extreme hardship if you were denied admission.

For information about how you can establish extreme hardship, see the **What Evidence Should be Submitted with the Application** section of these instructions.

You Are an Applicant for Adjustment of Status Based on T Nonimmigrant Status

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.

If you are inadmissible based on health-related grounds (INA section 212(a)(1)) or public-charge grounds (INA section 212 (a)(4)), the waiver may be approved if granting the waiver is in the national interest.

If you are inadmissible based on any other grounds, USCIS may grant the waiver 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.

No waiver of inadmissibility is available to adjustment of status applicants based on T nonimmigrant status for any of the following grounds of inadmissibility:

1. Security-related ground (INA section 212(a)(3));

2. International child abductors (INA section 212(a)(10)(C)); or

3. Former citizens who renounced citizenship to avoid taxation (INA section 212(a)(10)(E)).

NOTE: You may not need to file Form I-601 if you are inadmissible only 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 submit evidence with your Form I-485 to demonstrate that the victimization you suffered was a central reason for your unlawful presence in the United States.

You Are an Applicant for Adjustment of Status As Special Immigrant Juvenile

If you are applying for adjustment of status based on your approved Form I-360 classifying you as an SIJ, INA section 245(h) contains waiver authority specific to you.

Some grounds of inadmissibility do not apply to you. You do not need to obtain a waiver if you are inadmissible based on:

1. Public charge (INA section 212(a)(4));

2. Labor certification (INA section 212(a)(5)(A));

3. Aliens present without admission or parole (INA section 212(a)(6)(A));

4. Immigration fraud or misrepresentation (INA section 212(a)(6)(C));

5. Stowaways (INA section 212(a)(6)(D));

6. Documentation requirements (INA section 212(a)(7)(A)); and

7. Unlawful presence (INA section 212(a)(9)(B)).

The following grounds of inadmissibility **cannot** be waived:

1. Conviction of certain crimes (INA section 212(a)(2)(A));

2. Multiple criminal convictions (INA section 212(a)(2)(B));

3. Controlled substance traffickers (except for a single instance of simple possession of 30 grams or less of marijuana) (INA section 212(a)(2)(C));

4. Security and related grounds (INA section 212(a)(3)(A));
5. Terrorist activity (INA section 212(a)(3)(B));
6. Foreign policy related (INA section 212(a)(3)(C)); and
7. Participants in Nazi persecution, genocide, or the commission of any act of torture, or extrajudicial killing (INA section 212(a)(3)(E)).

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). The relationship to your natural parents or prior adoptive parents will not be considered a factor in making a decision on your waiver application.

What Evidence Should Be Submitted With the Application?

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.

Depending on the type of waiver you seek, this information and evidence may include, but is not limited to:

1. Affidavits from you or other individuals;
2. Police reports from any country you lived in;
3. Complete court records about any conviction or charge from any country;
4. If applicable, evidence of rehabilitation;
5. Any evidence you may wish to submit to establish that your admission to the United States would not be against the national welfare, public safety, or national security;
6. Medical reports;
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 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.

Factors that USCIS considers when determining extreme hardship include, but are not limited to:

A. *Health*. For example: Ongoing or specialized treatment required for a physical or mental condition, availability and quality of such treatment in the foreign country, anticipated duration of the treatment, chronic vs. acute or long vs. short-term care, and need for the applicant to assist with any physical or mental conditions;

B. *Financial Consideration*. For example: Future employability, loss due to sale of a home or business, termination of a professional practice, decline in standard of living, ability to recoup short-term losses, cost of extraordinary needs such as special education or training for children with special needs, and cost of care for family members (elderly and sick parents);

C. *Education*. For example: Loss of opportunity for higher education, lower quality or limited scope of education options, disruption of current program, requirement to be educated in a foreign language or culture with ensuing loss of time or pay level, availability of special requirements, such as training programs or internships in specific fields;

D. *Personal Considerations*. For example: Close relatives in the United States and their country of birth or citizenship, separation from spouse or children, ages of involved parties, length of residence and community ties in the United States; and

E. *Special Factors*. For Example: Cultural, language, religious, and ethnic obstacles; valid fears of persecution, physical harm, or injury; social ostracism or stigma; and lack of access to social institutions (official or unofficial) for support, guidance, or protection.

Evidence of extreme hardship may include, but is not limited to:

A. Affidavits from the qualifying relative or other individuals with personal knowledge of the claimed hardships;

B. Expert opinions;

C. Evidence of employment or business ties, such as payroll records or tax statements;

D. Evidence of monthly expenditures such as a mortgage, rental agreement, bills and invoices;

E. Other financial records supporting any claimed financial hardships;

F. Medical documentation and/or evaluations by medical professionals supporting any claimed medical hardships;

G. Records of membership in community organizations, volunteer confirmation, and evidence of cultural affiliations;

H. Birth, marriage, or adoption certificates supporting any claimed family ties;

I. Country-condition reports; and

J. Any other evidence you believe supports the claimed hardships.

8. If you are a VAWA self-petitioner and you seek a waiver under INA section 212(a)(9)(C)(iii), submit any evidence that you believe establishes a connection between the battery or extreme cruelty that is the basis for the VAWA claim and your removal or departure from the United States, reentries or attempted reentry into the United States, and unlawful return or attempted unlawful return;

9. If you are an applicant for adjustment based on your T nonimmigrant status and you seek a waiver under INA section 212(a)(1) or INA section 212(a)(4), submit any evidence that demonstrates it would be in the national interest to waive these grounds. If you are seeking a waiver under any other INA section 212(a) ground, submit evidence that shows it would be in the national interest to waive that ground. Also, you must demonstrate that the activities rendering you inadmissible were caused by or were related to your victimization; or

10. If you are a TPS applicant, submit any evidence that demonstrates that granting your waiver would serve humanitarian purposes, family unity, or be in the public interest.

