

**I-485/485A Public Comments
Summary of Responses**

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#	<u>Category</u>	<u>Comment</u>	<u>Response</u>
1	General Comment	Commenters (Numbers 1 and 7) state that the revised form is unnecessarily bloated and onerous to complete, placing an undue burden on applicants.	See response below (at end of document).
2	General Comment	The commenter (Number 1) recommends clarifying that a G-325A is no longer required.	USCIS will adopt this recommendation and modify the language in the Form I-485 instructions in the section What Evidence Must You Submit with This Application? We will also add the same language at the beginning of the Instruction Booklet to indicate the data collected on Form G-325A is now part of the Form I-485.
3	General Comment	<p>The commenter (Number 2) states that the additional paperwork is becoming burdensome. Instead of reducing time and paperwork involved in the applications, the service is exponentially increasing paperwork and time burden. The I-485 will more than triple in size, and will include extremely detailed questions regarding admissibility and a book-length set of instructions.</p> <p>This is truly onerous for all involved, particularly low-income applicants who will not be able to afford the increased costs of representation associated with the increased time and paperwork.</p>	See response below (at end of document).
4	General Comment	The commenter (Number 3) states that all of USCIS's recent form revisions have been in conflict with the goal of the Paperwork Reduction Act to minimize the paperwork burden. The commenter stated that the proposed I-485 is three times as	See response below (at end of document).

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		long as the current I-485 and G-325A combined (not including addenda or Supplement A) and that it seems an unnecessarily large increase in form length even with the additional questions and field included. The commenter states that the longer form would mean a substantially increased burden for the commenter's office and similar businesses in terms of postage costs, preparation time, and paper itself. The commenter strongly requests USCIS consider other formatting options that would allow for a more streamlined and shorter version of the form.	
5	General Comment	The commenter (Number 4) recommended changing the Form I-485 to use non-gendered terms to describe the parents and spouse of an applicant.	USCIS has adopted this recommendation.
6	General Comment	The commenter (Number 8) states the length of the proposed Form contravenes the intent of the Paperwork Reduction Act. The form is overwhelmingly detailed, complex, and calls for extraneous information and legal conclusions that are not necessary to the document collection.	See response below (at end of document).
7	Attorney block at top of p. 1	The commenter (Number 1) recommended removing this block or removing the requirement that a G-28 be filed.	No change will be made based on this comment. Applicants have a right to be represented in proceedings before the Department of Homeland Security. Pursuant to 8 CFR 292.4(a), "[a]n appearance must be filed on the appropriate form as prescribed by DHS by the attorney or accredited representative appearing in each case."
8	Part 1. Information About	The commenter (Number 1) recommended combining "Street Number and Name", "Apt",	No change will be made based on this comment. The fields are set up as individual data collections to mirror

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	You	“Ste”, “Flr” and “Number” fields. The commenter stated that separating these fields only contributes to increasing burden on the applicant and waste of paper. The commenter stated that, if these fields are split up due to database requirements, that there is no plausible reason why the databases should require the splitting of what is one line per the US Postal Service’s standards.	USCIS systems. The data field size is based on the form development and completion software capabilities and the expertise of form development and information mapping and collection experts as to what is the optimal size. USCIS systems collect those fields, when necessary, to match USPS address standards. Some USCIS forms, including the Form I-90 and Form N-400, already have incorporated this data standard. All future USCIS forms will utilize this same data standard. USCIS believes that it results in no additional burden while improving mailing processes and data quality.
9	Part 1, Information About You. Items 12-15.	The commenter (Number 6) recommended edits to make clear that USCIS is requesting information regarding the passport or travel document that the applicant used to enter the United States.	USCIS will adopt this recommendation and the suggested edits.
10	Part 1, Information About You. Item 20.	The commenter (Number 6) recommended removing “without inspection” from the list of examples and replacing it with “no lawful status”.	USCIS will remove “without inspection” as an example.
11	Part 1. Information About You. Item 23.	The commenter (Number 1) recommended moving the input box in line with the question to reduce paper.	USCIS appreciates but will not adopt this recommendation due to formatting requirements.
12	Part 1, Information About You. Item 23.	The commenter (Number 7) recommended the following edits: “If your immigration status has changed since your last entry, provide...”	USCIS has deleted this question.
13	Part 1, Information About You Item 24.C.	Commenter (Number 5) suggested we delete the word “final” assuming that USCIS wants to know the outcome of the immigrant visa application.	USCIS will adopt this recommendation.
14	Part 2. Application Type or Filing Category	Commenter (Number 8) states that it is not necessary to require the applicant to list the receipt number and priority date of the underlying	No change will be made based on this comment. The ability to capture this information on the form allows us to automatically input that data into our systems

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		petition, or to separate out whether they are the principal applicant or derivative applicant, as this information will all be readily available on the face of the Form I-797 Approval Notice for the underlying petition that must be attached to the Form I-485. Requesting this information on Form I-485 creates an additional burden on the applicant. Further, making the applicant distinguish between principal and derivative applicant status introduces a legal distinction that may serve to confuse the applicant.	and improve processing efficiency. The ability to capture the priority date is also important since the controlling priority date (e.g. based on a previously approved I-140) may not always be reflected on the I-797 notice on which the adjustment application is based. USCIS also believes it is important for an applicant to understand if they are the principal applicant or derivative applicant. The Instruction Booklet is designed to give the eligibility requirements for the principal and derivative applicants (when applicable) for each immigrant category. Furthermore, we define what the term derivative means on the main instructions.
15	Part 2. Application Type or Filing Category. Item 1.B.	The commenter (Number 1) recommended removing Item 1.B. because it is duplicative of Part 2, Item 3.	USCIS will adopt this recommendation.
16	Part 2. Application Type or Filing Category. Item 2.B.	The commenter (Number 6) recommended adding a short description in the instruction booklet and expanding the answer field for this item in the likely event a narrative description is requested.	USCIS will delete Item 2.B. in Part 2.
17	Part 2. Application Type or Filing Category. Item 3.	The commenter (Number 8) recommended keeping the current version of Part 2, Application Type because it is much easier for the applicant to understand. The commenter states that the proposed list of immigrant categories is unnecessary and complex, and employs technical terms potentially confusing to applicants. The commenter states that the adjudicator can easily determine the category based on the facts of the application, so the applicant does not need to.	USCIS will not adopt this recommendation. The current Form I-485 only lists 10 categories (four of which relate only to Cuban adjustments) for applicants to select as the immigrant category under which they are seeking to adjust status. The revised form is far more comprehensive and lists 31 immigrant categories. The main instructions for filing Form I-485 at pages 6-9 of the Instruction Booklet clearly define and describe the various immigrant categories. It is important for applicants to identify which immigrant

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		Further, the Instruction Booklet does not help resolve the confusion as there is no clearly marked section in the booklet to help applicants understand how to complete this section of the form.	<p>category under which they are applying for adjustment, as this will allow them to follow the specific instructions in the Instruction Booklet that relate to that category, ensure that they meet the eligibility requirements and that they are submitting all the required documents for that category. In addition, the applicant's selection of a particular immigrant category upon which the Form I-485 is based facilitates forms intake, file routing, assignment to appropriate officers, and ultimately adjudication.</p> <p>Several other commenters supported the change that this commenter opposes.</p>
18	Part 2. Application Type or Filing Category. Items 4-5.	The commenter (Number 1) recommended combining Items 4.A. and 4.B. with Items 5.D. and 5.E. to reduce waste of paper. The commenter stated that having these items separate does not contribute to clarity, only to form bloat.	No change will be made based on this comment. Those data elements are collected separately because they relate to separate people, the primary applicant and their family member or derivative applicant. USCIS needs to collect the information about the principal and derivative separately.
19	Part 3. Information About Your Parents	The commenter (Number 8) recommends deleting the information about the applicant's parents stating it is not necessary for the adjudication of the Form I-485 and creates an additional burden on the applicant.	USCIS will not adopt this recommendation. These questions relating to parents are incorporated directly from the G-325A and collected for biographical background purposes. Applicants must no longer submit a separate Form G-325A with Form I-485. Sections 1 and 3 of revised Form I-485 meet the requirements of 8 CFR 245.2(a)(3)(i) by collecting the biographical information formerly required on G-325A.
20	Part 4. Information About	The commenter (Number 1) recommended adding "(if any)" to Item 4.B.	USCIS will adopt this recommendation.

