



Instructions for Application to Adjust Status From Temporary to Permanent Resident (Under Section 245A of the INA)

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

USCIS
Form I-698
OMB No. 1615-0035
Expires 03/31/2015

What Is the Purpose of This Application?

Persons who **were** granted temporary residence under section 245A of the Immigration and Nationality Act (INA) can use this application to apply through U.S. Citizenship and Immigration Services (USCIS) to adjust to lawful permanent resident status. Individuals apply under section 245A of the INA, as amended by the Immigration Reform and Control Act of 1986, and section 902 of the U.S. Department of State Authorization Bill of 1987.

Who May File Form I-698?

To be eligible for **lawful** permanent residence under section 245A of the INA, you must meet all of the following requirements.

1. Apply for adjustment during the 1-year period beginning with the 19th month after the date you were granted temporary resident status.
2. Reside continuously in the United States since becoming a temporary resident alien (no single absence from the United States exceeded 30 days, or the total of all absences has not exceeded 90 days).

If you are absent from the United States for more than 30 days in a single absence or for more than a total of 90 days for all occurrences, during the period for which continuous residence is required for adjustment to **lawful** permanent residence, you will break the continuity of your residence unless you can establish to the satisfaction of USCIS that you did not, in fact, abandon your residence in the United States during that period.

3. Establish admissibility under section 212(a) of the INA. In determining the admissibility of an applicant, the provisions of sections 212(a)(6)(A) and 212(a)(7) of the INA will not apply to an applicant for adjustment of status as a **temporary** resident or lawful permanent resident under section 245A of the INA.

The Secretary of Homeland Security (Secretary) may not waive the following grounds of inadmissibility:

- A. Section 212(a)(2)(A)(i)(I) (crimes involving moral turpitude);
- B. Section 212(a)(2)(A)(i)(II) (crimes involving controlled substances, except for a single offense of simple possession of 30 grams or less of marijuana);
- C. Section 212(a)(2)(B) (multiple criminal convictions);
- D. Section 212(a)(2)(C) (controlled substance traffickers);
- E. Section 212(a)(3) (security and related grounds); and
- F. Section 212(a)(4) (public charge), **except** for an alien who is or was an aged, blind, or disabled individual (as defined in section 1614(a)(1) of the Social Security Act). An alien is not ineligible for adjustment of status due to inadmissibility under section 212(a)(4) if the alien demonstrates a history of employment in the United States showing self-support without receipt of public assistance. Special adjudication standards regarding public charge contained in any settlement agreements apply.

The Secretary may waive all other grounds of inadmissibility. In order to seek a waiver, you must **submit Form I-690, Application for Waiver of Grounds of Inadmissibility Under Sections 245A or 210 of the INA.**

4. Were **NOT** convicted of any felony or three or more misdemeanors committed in the United States.
5. Demonstrate that you:
 - A. Meet the requirements of section 312 of the INA (relating to a minimal understanding of ordinary English and a knowledge and understanding of the history and Government of the United States); or
 - B. Are satisfactorily pursuing a course of study recognized by the Secretary to achieve understanding of English and knowledge and understanding of the history and Government of the United States. Contact your local USCIS Office for more information about available courses.

General Instructions

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.

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

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

Evidence. At the time of filing, you must submit the evidence and supporting documentation requested on the application or noted within these instructions.

Biometrics 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 the local or designated USCIS Application Support Center (ASC) and the date and time of your appointment. If you fail to attend your biometric services appointment, USCIS may deny your application.

Acknowledgement of Appointment at USCIS Application Support Center. Review the ASC Acknowledgement that appears in **Part 5** of the application. The purpose of this acknowledgement is to confirm that you have completed your application, reviewed your responses, and verified 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.

Name Changes. If your name has changed since you were issued your Employment Authorization Document (Form I-766), you must submit a certified copy of the court decree or marriage certificate, as appropriate. A married person may file his or her application under either a maiden or current married name.

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-698

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 8. 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.

