

**TABLE OF CHANGES - INSTRUCTIONS**  
**FORM I-881, Application for Suspension of Deportation or Special Rule Cancellation of Removal**  
**Date 5-8-12**

**Reason for Revision:** Form expiring 07/31/2012 and language and formatting modifications are needed.

Current Section and Page Number	Current Text	Proposed Section and Page Number <i>(If Changing)</i>	Proposed Text
<p><b>Page 2</b>  <b>Part I. Who Is Eligible to Apply?</b></p>	<p><b>A.</b> A <b>Guatemalan</b> national who:...</p> <p><b>B.</b> A <b>Guatemalan</b> or <b>Salvadoran</b> national who filed an application for asylum on or before April 1, 1990...</p> <p><b>C.</b> An Alien who:...</p> <p><b>D. The spouse, child, unmarried son, or unmarried daughter</b> of an individual described in Part I (A), (B), or (C), above...</p> <p><b>E. An alien who has been battered or subjected to extreme cruelty</b> by an individual described in Part I (A), (B), or (C)...</p> <p>An alien whose child has been battered or subjected to extreme cruelty by an individual described in Part I (A), (B), or (C), and who was the spouse of that individual at any of the times described in the bullets above is also eligible to apply.</p> <p>USCIS does not have authority to decide eligibility for NACARA 203 relief for individuals described only in paragraph (E)...</p>		<p><b>B.</b> A <b>Guatemalan</b> national who:...</p> <p><b>C.</b> A <b>Guatemalan</b> or <b>Salvadoran</b> national who filed an application for asylum on or before April 1, 1990...</p> <p><b>D.</b> An Alien who:...</p> <p><b>E. The spouse, child, unmarried son, or unmarried daughter</b> of an individual described in Part I (A), (B), <b>(C), or (D)</b> above...</p> <p><b>F. An alien who has been battered or subjected to extreme cruelty</b> by an individual described in Part I (A), (B), <b>(C), or (D)</b>...</p> <p>An alien whose child has been battered or subjected to extreme cruelty by an individual described in Part I (A), (B), <b>(C), or (D)</b>, and who was the spouse of that individual at any of the times described in the bullets above is also eligible to apply.</p> <p>USCIS does not have authority to decide eligibility for NACARA 203 relief for individuals described only in paragraph <b>(F)</b>...</p>
<p><b>Page 4</b>  <b>Part III. How to Complete the Application</b></p>	<p><b>A. General Instructions...</b></p> <p>Applicants who check category (e) of Part 2 on the first page of the form must also submit evidence of the past relationship with the individual described in Part I (A), (B), or (C) of these instructions. If you checked category (e) of Part 2 of the form, you will also be asked to submit evidence of the battery or extreme cruelty.</p>		<p><b>A. General Instructions...</b></p> <p>Applicants who check category (e) of Part 2 on the first page of the form must also submit evidence of the past relationship with the individual described in Part I (A), (B), <b>(C), or (D)</b> of these instructions. If you checked category (e) of Part 2 of the form, you will also be asked to submit evidence of the battery or extreme cruelty.</p>