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	Your Marital History. Item 4.B.		
21	Part 4. Information About Your Marital History. Item 4.G.	The commenter (Number 5) recommended deleting 4.G. stating it is not relevant to the applicant's eligibility to adjust status.	USCIS will adopt this recommendation.
22	Part 4. Information About Your Marital History. Item 5.B.	The commenter (Number 1) recommended removing Item 5.B. as irrelevant and potentially unknowable. The commenter stated that once the marital relationship ended, it is entirely possible that contact ceased and therefore it is not possible for the applicant to know the former's spouses immigration status.	USCIS will adopt this recommendation.
23	Part 4. Information About Your Marital History. Item 5.C.-E.	The commenter (Number 1) recommended removing Items 5.C., D., and E. because they are not relevant.	USCIS will adopt the recommendation to remove 5.D and 5.E. USCIS will not adopt the recommendation to remove 5.C as it is a question we are incorporating from the G-325A.
24	Part 4. Information About Your Marital History. Item 7.	The commenter (Number 1) recommended removing Item 7 as irrelevant. The commenter stated that the relevant aspect is that the spouse is a U.S. citizen, which is fully covered by Part 4, Item 6.	USCIS will adopt this recommendation.
25	Part 4. Information About Your Marital History. Item 7.	Commenters (Numbers 5 and 7) recommended starting with the words "If yes," or "If so," since it assumes the current spouse is a U.S. citizen.	Please see comment and response above. USCIS is removing Part 4, #7.
26	Part 4. Information About Your Marital	The commenter (Number 7) recommended removing this question, which could have a chilling effect on deserving applicants who may have a	USCIS will adopt this recommendation and remove this question.

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	History. Item 8.C.	spouse who is not in valid status.	
27	Part 4. Information About Your Marital History. Items 11.B.-E.	The commenter (Number 1) recommended removing Items 11.B., C., D., and E. because they are all irrelevant and at least Item 11.B. is unknowable.	USCIS will adopt this recommendation.
28	Part 5. Information About Your Children.	Comment: The commenter (Number 8) states that the additional address details of children that are requested on the revised Form are not necessary to the Form’s adjudication and create an additional burden on the applicant to complete this unnecessary information.	USCIS will adopt this recommendation and remove the additional address details.
29	Part 5. Information About Your Children.	The commenter (Number 1) recommended removing the “What is your child’s relationship to you?” blocks because it is irrelevant whether the child is a biological child, a stepchild, or adopted child. The commenter stated that a child is a child under the INA and that the agency should not contribute to discrimination.	USCIS will adopt this recommendation.
30	Part 6. Biographic Information.	The commenter (Number 1) recommended removing Part 6 in its entirety because ethnicity is irrelevant, particularly when limited to two choices. The commenter stated that height and weight are irrelevant to the I-485 adjudication, that eye and hair color are mutable, irrelevant to the I-485 adjudication, and provide no assistance in identifying a person.	No change will be made based on this comment. The questions, categories, instructions definitions, and manner in which the identifying data is collected, comply with the United States, Office of Management and Budget, Standards for the Classification of Federal Data on Race and Ethnicity. OMB makes clear that these classifications are for identification only and should not be interpreted as being scientific or anthropological in nature, nor should they be viewed as determinants of eligibility for participation in any Federal program.

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			The Biographic Data elements were added to Form I-485 streamline the applicant's visit to the USCIS Application Support Center (ASC). When an applicant arrives at an ASC to provide biometrics, for the purpose of the required background checks, they first must complete FBI Form FD-258, which includes a number of identifying characteristic that the FBI requires to run background checks. USCIS has decided to collect and store that information on the filed forms so it does not need to be provided again, manually, at the ASC.
31	Part 6. Biographic Information.	The commenter (Number 3) stated that, by collecting the applicant's country of birth, USCIS already has access to the individual's "ethnicity" in the narrow terms in which USCIS chooses to define it. The commenter also stated that USCIS could easily see certain physical features of the applicant through the photographs it collects. The commenter stated that, given the background checks and biometrics already involved in the I-485 application process, the very basic physiological information (that is easily and frequently changed, such as an individual's weight or appearance) collected in Part 6 is unlikely to be helpful to USCIS in the I-485 adjudication process. The commenter recommended removing this section.	See response above.
32	Part 7. General Eligibility and Inadmissibility	The commenter (Number 8) recommends deleting this question since "admission" is a legal term of art and will be confusing to non-lawyers. The	No change will be made based on this comment. Whether an applicant has ever been denied admission is relevant for purposes of adjustment of status, which

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	Grounds. Item 1.	commenter also states this question is irrelevant to eligibility for adjustment and outside the scope of the Form I-485.	requires that an applicant be admissible to the United States.
33	Part 7. General Eligibility and Inadmissibility Grounds. Item 10.	The commenter (Number 6) recommends adding language to specify if the applicable “relief from removal, exclusion, or deportation” includes only those applications submitted directly to an immigration judge or if it also includes applications submitted to USCIS more generally. The recommendation is to add the bolded language: “Have you EVER applied for any kind of relief from removal, exclusion, or deportation before an immigration judge? ”	No change will be made based on this comment. While USCIS can only provide full relief from removal in connection with the T and the U program, DHS can grant, for example, temporary relief from removal through a stay of removal or some other discretionary remedy such as deferred action. The immigration judge can also grant relief from removal. Therefore, we believe that the language should remain broad .
34	Part 7. General Eligibility and Inadmissibility Grounds. Item 10.	The commenter (Number 8) recommends deleting this question because it is unnecessary and creates additional burden for the applicant. The question involves a legal term of art and other questions on the form get to the heart of the issue around removal.	No change will be made based on this comment. The question of whether an applicant has ever applied for relief from removal provides information about the applicant’s eligibility for adjustment of status. For example, an applicant who applied for voluntary departure but failed to depart, is not eligible for adjustment of status for a period of 10 years. See INA 240B(d). Therefore, USCIS retained the question.
35	Part 7. General Eligibility and Inadmissibility Grounds. Items 11.A.	The commenter (Number 5) recommended adding: “If you answered yes, please answer the following:” after 11.A.	See below. USCIS will adopt the recommendation to modify the language in the pertinent section.
36	Part 7. General Eligibility and Inadmissibility Grounds. Items 11.B.-D.	The commenter (Number 1) stated that Items 11.B., C., and D. are only relevant if Item 11.A. is “yes”, and that the form should indicate as such.	USCIS will adopt this recommendation and modify the language in the pertinent section.

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37	Part 7. General Eligibility and Inadmissibility Grounds. Items 11.B.-D.	The commenter (Number 6) recommended making clear that questions 11.B, 11.C., and 11.D. need be answered only if the answer to Question 11.A. is “yes.”	See above. USCIS will adopt this recommendation.
38	Part 7. General Eligibility and Inadmissibility Grounds. Item 12.	The commenter (Number 6) recommended inserting “drugs” after “illegal” to make the question easier to understand.	USCIS will adopt this recommendation.
39	Part 7. General Eligibility and Inadmissibility Grounds. Item 12.	The commenter (Number 1) requested “abused” be defined.	No change will be made based on this comment. There is a definition of abuse that can be found in CDCs Technical Instructions. An official determination as to abuse would be made by a civil surgeon upon referral by an officer.
40	Part 7. General Eligibility and Inadmissibility Grounds. Item 12.	Commenters (Numbers 5 and 8) recommended that USCIS delete this question stating that all health-related ground in inadmissibility are determined by the designated civil surgeon and covered in the medical exam.	The question is intended to elicit information from an applicant and not for an officer to make a medical diagnosis of drug abuse or addiction. In general, an immigration officer may order a medical examination of an applicant at any time, if the officer is concerned that the applicant may be medically inadmissible. An immigration officer who believes, at the time of adjudication of the I-485, that an applicant is a drug abuser or addict based on an answer to this question would refer the applicant for an additional medical examination by a civil surgeon, and the civil surgeon would make an official determination as to abuse. For these reasons, we retained this question.
41	Part 7. General Eligibility and Inadmissibility Grounds. Item 12.	The commenter (Number 7) states that the question is overly broad in scope since admitting to merely having used (but not abused) an illegal drug does not render the applicant inadmissible	See response above.