NOTE: Your application should be supported by documentary evidence, or you should explain in detail why you cannot obtain such evidence. Mere assertions will not suffice. Medical assertions should be supported by a medical professional's statement.

What Is the Filing Fee?

The filing fee for Form I-601 is **$585**.

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.

Use the following guidelines when you prepare your check or money order for the Form I-601 filing 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.**

   NOTE: 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, USCIS will convert it 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 your bank will show it on your regular account statement.

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

When applying with EOIR during removal proceedings: If you are in removal proceedings, you must submit the payment as instructed by the immigration court with jurisdiction over your case. For information about EOIR, visit EOIR's Web site at **www.usdoj.gov/eoir**.

How to Check If the Fees Are Correct

Form I-601 filing fee is current as of the edition date in the lower left corner of this page. However, because USCIS fees change periodically, you can verify that the fees are correct by following one of the steps below.

1. Visit the USCIS Web site at **www.uscis.gov**, select “FORMS,” and check the appropriate fee;
2. Call the USCIS National Customer Service Center at **1-800-375-5283** and ask for fee information. For TTY (deaf or hard of hearing) call: **1-800-767-1833**; or
3. If you live outside the United States, contact the nearest U.S. Embassy or U.S. Consulate for instructions on the method of payment.

Fee Waiver

You may be eligible for a fee waiver under 8 CFR 103.7(c). If you believe you are eligible for a fee waiver, complete Form I-912, Request for Fee Waiver (or a written request) and submit it and any required evidence of your inability to pay the filing fee with this application. You can review the fee waiver guidance at **www.uscis.gov/feewaiver**.

Where To File?

Please see our Web site at **www.uscis.gov/I-601** or call our National Customer Service Center at **1-800-375-5283** for the most current information about where to file this application. For TTY (deaf or hard of hearing) call: **1-800-767-1833**.

Address Change

You must notify USCIS of your new address within 10 days of moving from your previous residence. For information on filing a change of address go to the USCIS Web site at **www.uscis.gov/addresschange** or contact the USCIS National Customer Service Center at **1-800-375-5283**. For TTY (deaf or hard of hearing) call: **1-800-767-1833**.

NOTE: Do not submit a change of address request to USCIS Lockbox facilities because these facilities do not process change of address requests.

For information on filing a change of address with EOIR: Download the appropriate Form EOIR-33 from the EOIR Web site at **www.justice.gov/eoir/formslist.htm** and proceed in accordance with the instructions given on that form.

Processing Information

An application is not considered properly filed until accepted by USCIS.

Initial Processing. Once the agency adjudicating your application accepts your application, it will be checked for completeness. If you do not completely fill out this application, you will not establish a basis for your eligibility and the agency adjudicating the application may reject or deny your application.

Requests for More Information. The agency adjudicating the application may request more information or evidence to support your application. The agency adjudicating your application may also request that you provide the originals of any copies you submit. The agency adjudicating your application will return any requested originals when they are no longer needed.

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 and/or update background and security checks.

Decision. The decision on Form I-601 involves a determination of whether you have established eligibility for the immigration benefit you are seeking. The agency adjudicating your application will notify you of the decision in writing.

USCIS Forms and Information

To ensure you are using the latest version of this application, visit the USCIS Web site at **www.uscis.gov** where you can obtain the latest USCIS forms and immigration-related information. If you do not have Internet access, you may order USCIS forms by calling our toll-free number at **1-800-870-3676**. You may also obtain forms and information by calling the USCIS National Customer Service Center at **1-800-375-5283**. For TTY (deaf or hard of hearing) call: **1-800-767-1833**.

Instead of waiting in line for assistance at your local USCIS office, you can now schedule an appointment through our online system, **InfoPass**, at **infopass.uscis.gov**. 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 your Form I-601, the agency adjudicating your application may deny your 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.

USCIS Privacy Act Statement

AUTHORITIES: The information requested on this application, and the associated evidence, is collected under the Immigration and Nationality Act section 212(a), as amended, 8 U.S.C. 1182, and the following.

PURPOSE: The primary purpose for providing the requested information on this application is to determine if you have established eligibility for the inadmissibility waiver for which you are filing. DHS will use the information you provide to grant or deny the waiver you are seeking.

If you file this application in immigration court in connection with an application for relief from removal from the United States, the immigration court will use the information you provide to grant or deny the waiver sought. If your case is appealed, the Board of Immigration Appeals will use the information you provide in deciding the appeal.

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

ROUTINE USES: If you file this application with USCIS, DHS may share the information you provide on this application with other Federal, state, local, and foreign government agencies and authorized organizations. DHS follows approved routine uses described in the associated published system of records notices [DHS-USCIS-007 - Benefits Information System and DHS-USCIS-001 - Alien File, Index, and National File Tracking System of Records] which you can find at **www.dhs.gov/privacy**. DHS may also share the information, as appropriate, for law enforcement purposes or in the interest of national security.

If you file this application in immigration court in connection with an application for relief from removal from the United States, the Executive Office for Immigration Review may share the information you provide on this application with other Federal, state, local, and foreign government agencies and authorized organizations following approved routine uses described in the associated published system of records notice [69 Fed. Reg. 26179 (2003)]. The information may also be made available, 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 OMB control number. The public reporting burden for this collection of information is estimated at 1 hour and 45 minutes 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. 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.**