Current Section and Page Number	Current Text	Proposed Section and Page Number (If Changing)	Proposed Text
<p>Page 5</p> <p>Page 6</p>	<p><b>What is the Fee</b> [Title in gray box]</p> <p><b>How to Pay</b></p> <p>...Remittances must be payable in U.S. currency and made payable to the <b>Department of Homeland Security</b>...</p> <p><b>How to Check If the Fees Are Correct...</b></p> <ol style="list-style-type: none"> <li>1. Visit USCIS Web site at <a href="http://www.uscis.gov">www.uscis.gov</a> and scroll down to "Forms and E-Filing" to check the appropriate fees; or</li> <li>2. Review the Fee Schedule included in your form package, if you called us to request the form; or</li> <li>3. Telephone the USCIS National Customer Service Center at <b>1-800-375-5283</b> and ask for the fee information; or</li> <li>4. Visit the EOIR Web site at <a href="http://www.usdoj.gov/eoir/">www.usdoj.gov/eoir/</a> and scroll down to EOIR Forms to check the appropriate fees if you are in proceedings before EOIR.</li> </ol>	<p>Page 4</p> <p>Page 5</p>	<p><b>C. What is the Fee?</b> [Matches section formatting]</p> <p><b>How to Submit the Fee</b> [Changed order so that this section comes immediately before <b>How to Pay When Applying with USCIS.</b>]</p> <p>...Remittances must be made payable to the <b>Department of Homeland Security</b> and in U.S. currency...</p> <p><b>How to Check If the Fees Are Correct...</b></p> <ol style="list-style-type: none"> <li>1. Visit the USCIS Web site at <a href="http://www.uscis.gov">www.uscis.gov</a>, select <b>"FORMS"</b> and check the appropriate fee;...</li> <li>2. Telephone the USCIS National Customer Service Center at <b>1-800-375-5283</b> and ask for the fee information;</li> <li>3. Visit the EOIR Web site at <a href="http://www.justice.gov/eoir/formspage.htm">www.justice.gov/eoir/formspage.htm</a> to check the appropriate fees if you are in proceedings before EOIR.</li> </ol>
<p>Page 7</p> <p><b>Part IV. How to Apply Before USCIS</b></p>	<p><b>D. Where to File the Application...</b></p> <p><b>F. Decision Process and Admission of Deportability or Inadmissibility...</b></p> <p><b>Certain Applicants Not Eligible for a Grant by USCIS</b></p> <p>USCIS will not be able to grant your application for suspension of deportation if you are deportable under paragraph (2) (criminal grounds), paragraph (3) (failure to register and falsification of documents), or paragraph (4) (security and related grounds) of former section 241(a) of</p>		<p><b>D. Where to File the Application...</b></p> <p>[Filing information reformatted from paragraphs to tables for ease of reading.]</p> <p><b>F. Decision Process and Admission of Deportability or Inadmissibility...</b></p> <p><b>Certain Applicants Not Eligible for a Grant by USCIS</b></p> <p>USCIS will not be able to grant your application for suspension of deportation if you are deportable under any of the following grounds found in former section 241(a) of the Immigration and Nationality Act (INA), as it existed prior to April 1, 1997:</p>

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	<p>the Immigration and Nationality Act (INA) as it existed prior to April 1, 1997. USCIS will not be able to grant your application for special rule cancellation of removal if you are inadmissible under paragraph (2) (criminal and related grounds) of section 212(a), or deportable under paragraph (2) (criminal offenses), paragraph (3) (failure to register and falsification of documents), or paragraph (4) (security and related grounds) of section 237(a) of the INA.</p>		<p>1. Criminal grounds, paragraph (2);  2. Failure to register and falsification of documents, paragraph (3); or  3. Security and related grounds, paragraph (4).</p> <p>USCIS will not be able to grant your application for special rule cancellation of removal if you are found:</p> <p>1. Inadmissible under criminal and related grounds, paragraph (2), of INA section 212(a);  2. Deportable under criminal offenses, paragraph (2), of INA section 237(a);  3. Deportable under failure to register and falsification of documents, paragraph (3), of INA section 237(a); or  4. Deportable under security and related grounds, paragraph (4), of INA section 237(a).</p> <p>[No new information - reformatted from paragraph format to outline format to increase readability.]</p>
<p><b>Page 8</b>  <b>Part V. How to Apply with the Immigration Court</b></p>	<p>...</p> <p>These DHS instructions may also be obtained at <a href="http://www.uscis.gov">http://www.uscis.gov</a>. Also see the discussion concerning these DHS instructions at Part III, "What Is the Fee?" of these form instructions. In addition to following these DHS instructions, you must serve the following documents on the DHS District Counsel:...</p>		<p>...</p> <p>These DHS instructions may also be obtained at <a href="http://www.uscis.gov">http://www.uscis.gov</a>. Also see the discussion concerning these DHS instructions at Part III, "What Is the Fee?" of these form instructions. <b>You must also</b> serve the following documents on the DHS District Counsel:...</p>
<p><b>Page 9</b>  <b>Part VI. Supporting Documents to Show Eligibility for Relief</b></p>	<p><b>Continuous Physical Presence.</b> Documents that may support your claim of continuous physical presence include, but are not limited to, the following:</p>		<p>[Deleted - duplicate text]</p>
<p><b>Page 10</b>  <b>Part VIII. Address Notification Requirements, Penalties, Forms, Privacy Act Notice and Paperwork Reduction</b></p>	<p><b>A. Change of Address</b>  If you change your address, you must inform DHS in writing of your new address within 10 days of moving.</p> <p>You must notify DHS of any change of address by submitting Form AR-11, Change of Address, to the DHS address listed on the form within 10 days after you change your address. While your application is pending with USCIS Asylum Office, you must also notify USCIS</p>	<p><b>Page 9</b></p>	<p><b>A. Change of Address</b>  If you have changed your address, you must inform USCIS of your new address. For information on filing a change of address go to the USCIS web site at <a href="http://www.uscis.gov/addresschange">www.uscis.gov/addresschange</a> or contact the USCIS National Customer Service Center at <b>1-800-375-5283</b>.</p> <p>While your application is pending with USCIS Asylum Office, you must also notify USCIS Asylum Office by</p>