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		for health-related reasons.	
42	Part 7. General Eligibility and Inadmissibility Grounds. Items 13-37.	Commenters (Numbers 6 and 8) suggest that the requirement that a child submit certified police and court records of criminal charges, arrests, or convictions should be modified in light of state confidentiality provisions governing juvenile arrests and juvenile court proceedings. Many applicants do not realize they may be breaking state law by disclosing protected documents. We therefore suggest a caveat be added that documents should be provided “unless disclosure is prohibited under state law.” One commenter (Number 8) noted that excepting cases handled in juvenile court and where disclosure is prevented by state confidentiality laws is consistent with USCIS’s approach in Form I-821D.	No change will be made based on this comment. There is no legal exception that allows nondisclosure of a juvenile adjudication for federal immigration purposes, even where a state law provides that a juvenile adjudication no longer exists. Disclosure of this information is required given the differences in how states address juvenile offenders. It is within USCIS’s jurisdiction to determine whether the state finding corresponds to the Federal Juvenile Delinquency Act and therefore does not qualify as a conviction for immigration purposes. Furthermore, an applicant can always provide documentation that the record is unavailable. For these reasons, we retained the original language.
43	Part 7. General Eligibility and Inadmissibility Grounds. Item 13.	The commenter (Number 5) pointed out there is no end parenthesis after the word “Forces.”	USCIS will adopt this recommendation.
44	Part 7. General Eligibility and Inadmissibility Grounds. Item 14.	The commenter (Number 8) recommended deleting the phrase “including crimes involving moral turpitude” from this question since this term is not only superfluous but highly technical and impossible for an applicant to respond to.	USCIS will adopt this recommendation.
45	Part 7. General Eligibility and Inadmissibility Grounds. Item 15.	The commenter (Number 7) states that the question is overly broad in scope, as admitting to committing any crime or any offense for which you were not arrested does not render the applicant inadmissible. The commenter recommends USCIS retain the language on the current form: “Have	No change will be made based on this comment, although Item 15 will be merged with Item 14. Several criminal grounds of inadmissibility do not require a conviction for the conduct to make the applicant inadmissible. Admitting to a crime that an applicant was not arrested for, may make the applicant

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		you EVER, in or outside the United States ... knowingly committed any crime of moral turpitude or a drug-related offense for which you have not been arrested?"	inadmissible depending on the crime. Moreover, admitting to a crime, even if the applicant was never arrested, charged, or convicted, is relevant to discretion. Therefore, asking for information on any crime an applicant committed is not overbroad as it necessary to determine eligibility for adjustment of status.
46	Part 7. General Eligibility and Inadmissibility Grounds. Item 17.	The commenter (Number 8) recommended deleting this question because the wording is so broadly phrased that it could be interpreted to include all kinds of situations that are not relevant to the applicant's eligibility for adjustment. Further, this question is unnecessary given the plethora of other questions seeking information about the existence of a criminal history.	This question is necessary as it directly relates to whether an applicant was convicted of an offense under INA 101(a)(48)(A). Other questions do not directly address this punishment requirement. Since a conviction is relevant to multiple grounds of inadmissibility, we retained the original language.
47	Part 7. General Eligibility and Inadmissibility Grounds. Item 21.	The commenter (Number 8) recommended deleting this question because it is incredibly vague and unclear regarding what "involved" means. The commenter states that the language in the current Form I-485 is clearer and more easily understood. The commenter alternatively recommended revising the question to read: "Have you EVER committed a drug-related offense for which you have not been arrested?"	No change will be made based on this comment. The question covers all conduct that would make an applicant inadmissible under INA 212(a)(2)(A)(i)(II). Admissibility is an eligibility requirement for adjustment of status, therefore the question is necessary.
48	Part 7. General Eligibility and Inadmissibility Grounds. Item 23.	The commenter (Number 8) recommended deleting the new version of this question and replacing it with the language in the current version of Form I-485. The commenter states that the new version only adds words that are unnecessary, making the question more difficult for the applicant to understand, and may be	This inadmissibility ground applies to two groups of applicants, and the term "benefited" covers both groups of applicants who are inadmissible under INA 212(a)(2)(C)(ii). Therefore, that language is necessary.

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		legally incorrect to serve the basis for drug trafficking under federal law. The commenter also states that the word “benefited” is incredibly broad and potentially covers information that people may be unaware of.	
49	Part 7. General Eligibility and Inadmissibility Grounds. Item 25.	The commenter (Number 1) recommended removing Item 25 because it is irrelevant and possibly unknowable to the applicant since the applicant has no control over what the applicant’s spouse or parents do.	No change will be made based on this comment. This conduct is specific to a ground of inadmissibility and is therefore relevant to the adjudication. . See INA 212(a)(2)(C)(ii). Admissibility is an eligibility requirement for adjustment of status, therefore the question is necessary.
50	Part 7. General Eligibility and Inadmissibility Grounds. Item 35.	The commenter (Number 1) recommended removing Item 35 because it is irrelevant and possibly unknowable to the applicant since the applicant has no control over what the applicant’s spouse or parents do.	No change will be made based on this comment. This conduct is specific to a ground of inadmissibility and is therefore relevant to the adjudication. See INA 212(a)(2)(H)(ii). Admissibility is an eligibility requirement for adjustment of status, therefore the question is necessary.
51	Part 7. General Eligibility and Inadmissibility Grounds. Item 41.	The commenter (Number 1) recommended removing Item 41 because it is irrelevant and possibly unknowable to the applicant since the applicant has no control over what the applicant’s spouse or parents do.	No change will be made based on this comment. This conduct is specific to a ground of inadmissibility and is therefore relevant to the adjudication. See INA 212(a)(3)(B)(i)(IX). Admissibility is an eligibility requirement for adjustment of status, therefore the question is necessary.
52	Part 7. General Eligibility and Inadmissibility Grounds. Item 46.	The commenter (Number 1) recommended removing Item 46 because it is unclear what the agency means by “adverse foreign policy consequences.” The commenter stated that the question is too broad and ambiguous. The commenter stated that many constitutionally protected actions could have “adverse foreign policy consequences” including but not limited to	No change will be made based on this comment. This conduct is specific to a ground of inadmissibility and is therefore relevant to the adjudication. See INA 212(a)(3)(C)(i). Admissibility is an eligibility requirement for adjustment of status, therefore the question is necessary. We did amend the question to more closely track the language of the statute.

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		writing an op-ed, writing to foreign dignitaries, traveling, etc.	
53	Part 7. General Eligibility and Inadmissibility Grounds. Item 47.	The commenter (Number 8) recommended deleting the term “human trafficking” in this question because it is a legal term of art not commonly understood.	The language of this question tracks the statute. Therefore we retained the original language.
54	Part 7. General Eligibility and Inadmissibility Grounds. Item 50.C.	The commenter (Number 1) recommended removing Item 50.C. because it is too broad and ambiguous.	No change will be made based on this comment. This conduct is specific to a ground of inadmissibility and is therefore relevant to the adjudication. Admissibility is an eligibility requirement for adjustment of status, therefore the question is necessary.
55	Part 7. General Eligibility and Inadmissibility Grounds. Item 53.	The commenter (Number 5) recommended adding the word “cash” between “public” and “assistance.” The commenter states that only current or past receipt of public <i>cash</i> assistance programs can be considered a public charge.	No change will be made based on this comment. Inadmissibility based on public charge requires an officer to determine whether the foreign national is more likely than not to become primarily dependent on the government for subsistence, as demonstrated by either the receipt of public cash assistance for income maintenance or institutionalization for long-term care at government expense. The suggested edit makes the question too narrow.
56	Part 7. General Eligibility and Inadmissibility Grounds. Item 53.	The commenter (Number 8) recommended revising this question to read (additions in bold and italics; deletions in strikethrough): “Have you received public assistance in the form of cash aid in the United States from any source, including the U.S. government or any state, country, city or municipality (other than emergency medical treatment)? ” Or, in the alternative, revise the question to track USCIS’s own guidance as stated in the Public Charge Fact Sheet.	No change will be made based on this comment. Inadmissibility based on public charge requires an officer to determine whether the foreign national is more likely than not to become primarily dependent on the government for subsistence, as demonstrated by either the receipt of public cash assistance for income maintenance or institutionalization for long-term care at government expense. The suggested edits makes the question too narrow.