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4. **Part 2. Biographic Information.** Provide the biographic information requested in **Part 2., Item Numbers 1. - 6.** Providing this information as part of your application may also 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 describe your race and ethnicity.

Categories and Definitions for Ethnicity and Race

- A. **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.**)
- B. **White.** A person having origins in any of the original peoples of Europe, the Middle East, or North Africa.
- C. **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.
- D. **Black or African American.** A person having origins in any of the black racial groups of Africa.
- E. **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.
- F. **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.

5. **Part 5. Applicant’s Statement, Contact Information, Acknowledgement of Appointment at USCIS Application Support Center, Certification, and Signature.** 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 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 5.** Further, you must sign and date your application and provide your daytime telephone number, mobile telephone number (if any), and email address (if any). A stamped or typewritten name in place of a signature is not acceptable.
6. **Part 6. Interpreter’s Contact Information, Certification, and Signature.** If you used anyone as an interpreter to read the instructions and questions on this application to you in a language in which you are fluent, the interpreter must fill out this section, 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 **Part 5. Acknowledgement of Appointment at USCIS Application Support Center** to you in the same language in which you are fluent. The interpreter must sign and date the application.
7. **Part 7. Contact Information, Statement, Certification, and Signature of the Person Preparing this Application, If Other Than the Applicant.** 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 6.** and **Part 7.** 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 **Part 5. Acknowledgement of Appointment at USCIS Application Support Center** 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, along with your application.

8. Part 8. Additional Information. If you need extra space to provide any additional information within this application, use the space provided in **Part 8. Additional Information** or attach a separate sheet of paper. If you need more space than what is provided in **Part 8.**, you may make copies of **Part 8.** to complete and file with your application or attach a separate sheet of paper. 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. If you must appear for a biometric services appointment at a USCIS ASC, we recommend that you review your copy of your completed application before you come to your appointment. 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.

Photographs

You **must** submit two identical color photographs of yourself taken within 30 days of filing this application. The photos must have a white to off-white background, be printed on thin paper with a glossy finish, and be unmounted and unretouched.

Passport-style photos must be 2" x 2." The photos must be in color with full face, frontal view. Head height should measure 1" to 1 3/8" from top of hair to bottom of chin, and eye height is between 1 1/8" to 1 3/8" from bottom of photo. Your head must be bare unless you are wearing headwear as required by a religious denomination of which you are a member. Using a pencil or felt pen, lightly print your name and A-Number (if any) on the back of each photo.

What Is the Filing Fee?

The filing fee for Form I-698 is **\$1,020**, regardless of when it is filed. A biometric services fee of **\$85** is also required for applicants between 14 and 79 years of age.

NOTE: The filing fee and biometric services fee are not refundable, regardless of any action USCIS takes on this application. **DO NOT MAIL CASH.** You must submit all fees in the exact **amounts**.

Use the following guidelines when you prepare your checks or money orders for the Form I-698 filing fee and biometric services fee:

1. The **checks** or money **orders** 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 **checks** or money **orders** 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.

How To Check If The Fees Are Correct

Form I-698 filing fee and biometric services fee are current as of edition date in the lower left corner of this page. However, because USCIS fees change periodically, you can verify if 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; or
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**.

Where To File?

Please see our Web site at www.uscis.gov/I-698 or call our USCIS 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 Changes

You must **notify USCIS of your new address within 10 days of moving from your previous address**. 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.

Processing Information

If your Form I-698 is not signed or accompanied by the correct fees, USCIS will reject it with a notice that your Form I-698 is deficient. You may correct the deficiency and resubmit **your** Form I-698. An application is not considered properly filed until accepted by USCIS.

Initial Processing. Once USCIS accepts your application, we will check it for completeness. If you do not completely fill out the application, you will not establish a basis for your eligibility, and USCIS may **reject or deny** your application.

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

Requests for Interview. 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-698 involves a determination of whether you have established eligibility for the immigration benefit you are seeking. USCIS 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.