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	<p>Asylum Office by submitting a copy of the completed Form AR-11, or a signed and dated letter containing the change of address, within 10 days after you change your address. The address that you provide on the application, or the last change of address notification you submitted, will be used by DHS for mailing. Any notices mailed to that address will constitute adequate service, except where personal service is required. USCIS Form AR-11 is available online at <a href="http://www.uscis.gov">http://www.uscis.gov</a> or at U.S. Post Offices or USCIS District Offices</p> <p>...</p> <p><b>B. Penalties</b> You must answer all questions on Form I-881 truthfully and submit only genuine documents in support of your application. You will be required to swear or affirm that the contents of your application and the supporting documents are true to the best of your knowledge.</p> <p>Your answer to the questions on this form and the supporting documents you present will be used to determine whether your deportation should be suspended or your removal should be canceled. Any answer you give and any supporting documents you present may also be used as evidence in any proceeding to determine your right to be admitted, be readmitted, pass through, or reside in the United States. Your application may be denied if any of your answers or supporting documents are found to be false.</p> <p>Presenting false answers or false documents may also subject you to criminal prosecution under 18 U.S.C. 1546 and/or subject you to civil penalties under 8 U.S.C. 1324c if: you submit your application knowing that the application or any supporting document contains any false statement with respect to a material fact; or if: you swear or affirm that the contents of your application and the supporting documents are true, knowing that the application or any supporting document contains any false statement with respect to a material fact. If convicted, you could be fined up to <b>\$250,000</b>, imprisoned for up to 10 years, or both,</p>		<p>submitting a copy of the completed Form AR-11, or a signed and dated letter containing the change of address, within 10 days after you change your address.</p> <p>...</p> <p><b>B. Penalties</b> You must answer all questions on Form I-881 truthfully and submit only genuine documents in support of your application. You will be required to swear or affirm that the contents of your application and the supporting documents are true to the best of your knowledge.</p> <p>If you knowingly and willfully falsify or conceal a material fact or submit a false document with this request, we will deny the benefit you are filing for, and may deny any other immigration benefit.</p> <p>In addition, you will face severe penalties provided by law, and may be subject to criminal prosecution.</p>