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57	Part 7. General Eligibility and Inadmissibility Grounds. Item 54.	The commenter (Number 1) recommended removing Item 54 because it required a prediction of the future, something that is impossible and unknowable.	No change will be made based on this comment This question addresses a specific ground of inadmissibility. Public charge is a prospective determination. Therefore the question is appropriate and relevant to the adjudication.
58	Part 7. General Eligibility and Inadmissibility Grounds. Item 54.	The commenter (Number 8) recommended revising the question to read: “Are you likely to receive public assistance in the form of cash aid in the future?” Or, in the alternative, revise the question to track USCIS’s own guidance as stated in the Public Charge Fact Sheet.	No change will be made based on this comment. Inadmissibility based on public charge requires an officer to determine whether the foreign national is more likely than not to become primarily dependent on the government for subsistence, as demonstrated by either the receipt of public cash assistance for income maintenance or institutionalization for long-term care at government expense. The suggested edits makes the question too limiting.
59	Part 7. General Eligibility and Inadmissibility Grounds. Item 55.	The commenter (Number 8) recommended deleting this question because it is overly complex and will likely cause confusion to the reader. Additionally it is unclear what it means to fail to remain in attendance at a hearing. Alternatively, the text could be revised to read: “Have you EVER failed to attend your removal, exclusion, or deportation proceeding?”	The language of this question tracks the statute and therefore does not request extraneous information. Further, this question does ask about multiple activities, but they all relate to the same ground of inadmissibility. For these reasons, we retained the original language of this question and did not make any changes based on the comment.
60	Part 7. General Eligibility and Inadmissibility Grounds. Item 57.	The commenter (Number 5) states that only willful and material misrepresentations would trigger potential inadmissibility and recommended that the question reads as follows: Have you EVER willfully lied about, concealed, or misrepresented any material information on an application or petition to obtain a visa, other documentation required for entry into the United States, admission to the United States, or any other kind	Adding the suggested language to this question would make the question too narrow and limit the responses received by applicants. Whether a misrepresentation was made willfully is more appropriately determined by an immigration officer in the adjudication of the immigration benefit. The purpose of the question is to illicit the information that USCIS needs to make this determination. For these reasons, we retained the original language and did not make changes based on

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		of immigration benefit?	this comment.
61	Part 7. General Eligibility and Inadmissibility Grounds. Item 58.	The commenter (Number 5) states that only false claims of citizenship made to gain a benefit under state or federal laws would trigger potential inadmissibility and recommended the question reads as follows: Have you EVER falsely claimed to be a U.S. citizen (in writing or any other way) to gain a benefit under state or federal law?	Adding the suggested language to this question would make the question too narrow and limit the responses received by applicants. Whether a false claim to U.S. citizenship was made to gain a benefit under state or federal law is more appropriately determined an immigration officer in the adjudication of the immigration benefit. The purpose of the question is to illicit the information that USCIS needs to make this determination. For these reasons, we retained the original language and did not make changes based on this comment.
62	Part 7. General Eligibility and Inadmissibility Grounds. Items 63 and 65.	The commenter (Number 5) states that questions 63 and 65 ask for the same information and recommends that only one of these questions be included on the form citing their similarity.	USCIS will adopt this recommendation and delete question 65.
63	Part 7. General Eligibility and Inadmissibility Grounds. Item 64.	The commenter (Number 5) recommended the question would read as follows: "Have you ever entered the United States without being inspected?" The commenter states that the term "admitted or paroled" is a legal term that is unlikely to be understood by the applicant. The commenter suggests, since the term "inspection" is used on the Form I-485, Part 1, Question 20, continuing to use this term.	USCIS will add "inspected," so that it will read: "... without being inspected and admitted or paroled."
64	Part 7. General Eligibility and Inadmissibility Grounds. Item 66.	The commenter (Number 5) recommended deleting the word "respectively" and suggested substituting the word "inspected" in place of "admitted or paroled."	USCIS will add "inspected," and delete "respectively," so that it will read: "...without being inspected and admitted or paroled."

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65	Part 7. General Eligibility and Inadmissibility Ground. Item 67.	The commenter (Number 5) suggests substituting the word, “inspected” in place of “admitted or paroled.”	USCIS will add “inspected,” so that it will read: “... without being inspected and admitted or paroled.”
66	Part 10. Applicant’s Certification	The commenter (Number 7) states that the language allowing USCIS to access “any and all of my records that USCIS may need” is overbroad and may violate privacy laws. The commenter does not believe the applicant should be compelled to allow USCIS to retrieve non-public information or release the applicant’s information to any branch of the U.S. government, private companies, or the governments of foreign countries.	The language limits USCIS access to information it needs, not any information it chooses to collect. USCIS strives to protect the privacy of the individual and ensures the collection, use, and dissemination are consistent with the Fair Information Practice Principles (FIPPs) derived from the Privacy Act. USCIS will provide and receive only relevant information to/from authorized recipients at authorized entities, when needed, to determine eligibility for the immigration benefit that the individual seeks. This sharing is consistent with the FIPPs “Use Limitation” principle which states that, “PII should solely be used for the purpose(s) specified in the notice. Sharing PII outside the Department should be for a purpose compatible with the purpose for which the PII was collected.” Furthermore, our System of Records Notices (SORNs) published under the Privacy Act permit this type of sharing. No change is made.
67	Part 10. Applicant’s Statement. Acknowledgment of Appointment at USCIS Application Support Center.	The commenter (Number 7) states that the re-verification of information in the application at the time the applicant appears at an Application Support Center is problematic for a number of reasons. First, applicants appearing at an ASC appointment will not have the Form I-485 with them, nor does the commenter presume the ASC	No change will be made based on this comment. We understand how the reverification may seem redundant. Nonetheless, the ASC appointment acknowledgment and biometrics services accomplish the identity-proofing required under the Government Paperwork Elimination Act (GPEA) and Federal Information Security Modernization Act of 2014

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		<p>contractor will review the contents of the form with the applicant. Second, neither the applicant nor the ASC contractor has the ability or authority to correct typographical errors on the I-485. Third, the re-verification is redundant of the applicant's attestation. Fourth, there may be situations in which information has changed between the time the I-485 was filed and the time of the ASC appointment, for instance, the applicant has moved or traveled abroad. In these cases, the applicant will have difficulty signing the ASC acknowledgment in good faith. The commenter requests USCIS remove the requirement that applicants re-verify the contents of the application.</p>	<p>(FISMA) by linking the individual and the online account. As USCIS progresses to more forms filed in an electronic environment we are changing our forms to add features to meet the identity-proofing and attribution requirements established for electronic remote authentication under federal law, establish a legally enforceable electronic signature process, and combat immigration fraud in cases filed electronically where the applicant's signature is not obtained. The updated certification and attestation language and acknowledgement provide notice to an applicant that they must re-affirm the content of their application at their ASC appointment. In addition, the ASC notice will remind applicants again that by appearing for their ASC appointment they would be re-affirming the contents of their applications were complete, true, and correct. The LiveScan screen at the ASC will display the attestation to the applicant when they provide their digital signature, and the signature will be linked to the attestation and become part of the account record.</p> <p>This in-person identity verification is necessary for a paperless process to comply with the identity-proofing required by the Government Paperwork Elimination Act (GPEA) and Federal Information Security Modernization Act of 2014 (FISMA) for individuals who access a government system remotely, and has been implemented in anticipation of including Form I-485 into the electronic system of USCIS ELIS. Current processing time and programming requirements,</p>

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			requires that USCIS include this language now so that requirements and procedures are in place in time for implementation of electronic filing capability. USCIS recognizes that this adds space, text, and a little increase in burden to the application, especially for those forms, such as the Form I-485, that are not yet available for electronic filing. However, USCIS believes that the burden of the additional language will eventually be offset by the benefits of online filing. During this transition period, this additional language will slightly increase the burden of those forms not yet in USCIS ELIS.
68	Part 10. Applicant's Statement. Item 2.	The commenter (Number 1) recommended either removing Item 2 or deleting the requirement that a G-28 be filed with the form, to reduce unnecessary waste of paper, bloat of the form, and reduce the burden on users.	No change will be made based on this comment. Persons have a right to be represented in proceedings before the Department of Homeland Security. Pursuant to 8 CFR 292.4(a), "[a]n appearance must be filed on the appropriate form as prescribed by DHS by the attorney or accredited representative appearing in each case."
69	Part 12. Preparer's Certification.	The commenter (Number 7) states that the certifications and acknowledgments are lengthy, repetitive, and contribute to the ballooning size of the form. In addition, the attestations are confusing to applicants and petitioners and appear to be overreaching and unnecessary. The commenter requests USCIS to half the current practice of adding these lengthy certifications and acknowledgments and examine whether the intended goals can be met with existing regulations or more concise attestations that are less burdensome, easier to understand, and within	No change will be made based on this comment. As more USCIS forms are available to be filed in an electronic, paperless environment we are adding language to combat immigration fraud as requested by federal law enforcement agencies. USCIS is also utilizing the attestation process to meet its identity-proofing and attribution requirements established for electronic remote authentication under federal law. USCIS does not believe the language is overly long, repetitive or that it adds excessive burden on respondents. The language does not exceed USCIS' authority to make requests necessary to complete