Individuals With Disabilities **and/or** Impairments

USCIS is committed to providing reasonable accommodations for qualified individuals with disabilities and/or impairments that will help **them** fully participate in USCIS programs and benefits.

Reasonable accommodations vary with each disability and/or impairment. They may involve modifications to practices or procedures. There are various types of reasonable accommodations that **USCIS may offer**. **Examples include, but are not limited to:**

1. If you are deaf or hard of hearing, USCIS may provide you with a sign-language interpreter at an interview or other **immigration benefit-related** appointment;
2. If you are blind or have low vision, USCIS may permit you to take a test orally rather than in writing; or
3. If you are unable to travel to a designated USCIS location for an interview, USCIS may visit you at your home or a hospital.

If you believe that you need USCIS to accommodate your disabilities and/or impairments, **select “Yes” and then** any applicable box in **Item Number 1.** of **Part 4.** that describes the nature of your disabilities and/or impairments. Also, describe the types of accommodations you are requesting on the lines provided. If you are requesting a sign-language interpreter, indicate for which language. If you need extra space to complete this section, **use the space provided in Part 8. 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.

NOTE: All domestic USCIS facilities meet the Accessibility Guidelines of the Americans with Disabilities Act, so you do not need to contact USCIS to request an accommodation for physical access to a domestic USCIS office. However, **in Part 4.** of the application, you can indicate whether you use a wheelchair. This will allow USCIS to better prepare for your visit.

USCIS also ensures that limited English proficient (LEP) individuals are provided meaningful access at an interview or other immigration benefit-related appointment, unless otherwise prohibited by law. LEP individuals may bring a qualified interpreter to the interview.

USCIS considers requests for reasonable accommodations on a case-by-case basis and we will make our best efforts to reasonably accommodate your disabilities and/or impairments. USCIS will not exclude you from participating in USCIS programs or deny your **application because** of your disabilities **and/or** impairments. Requesting and/or receiving an accommodation will not affect your eligibility for an immigration benefit.

Penalties

If you knowingly and willfully falsify or conceal a material fact or submit a false document with your Form I-698, we will deny your Form I-698 **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 Compliance Review and Monitoring

By signing this application, you have stated under penalty of perjury (28 U.S.C. section 1746) that all information and documentation submitted with this application is **complete, true,** and correct. **You also** authorized the release of any information from your records that USCIS may need to determine eligibility for the immigration benefit you are seeking and **consent** to **USCIS verifying such** information.

DHS has the authority to verify any information you submit to establish eligibility for the immigration benefit you are seeking at any time. USCIS' legal right to verify this information is in 8 U.S.C. sections 1103, 1155, and 1184, and 8 CFR Parts 103, 204, 205, and 214. To ensure compliance with applicable laws and authorities, USCIS may verify information before or after your case is decided.

Agency verification methods may include, but are not limited to: review of public records and information; contact via written correspondence, the Internet, facsimile, other electronic transmission, or telephone; unannounced physical site inspections of residences and locations of employment; and interviews. USCIS will use the information obtained through verification to assess your compliance with the laws and to determine your eligibility for an immigration benefit.

Subject to the restrictions under 8 CFR 103.2(b)(16), USCIS will provide you with an opportunity to address any adverse or derogatory information that may result from a USCIS compliance review, verification, or site visit after a formal decision is made on your case or after the agency has initiated an adverse action which may result in revocation or termination of an approval.

USCIS Privacy Act Statement

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

PURPOSE: The primary purpose for providing the requested information on this application is to determine if you have established eligibility to adjust status to lawful permanent resident. DHS will use the information you provide to grant or deny the benefit sought.

DISCLOSURE: 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 application.

ROUTINE USES: 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-001 - Alien File (A-File) and Central Index System (CIS), DHS-USCIS-007 - Benefits Information System] which can be found at www.dhs.gov/privacy. DHS may also make the information 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 15 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 1615-0035. **Do not mail your completed Form I-698 to this address.**