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	<p>according to 18 U.S.C. 1546(a) and 3559(a)(4). If it is determined that you have violated the prohibition against document fraud and a final order is entered against you, you could be subject to a civil penalty up to <b>\$2,000</b> for each document used or created for the first offense and up to <b>\$5,000</b> for any second or subsequent offense. In addition, if you are the subject of a final order for violating 8 U.S.C. 1324c, relating to civil penalties for document fraud, you will be removable from the United States.</p>		
<b>Page 11</b> <b>USCIS Forms and Information</b>	<p>You can get USCIS forms and immigration-related information on the USCIS Internet Web site at <a href="http://www.uscis.gov">www.uscis.gov</a>. You may order USCIS forms by calling our toll-free number at 1-800-870-3676. You may also obtain forms and information by telephoning our National Customer Service Center at 1-800-375-5283.</p>	<b>Page 10</b>	<p>You can get USCIS forms and immigration-related information on the <b>USCIS Web</b> site at <a href="http://www.uscis.gov">www.uscis.gov</a>. You may order USCIS forms by calling our toll-free number at 1-800-870-3676. You may also obtain forms and information by telephoning <b>the USCIS</b> National Customer Service Center at 1-800-375-5283.</p>
<b>Page 11</b> <b>USCIS Privacy Act Statement</b>	<p><b>AUTHORITIES:</b> The information requested on this form, and the associated evidence, is collected under the Immigration and Nationality Act, section 101, et seq.</p> <p><b>PURPOSE:</b> The primary purpose for providing the requested information on this form is to determine if you have established eligibility for the immigration benefit for which you are filing. The information you provide will be used to grant or deny the benefit sought.</p> <p><b>DISCLOSURE:</b> The information you provide is voluntary. However, failure to provide the requested information, and any requested evidence, may delay a final decision or result in denial of your form.</p> <p><b>ROUTINE USES:</b> The information you provide on this form may be shared with other Federal, State, local, and foreign government agencies and authorized organizations following approved routine uses described in the associated published system of records notices [DHS-USCIS-007 - Benefits Information System and DHS-USCIS-001 - Alien File (A-File) and Central Index System (CIS), which can be found at <a href="http://www.dhs.gov/privacy">www.dhs.gov/privacy</a>]. The information may also be made available, as appropriate, for law enforcement</p>	<b>Page 10</b>	<p><b>AUTHORITIES:</b> The information requested on this <b>application</b>, and the associated evidence, is collected pursuant to Section 203 of Public Law 105-100 Nicaraguan Adjustment and Central American Relief Act (NACARA).</p> <p><b>PURPOSE:</b> The primary purpose for providing the requested information on this <b>application</b> is to determine eligibility for suspension of deportation or special rule cancellation of removal under Section 203 of Public Law 105-100, NACARA.</p> <p><b>DISCLOSURE:</b> The information you provide is voluntary. However, failure to provide the requested information, and any requested evidence, may delay a final decision or result in the denial of your benefit request.</p> <p><b>ROUTINE USES:</b> The information you provide on this <b>benefit application</b> may be shared with other Federal, state, local, and foreign government agencies and authorized organizations in accordance with approved routine uses, as described in the associated published system of records notices [<b>DHS-USCIS-010 - Asylum Information and Pre-Screening</b> which can be found at <a href="http://www.dhs.gov/privacy">www.dhs.gov/privacy</a>]. The information may also be made available, as appropriate</p>

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	purposes or in the interest of national		for law enforcement purposes or in the interest of national security.
<b>Page 11 Paperwork Reduction Act</b>	An agency may not conduct or sponsor... Regulatory Products Division, Office of the Executive Secretariat, 20 Massachusetts Avenue, N.W., Washington, DC 20529-2020; OMB No 1615-0072. This form expires July 31, 2012. <b>Do not mail your completed application to this address.</b>	<b>Page 10</b>	An agency may not conduct or sponsor... Regulatory <b>Coordination</b> Division, Office of <b>Policy and Strategy</b> , 20 Massachusetts Avenue NW, Washington, DC 20529-2020; OMB No 1615-0072. <b>Do not mail your completed Form I-881 application to this address.</b>