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		<p>the scope of USCIS’s authority. The commenter notes the preparer is already required to attest to the veracity and truth of what is submitted under 8 CFR 103.2(a)(2) and 8 CFR 1003.102(j)(1). Attorneys may be subject to disciplinary sanctions for frivolous behavior or who knowingly or with reckless disregard makes a false statement of material fact or law. See generally 8 CFR 1003.101-108.</p> <p>The commenter proposes revising the “Preparer’s Certification” to read as follows: “By my signature, I certify, swear, or affirm, under penalty of perjury, that I prepared this form on behalf of the applicant, or another individual authorized to sign this form pursuant to form instructions. I prepared this form at his or her request, and with his or her express consent, and I understand that the preparation of this form does not grant the petitioner or beneficiary any immigration status or benefit.”</p>	<p>case processing. If any person other than the applicant completes the form, including an attorney, he or she is required to complete and sign the preparer’s section. The certification does not require an attorney to swear to his or her knowledge and truth of all information in the application, and does not encumber the attorney/client relationship. Rather, by completing the certification, the attorney or preparer is certifying that he or she “completed the form based only on responses the applicant provided to” him or her and “reviewed it and all of the applicant’s responses with the applicant, who agreed with every answer. The preparer certification language clarifies that the signatories are assuring DHS as to the source and completeness of the information on the form. The AILA suggested language only documents the applicant-preparer agreement and it does not address the veracity of the information on the form.</p>
70	Part 12. Preparer’s Information. Item 7.A.	The commenter (Number 1) stated that Item 7.A. encourages the unlawful practice of law and places immigrants at risk of being defrauded.	No change will be made based on this comment. Information about a preparer other than the applicant is a standard request in all new and newly-revised USCIS forms. Law enforcement agencies have indicated that cases of fraud or malfeasance are difficult to pursue when the request is completed by a preparer. They indicate that the applicant usually disavows the problematic information on the form and blames the interpreter or preparer. In such a case, it is important to be able to contact the preparer.

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71	Part 12. Preparer's Information. Item 7.B.	The commenter (Number 1) recommended either removing Item 7.B. or deleting the requirement that a G-28 be filed with the form, to reduce unnecessary waste of paper, bloat of the form, and reduce the burden on users.	No change will be made based on this comment. Persons have a right to be represented in proceedings before the Department of Homeland Security . Pursuant to 8 CFR 292.4(a), "[a]n appearance must be filed on the appropriate form as prescribed by DHS by the attorney or accredited representative appearing in each case."

FORM I-485 SUPPLEMENT A			
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1	Part 1. Information About You	The commenter (Number 1) recommended combining the fields for "Street Number and Name", "Apt", "Ste", "Flr", and "Number" fields. The commenter stated that separating these fields results in increased burden on the applicant and waste of paper. The commenter stated that, if these fields are split up due to database requirements, that there is no plausible reason why the databases should require the splitting of what is one line per the US Postal Service's standards.	No change will be made based on this comment. The fields are set up by forms development and completion software as individual data collections to mirror USCIS systems and maximize the data collection considering maximize character limitations, useful field size, and form look and feel. USCIS systems concatenate those fields, when necessary, to match USPS address standards. Some USCIS forms, including Form I-90 and Form N-400, already have incorporated this data standard. All USCIS form revisions moving forward will have this data standard.
2	Part 3, Applicant's Statement Regarding the Preparer and Part 5. , Preparer's Statement	The commenter (Number 1) recommended deleting items 2 and 7 or removing the requirement that a G-28 be filed with the form to reduce the bloat of the form and burden on users.	No change will be made based on this comment. Persons have a right to be represented in proceedings before the Department of Homeland Security. Pursuant to 8 CFR 292.4(a), "[a]n appearance must be filed on the appropriate form as prescribed by DHS by the attorney or accredited representative appearing in each case."

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1	General Instructions.	The commenter (Number 1) recommended deleting all pages marked “This Page Intentionally Left Blank” because they are a waste of paper.	We appreciate the comment, but no change will be made based on this comment. This is standard practice for formatting documents to clearly separate multiple sections for better readability, completion and intake.
2	General Comment	The commenter (Number 5) stated that the document is overly long and intimidating to potential applicants.	See response below (at end of document).
3	General Comment	The commenter (Number 6) expressed concern over the length of the Instruction Booklet as being overly long and intimidating to potential applicants.	See response below (at end of document).
4	General Comment	The commenter (Number 7) requests specific URLs in place of the very general www.uscis.gov in form instructions. For example, the proposed instructions note in multiple places the following statement: “If you are inadmissible to the United States, you may not adjust to lawful permanent resident status. You can find the grounds of inadmissibility listed in section 212(a) of the Immigration and Nationality Act (INA) at www.uscis.gov .” It is often difficult to find specific items from a general URL, so it would help the reader to cite to the direct URL. AILA appreciates that USCIS has provided more specific links in several other places on the forms. We also note that specific URLs are more likely to become	USCIS provides specific URLs where possible to ease the burden on the applicant. However, in some cases, specific URLs are either not available, navigation beyond the general url is not intuitive, or the webpage is constantly changing.

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		outdated, and hope that USCIS will ensure that the URLs are current when cited to in the form instructions.	
5	General Comment	The commenter (Number 7) recommended adding a disclaimer that applicants may want to consult competent legal counsel or an accredited representative if USCIS elects to keep the current structure of the proposed form instructions.	<p>USCIS provides detailed instructions so individuals are able to complete the form on their own. USCIS believes the instructions are easy to understand, but if applicants need clarification, they may ask a USCIS employee for clarification. Legal concepts are not oversimplified and, if instructions are followed as written, an answer an applicant provides would not be harmful.</p> <p>Although USCIS will keep the current structure of the form instructions, we have added the following: “If you do not understand these instructions, you may wish to consult an attorney or accredited representative.”</p>
6	General Comment	The commenter (Number 8) states that the Instruction Booklet is unwieldy and not organized in an intuitive manner. The time burden on an applicant to read the over 100 pages of instructions will be well over the 6 hours estimated by the agency.	No change will be made based on this comment. The revised Form I-485 is accompanied by a comprehensive Instruction Booklet. This Booklet is designed to provide applicants general information about completing the Form I-485 as well as, for the first time ever, separate sections that give specific, tailored instructions about virtually every immigrant category under which an applicant might apply. These category-specific instructions also contain a document checklist applicants can reference to determine the particular evidence they must submit to prove their eligibility to adjust under their immigrant category. These expanded instructions are intended to guide applicants in filing a complete Form I-485 in the first

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			instance, reducing the need for USCIS to issue RFEs or Notices of Intent to Deny and the corresponding delays. Importantly, applicants will <i>not</i> need to review the entire Instruction Booklet but only the main Form I-485 instructions pertaining to all applicants and the <i>one</i> other section that pertains to their specific immigrant category. The final organization and design of the Instruction Booklet will reinforce this point.
7	General Comment	The commenter (Number 8) suggests the Instructions Booklet should be revised to correspond to each section of the Form I-485. Further, the “evidence checklist” that appears in each section should be clearly marked with its applicability so that applicants do not unknowingly rely upon an incorrect “evidence checklist.”	USCIS will adopt this recommendation. USCIS will add the name of the immigrant category name into the heading of each document checklist – for example: “Evidence Checklist for Employment Based Applicants.” We note that the main instructions for Form I-485 contain several instructions identified as relating to particular sections of the form
8	Form I-485 Instructions. Who Is Eligible to Register or Adjust Status?	The commenter (Number 7) recommended that USCIS include a brief warning that, depending on the individual circumstances in the applicant’s case, he or she may be placed into removal proceedings if the application is denied.	No change will be made based on this comment. USCIS provides detailed instructions so individuals are able to complete the form on their own. USCIS believes the instructions are easy to understand, but if applicants need clarification, they may ask a USCIS employee for clarification. Legal concepts are not oversimplified and, if applicants follow the instructions as written, applicants’ answers should not be harmful. Although USCIS will keep the current structure of the form instructions, we have, nevertheless, added the following: “If you do not understand these instructions, you may wish to consult an attorney or accredited representative.”
9	Form I-485 Instructions. What Immigrant Category	The commenter (Number 7) recommended USCIS edit the parenthetical in the initial paragraph as follows to ensure that applicants are aware they	USCIS will adopt this recommendation.

