

The Department of State issued the following cables on April 27 relating to blanket waivers for HIV-positive people to attend the U.N. General Assembly High-Level Meeting on HIV/AIDS in New York and the International AIDS Conference in Toronto.

The United States considers the participation of people living with HIV/AIDS a critical element in the international response to the disease, and welcomes their involvement in these events.

The text of the two cables follows:

FM SECSTATE WASHDC  
TO ALL DIPLOMATIC AND CONSULAR POSTS COLLECTIVE IMMEDIATE  
UNCLAS STATE 066505

SUBJECT: UNGA SPECIAL SESSION ON HIV/AIDS: BLANKET WAIVER

1. The High-Level Review of the progress made since the 2001 United Nations General Assembly (UNGA) Special Session on HIV/AIDS will occur from May 31 to June 2, 2006, in New York City.
2. The Department of Homeland Security has exercised discretionary authority under section 212(d)(3) of the Immigration and Nationality Act to grant a blanket waiver for HIV infected visa applicants seeking to enter the United States to attend this event. Consular officers are authorized to grant waivers of inadmissibility under section 212(d)(3)(A) without seeking the concurrence normally required by DHS. In order to qualify for the waiver, applicants need to demonstrate that they are traveling to the United States to attend this event.
3. Applicants are required to answer question 38 of the DS-156 visa form as it relates to HIV/AIDS infection. The consular officer will process the visa application in accordance with the special blanket waiver procedures listed below if the alien is otherwise admissible to the United States.
4. A single entry, B-2 visa should be issued to qualified applicants who are ineligible under 212(a)(1)(A)(1) as a consequence of HIV/AIDS infection. Consular officers should advise HIV/AIDS infected applicants that the visa may be issued on form OF-232 to avoid a permanent record in the applicant's passport. The notation "212(d)(3)(a)" should appear in the annotation field to alert CBP inspectors at ports of entry that the individual is traveling to attend a designated event and falls within the ambit of the special blanket waiver procedures. Upon arrival at the port of entry, the alien must submit evidence that they seek to enter the United States to attend a designated event.
5. Department has not/not received a list of attendees. Any questions about this event should be directed to CA/VO/F/P George Lynn.  
RICE

FM SECSTATE WASHDC  
TO ALL DIPLOMATIC AND CONSULAR POSTS COLLECTIVE IMMEDIATE  
UNCLAS STATE 066504

SUBJECT: XVI INTERNATIONAL AIDS CONFERENCE: BLANKET WAIVER

1. The XVI International AIDS Conference and related activities will take place on August 13-18, 2006, in Toronto, Canada.

2. The Department of Homeland Security has exercised discretionary authority under section 212(d)(3) of the Immigration and Nationality Act to grant a blanket waiver for HIV infected visa applicants seeking to transit the United States to attend this event. Consular officers are authorized to grant waivers of inadmissibility under section 212(d)(3)(A) without seeking the concurrence normally required by DHS. In order to qualify for the waiver, applicants need to demonstrate that they are transiting the United States to attend this event.

3. Applicants are required to answer question 38 of the DS-156 visa form as it relates to HIV/AIDS infection. The consular officer will process the visa application in accordance with the special blanket waiver procedures listed below if the alien is otherwise admissible to the United States.

4. A two-entry, C-1 visa should be issued to qualified applicants who are ineligible under 212(a)(1)(A)(1) as a consequence of HIV/AIDS infection. The event will take place between August 13-18, and travel is authorized during the period August 6 through August 25. Consular officers should advise HIV/AIDS infected applicants that the visa may be issued on form OF-232 to avoid a permanent record in the applicant's passport. The notation "212(d)(3)(a)" should appear in the annotation field to alert CBP inspectors at ports of entry that the individual is transiting to attend a designated event and falls within the ambit of the special blanket waiver procedures. Upon arrival at the port of entry, the alien must submit evidence that they seek to transit the United States to attend a designated event.

5. Department has not/not received a list of attendees.  
Any questions about this event should be directed to CA/VO/F/P George Lynn.  
RICE