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	Do I File Under?	have to meet basic eligibility criteria not included in the enumerated list: "(See the Additional Instructions section in the Instruction Booklet for a full list of eligibility requirements.)"	
10	Form I-485 Instructions. What Immigrant Category Do I File Under? Item 15.	The commenter (Number 7) recommended USCIS include 245(i) information in a separate section rather than under the section "What Immigrant Category Do I File Under?" For example, it could be inserted as a separate section on Page 10 after the section entitled "Adjustment Bars (INA Section 245)."	No change will be made based on this comment. USCIS believes 245(i) belongs on this list of bases for adjustment of status.
	Form I-485 Instructions. What Immigrant Category Do I File Under? Item 15.	The commenter (Number 7) recommended clarifying that 245(i) is not an independent path to adjustment but rather a means of overcoming certain ineligibilities under INA 245(c).	No change will be made based on this comment. The Instructions state explicitly that "INA section 245(i) is not an immigrant category by itself" and discuss how it provides relief from 245(c) bars, and the EWI bar.
11	Form I-485 Instructions. Who Is Not Eligible to Adjust Status? Adjustment Bars.	The commenter (Number 7) states this section is an oversimplification of the adjustment bars and may be confusing to applicants. Without clarifying that certain bars may not apply (to immediate relatives or those who qualify for 245(k), for example), certain applicants may wrongfully believe they are not entitled to adjustment. The commenter recommended referencing the precise section of the INA that the bar is based on and note that there are exceptions to some of the bars.	USCIS will make certain changes based on this comment. The revised wording of this instruction makes it clear that the bars and inadmissibility grounds "may" apply to the applicant and will depend upon the applicant's immigrant category they are applying under which could make the applicant eligible for a waiver or exemption. Applicants are directed to review the instructions about their specific immigrant category to determine what if any waivers or exemptions may be available to them.
12	Form I-485 Instructions. What Evidence Must You Submit with this	The commenter (Number 6) states that USCIS should acknowledge a school ID as a "government-issued identity document with photograph" for children as proof of identity to support an I-485	No change will be made based on this comment. Every adjustment of status applicant must establish identity at an Application Support Center and other USCIS offices. The Form I-485 Instructions list a valid

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	Application? Item 2.	and at a child's biometrics appointment. The commenter mentions this is particularly important for SIJs because many foreign consulates require both parents' consent before issuing a child a passport or consular ID. Because SIJs cannot by definition, reunify with at least one parent, they cannot comply. As a result, a school ID may be the only identification with photograph that they can obtain.	government issued photo identification document as a requirement-because it is the primary evidence to verify identity., However, if an applicant establishes that primary evidence of identity is unavailable, an ASC Officer has the discretion to accept secondary evidence of identity, such as a school i.d.
13	Form I-485 Instructions. What Evidence Must You Submit with this Application? Item 4.	The commenter (Number 7) recommends the following edit: "If you are filing as the derivative applicant child of the principal applicant, you must submit a photocopy of your parents' marriage certificate or other proof of parent-child relationship."	USCIS will adopt a modified version of this recommendation.
14	Form I-485 Instructions. What Evidence Must You Submit with this Application? Item 5.	The commenter (Number 7) states that this section is incorrect since a person must not only show a passport page with a nonimmigrant visa but the admission stamp in the passport or an I-94 arrival/departure record.	USCIS agrees with this comment and will revise the instructions accordingly.
15	Form I-485 Instructions. What Evidence Must You Submit with this Application? Item 5.	The commenter (Number 7) recommends the instructions point out other types of documentation or evidence can be used to show proof of inspection and admission, such as affidavits, etc. to prove entry under <i>Matter of Quilantan</i> , 25 I&N Dec. 285 (BIA 2010).	USCIS revised the language in Item 5 to clarify the document list is not exhaustive. Applicants may provide any type of credible evidence to show they were inspected and admitted or paroled upon their most recent U.S. entry.
16	Form I-485 Instructions. What Evidence Must You Submit with this	The commenter (Number 7) recommends that the final sentence of this Item make clear that documentation relating to previous entries is not required, unless specifically requested.	USCIS has deleted this sentence.

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	Application? Item 5.		
17	Form I-485 Instructions. What Evidence Must You Submit with this Application? Item 8.	The commenter (Number 6) suggests that the requirement that a child submit certified police and court records of criminal charges, arrests, or convictions should be modified in light of state confidentiality provisions governing juvenile arrests and juvenile court proceedings. Many applicants do not realize they may be breaking state law by disclosing protected documents. We therefore suggest a caveat be added that documents should be provided “unless disclosure is prohibited under state law.”	No change will be made based on this comment. There is no legal exception that allows nondisclosure of a juvenile adjudication for federal immigration purposes, even where a state law provides that a juvenile adjudication no longer exists. Disclosure of this information is required given the differences in how states address juvenile offenders. It is within USCIS’s jurisdiction to determine whether the state finding corresponds to the Federal Juvenile Delinquency Act and therefore does not qualify as a conviction for immigration purposes. Furthermore, an applicant can always provide documentation that the record is unavailable. We retained the original language and made no edits.
18	Form I-485 Instructions. What Evidence Must You Submit with this Application? Item 8.	The commenter (Number 7) recommends the section provide a warning to alert potential applicants that, pursuant to INA 212(a)(2), an applicant may be deemed inadmissible and ineligible for adjustment for certain types of criminal offenses or convictions, unless such inadmissibility can be overcome with a waiver. It should also warn applicants that they may be placed into removal proceedings if their adjustment applications are denied.	USCIS believes that the Instructions are clear in that inadmissibility can render an applicant ineligible for adjustment of status. USCIS declines to accept the commenter suggestion that the Instructions warn applicants that they may be placed in removal proceedings if their application is denied, because it is beyond the scope of the Instructions. The purpose of the Instructions is to provide the applicant the information required to apply for adjustment of status before USCIS. Moreover, under current USCIS policy and ICE’s DHS NTA priorities, the denial of a Form I-485, in and of itself, does not make an alien subject to removal proceedings.
19	Form I-485 Instructions. What	The commenter (Number 7) notes that only one of the two options for overcoming the 2-year home	USCIS noticed the omission and will make modification to ensure this section is complete.

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	Evidence Must You Submit with this Application? Item 10.	residence requirement is listed. The second option – that the applicant obtained a waiver --is missing.	
20	Address Change.	The commenter (Number 7) requests USCIS change the words “this supplement” to “your application” in the first sentence of the section.	USCIS will adopt this recommendation.
21	USCIS Compliance Review and Monitoring.	The commenter (Number 7) recommends that the final sentence of this section be amended to read: “In accordance with 8 CFR 103.2(b)(16)(i), if the decision will be adverse to the applicant and is based on derogatory information considered by the Service and of which the applicant or petitioner is unaware, he/she shall be advised of this fact and offered an opportunity to rebut the information and present information in his/her own behalf before the decision is rendered,” except as otherwise provided in this regulation. That is, USCIS is generally required to notify the applicant of certain derogatory information before making the decision, not after making the decision.	USCIS will revise the language to reflect the rule at 8 CFR 103.2(b)(16), that is, unless the evidence is properly classified, USCIS may not deny or rescind adjustment of status based on derogatory evidence unknown to the applicant before advising the applicant of the evidence, and offering the applicant an opportunity to rebut the evidence and present information on his or her own behalf
22	Category-Specific Instructions. Evidence Checklists (throughout)	The commenter (Number 7) requests that the note under “Copy of Form I-94 Arrival-Departure Record” listed in the evidence checklists throughout the instruction booklet include a statement that the I-94 print-out is optional if the applicant has a copy of his or her admission or parole stamp. This should be an either/or requirement, since the arrival/departure records in CBP’s electronic I-94 system are not always correct.	USCIS made some edits to the language to clarify that either a copy of the Form I-94 or a copy of the CBP Admission or Parole stamp on the Travel Document is generally acceptable (unless otherwise stated).

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23	Category-Specific Instructions. Evidence Checklists (throughout)	The commenter (Number 8) recommends revising the instructions to read: “Certified Police and Court Records of Criminal Charges, Arrests , or Convictions.” Requiring certified police records of criminal charges is unnecessary and creates an extra burden on the applicant. First, for most inquiries, police records are irrelevant to determine whether a criminal conviction causes inadmissibility under the categorical approach. Second, even where the question is about the person’s conduct rather than the conviction, police records and even charging documents are considered not reliable. Arrest records and charging documents are by definition allegations of criminal conduct; they are not proof of such conduct. A conviction does not mean that the conviction was a result of the information contained in the arrest report or charging document, or that information alleged in those documents is accurate. When the arrestee is an immigrant who may have limited English skills, police reports may involve dramatic miscommunications with the defendant that further undermines their reliability. Accordingly, in criminal court, arrest records (police reports) are excluded by rule as inherently untrustworthy hearsay. Consulting inherently unreliable police reports will only lead to inaccurate assessments of the offense.	Official arrest records and Police Records are relevant to both the inadmissibility and discretionary determination. An applicant may be found inadmissible based on conduct for which they were arrested but not convicted. An immigration benefit may also be denied as a matter of discretion based on conduct for which they were arrested but not convicted. The reliability of the records and the weight given this evidence is for an officer or an immigration judge to consider as part of the adjudication. The applicant has the burden of proof to demonstrate that the conduct does not make the applicant ineligible for adjustment of status.
24	Instructions for Family-Based	The commenter (Number 7) states that the Note at the beginning of these instructions could be	USCIS will edit the instructions to clarify the confidentiality protections available to the

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	Adjustment of Status. VAWA Self-Petitioners.	confusing to pro se applicants. The commenter suggests USCIS clarify that the underlying I-360 petition and its contents will always remain confidential.	applicant.
25	Instructions for Family-Based Adjustment of Status. VAWA Self-Petitioners. Eligibility.	The commenter (Number 7) suggests that the Note (found above the Derivatives' eligibility section) clarify that applicants should update their address with a "safe address" at the same time they notify the local field office that they have filed or will file a VAWA petition. The commenter notes instances where the local office has sent notices to the abusive family member about activity in the I-485 or I-130 even when the applicant provides a new address.	USCIS will edit the note to clarify that applicants should update their address with a "safe address" so a USCIS field office has a safe address to send notices related to the VAWA self-petition.
26	Instructions for Family-Based Adjustment of Status. VAWA Self-Petitioners. Evidence Checklist.	The commenter (Number 7) suggests USCIS revise the Principal Applicant's evidence checklist to read "passport-style photographs" to ensure applicants do not think personal, evidentiary photographs are necessary.	No change will be made based on this comment. The main instructions clearly describe the "passport style" photographs applicants must submit. USCIS also has added a link to a DOS website with more information and examples of the appropriate format for photos.
27	Instructions for Employment-Based Adjustment of Status. Form I-140, Immigrant Petition for Alien Worker.	The commenter (Number 7) suggests this section be amended to clarify this category also applies to National Interest Waiver-based Forms I-140.	USCIS will adopt this recommendation and will make edits to the Instructions for Employment Based Adjustment of Status, Form I-140, 2 nd preference section.
28	Instructions for Employment-Based Adjustment of Status. Form I-140, Immigrant	The commenter (Number 7) suggests USCIS provide a reference to relevant sections of 245(i) adjustment.	No change will be made based on this comment. The general instruction section already discusses INA 245(i) and refers applicants to the section of the Instruction Booklet that provides specific instructions for 245(i)

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	Petition for Alien Worker. Eligibility.		adjustment applicants. USCIS believes that the best approach, in order to avoid unnecessarily repetitive instructions, is to place instructions with broad applicability in the general instructions.
29	Instructions for Employment-Based Adjustment of Status. Form I-140, Immigrant Petition for Alien Worker. Eligibility. Derivative Applicant.	The commenter (Number 7) suggests USCIS note that the Child Status Protection Act permits certain beneficiaries to retain classification as “child” even after reaching the age of 21.	USCIS has added a note in the main Form I-485 Instructions advising applicants that even if a child turns 21 before they adjust status, they may still qualify for adjustment under provisions of the CSPA. The note refers applicants to the USCIS website on CSPA for further information, as CSPA benefits vary with each immigrant category.
30	Instructions for Employment-Based Adjustment of Status. Form I-140, Immigrant Petition for Alien Worker. Special Rules for National Interest Waiver Physicians.	The commenter (Number 7) suggests USCIS amend this section to clarify that NIW physicians can file the I-140 and I-485 concurrently.	The instructions already indicate that employment-based first, second and third preference applicants may file Form I-485 concurrently with Form I-140. Therefore, USCIS believes adding specific mention that EB-2 NIW physicians may concurrently file is unnecessary.
31	Instructions for Employment-Based Adjustment of Status. Form I-140, Immigrant Petition for Alien Worker. Bars to Adjustment.	The commenter (Number 7) states that the last sentence of the last paragraph is confusing and should be amended to read: “When calculating the total time of unauthorized employment, USCIS counts each day the applicant is working without authorization from the date of the applicant’s most recent lawful admission until the date the application is adjudicated.”	USCIS has edited the discussion of INA 245(k), specifically, the manner in which USCIS calculates time the applicant failed to maintain status or worked without authorization to avoid confusion.
32	Instructions for Special Immigrant Adjustment	The commenter (Number 7) recommends re-numbering 1, 2, 3 (not 4, 5, 6) and revising the last	USCIS has edited the discussion of INA 245(k), specifically, the manner in which USCIS calculates time

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	of Status. Religious Worker. Bars to Adjustment.	sentence of the second to last paragraph to read: “When calculating the total time of unauthorized employment, USCIS counts each day the applicant is working without authorization from the date of the applicant’s most recent lawful admission until the date the application is adjudicated.”	the applicant failed to maintain status or worked without authorization to avoid confusion.
33	Instructions for Special Immigrant Adjustment of Status. Special Immigrant Juvenile. Eligibility. Item 4.	The commenter (Number 7) states that this requirement is not necessary because the juvenile court order is part of the Form I-360, not the I-485.	We understand that the juvenile court order is part of the Form I-360; however, in the context of the Form I-485 we also ask for evidence that the applicant continues to have a valid court order, unless terminated due to age or because the juvenile court’s jurisdiction ended because the applicant was adopted or placed in a permanent guardianship or another permanent living arrangement (other than reunification with the abusive parent(s)). For example, if a dependency order is terminated, vacated or otherwise voided for cause and/or a new order is entered with a finding that does not support SIJ eligibility, then there may be grounds to revoke the approved SIJ petition and the juvenile may no longer be eligible for the underlying classification.
34	Special Immigrant (Special Immigrant Juvenile; Eligibility Section; Item 4	The commenter (Number 6) states that the eligibility requirement regarding a juvenile court order is overly vague and needs clarification. The commenter suggests revising the item to read: “You have a juvenile or state court order that meets USCIS validity requirements depending upon your age. ”	See response above. We have modified the language related to juvenile court order validity, including but not limited to exceptions for terminations because of age. Also, the USCIS definition (8 CFR 204.11(b) of a juvenile court includes any state court that has jurisdiction to make judicial determinations about the custody and care of juveniles, so the addition of the word “state” is not necessary.
35	Special Immigrant	The commenter (Number 6) states that USCIS	USCIS will adopt this recommendation and modify the

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	(Special Immigrant Juvenile; Eligibility Section; Item 5	should clearly identify that SIJs visas are part of the fourth preference employment category.	language in the appropriate section.
36	Special Immigrant Juvenile; Eligibility Section	The commenter (Number 6) suggests USCIS point out in the note at the end of the eligibility section that SIJs are considered paroled into the United States, regardless of the actual method of entry. The commenter suggests the following edit accordingly: "NOTE: USCIS considers anyone granted special immigrant juvenile status to have been "paroled" into the United States, regardless of your actual manner of entry reflected on your Form I-485. "	USCIS will adopt a modified version of this recommendation and clarify the note in the appropriate section.
37	Special Immigrant Juvenile; Eligibility Section; Grounds of Inadmissibility and Bars to Adjustment	Comment: The commenter (Number 6) suggests pointing out the special applications of the grounds and the generous waivers for SIJs and that both are found at INA 245(h)(2).	We have provided a full list of the grounds of inadmissibility that do not apply to a SIJ based adjustment of status applicant. We also made edits referencing the unique rules on inadmissibility applied to SIJs found at 245(h)(2).
38	Special Immigrant Juvenile; Grounds of Inadmissibility and Bars to Adjustment	Comment: The commenter (Number 6) is unclear where support for the inapplicability of some of the 245(c) bars is found.	By statute, SIJ applicants for adjustment are not subject to the INA 245(c)(2) bars that prevent anyone who has accepted unauthorized employment, failed to maintain status, or is in unlawful status at time of filing for adjustment from adjusting status. As a matter of statutory interpretation, USCIS considers SIJ applicants who are exempted from the INA 245(c)(2) bars also exempted from the INA 245(c)(8) bar. See 62 FR 39417, 39422 (July 23, 1997). USCIS does not consider the INA 245(c)(7) bar to apply to SIJ applicants since they are not employment-based applicants. See 8 CFR 245.1(b)(9). Since additional bars to adjustment at INA 245(c)(1), (3), (4) and (5) only apply to applicants who

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			have been or were otherwise admitted to the United States in a particular status, and SIJs are deemed parolees for purposes of adjustment of status, the only relevant adjustment of status bar which may apply to an SIJ adjustment applicant is INA 245(c)(6) (“deportable under security and related grounds”).
39	Special Immigrant Juvenile. Bars to Adjustment and Grounds of Inadmissibility.	The commenter (Number 8) states that it is legally incorrect and misleading to state that only number 9 of the adjustment bars applies to SIJ applicants since they are only excepted from the grounds that apply to unauthorized employment or unlawful immigration status.	See response above.
40	Special Immigrant Juvenile; Evidence Checklist	The commenter (Number 6) suggests that the type of Form I-797 that can support the Form I-485 should be expanded to include the receipt notice for a pending SIJ based I-360.	USCIS will adopt this language and modify the language accordingly in the pertinent section.
41	Special Immigrant Juvenile; Evidence Checklist	Commenters (Numbers 6 and 7) suggest that the requirement that the child submit evidence that she continues to have a valid juvenile court order unless terminated due to adoption or placement in a permanent guardianship or another permanent living situation should be removed. Should USCIS keep this item on the evidence checklist, then at the very least the time must be modified. Many juvenile court orders terminate at the time the child reaches the age of majority (18 or 21 years of age). The Form I-485 can be filed regardless of the age of the applicant, as long as the Form I-360 was properly adjudicated.	USCIS has modified the language in the eligibility section and the evidence checklist. The language has been modified to clarify that the court order remain valid at the time of filing and adjudication of the Form I-485 as well as explain the exceptions to the requirement that the juvenile court order remain valid at the time of filing and adjudication of the I-485. One of the exceptions is termination based on the child aging out of the juvenile court’s jurisdiction.
42	Special Immigrant Juvenile. Evidence	The commenter (Number 8) recommends deleting the requirement that an SIJ applicant must	See response above. We have adopted a modified version of the alternative proposal.

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	Checklist.	<p>continue to have a valid juvenile court order unless terminated due to adoption or placement in a permanent guardianship or another permanent living situation. This requirement should be deleted since it creates an undue burden on the applicant and, to the extent this information is needed, can be inquired about during the applicant's interview. USCIS should not require the applicant to obtain and submit evidence from the court itself, as this would create a burden not only on the applicant, but also on the already overburdened state court systems. If this evidence is required, USCIS should at the very least acknowledge that the juvenile court order also need not be valid if the child's dependency on the court was terminated due to age, in line with the age-out protection of the Trafficking Victims Protection Reauthorization Act and the Perez-Olano Settlement Agreement.</p> <p>An alternative to deleting the requirement is to revise the instructions accordingly: "Evidence that you continue to have a valid juvenile court order unless terminated due to adoption or placement in a permanent guardianship or another permanent living situation, or unless state juvenile court jurisdiction was terminated due to age."</p>	
43	Special Immigrant Juvenile; Evidence Checklist	Commenter (Numbers 6 and 8) suggest that the requirement that a child submit certified police and court records of criminal charges, arrests, or convictions should be modified in light of state	No change will be made based on this comment. There is no legal exception that allows nondisclosure of a juvenile adjudication for federal immigration purposes, even where a state law provides that a

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		confidentiality provisions governing juvenile arrests and juvenile court proceedings. Many applicants do not realize they may be breaking state law by disclosing protected documents. We therefore suggest a caveat be added that documents should be provided “unless disclosure is prohibited under state law.”	juvenile adjudication no longer exists. Disclosure of this information is required given the differences in how states address juvenile offenders. It is within USCIS’s jurisdiction to determine whether the state finding corresponds to the Federal Juvenile Delinquency Act and therefore does not qualify as a conviction for immigration purposes. Furthermore, an if state law prohibits disclosure of the record by the subject of the record, to USCIS, an applicant can always provide documentation that the record is unavailable. We retained the original language and made no edits.
44	Instructions for Special Immigrant Adjustment of Status. Certain G-4 International Organization Employees. Evidence Checklist.	The commenter (Number 7) suggests the last item of the Principal Applicant’s evidence checklist should be amended to read: “Documentation of past J-1 or J-2 status (if applicable).” The reference to “present” J-1 or J-2 status would not apply to someone currently maintaining G-4, N, or NATO-6 status.	No change will be made based on this comment. This basis for adjustment of status applies to persons who are retired G-4 or NATO-6 nonimmigrants who could presently be in J-1/2 status.
45	Instructions for Special Immigrant Adjustment of Status. DS-1884.	The commenter (Number 7) notes that this section appears out of place, since this information applies to Form I-360, not Form I-485.	We have made some edits based on this comment and deleted the information related to the adjudication of the underlying petition, DS-1884. We kept the information that was relevant to filing the Form I-485.
46	Instructions for Human Trafficking Victims and Crime Victims. General Comment.	The commenter (Number 7) suggests USCIS save space by listing identical requirements applying to both T and U nonimmigrants, then providing following sections with T-only and U-only requirements. For example, the evidence checklists for T and U adjustments found on pp. 65-66 and 70-71 are virtually identical and could largely be combined.	Although there is overlap, the format of the Instruction Booklet is to discuss each immigrant category separately. We don’t want to confuse applicants by combining requirements even if they are identical.

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47	Instructions for Human Trafficking Victims and Crime Victims. Human Trafficking Victim. Continuous Physical Presence. Item 3.F.	The commenter (Number 7) states that it is burdensome and duplicative to require the applicant to list documents already present in USCIS files.	It is always the applicant’s burden to establish eligibility for an immigration benefit. If the applicant wants USCIS to consider documents that are already in his or her file, the applicant may list (not resubmit) the type and date of the documents. See 8 CFR 103.2(b)(1) and 245.22(c).
48	Instructions for Human Trafficking Victims and Crime Victims. Crime Victim. Compliance with Reasonable Requests for Assistance.	The commenter (Number 7) suggests USCIS delete this section since it is rare that clients are contacted by law enforcement after granted U nonimmigrant status. Instead, USCIS could refer those applicants to the website for more information.	No change will be made based on this comment. USCIS is creating this instruction booklet so that the requirements are listed in one place. This benefits the applicant by not having to reference different sources.
49	Instructions for Asylum and Refugee Based Adjustment of Status. Asylee. Evidence Checklist.	The commenter (Number 7) states that the reference to the I-94 card is confusing for asylees seeking adjustment since asylees are issued I-94 cards when granted asylum by USCIS. The card is evidence of their status, not related to CBP or entry/admission to the United States at a port of entry. CBP’s website will not provide access to the information on the I-94 card issued by USCIS. It is not clear whether USCIS is only concerned with I-94s issued by CBP upon entry (some asylees will have this and some will not), or also with the I-94 issued by USCIS as evidence of the grant of status. The commenter recommends USCIS clarify.	USCIS will adopt this recommendation and clarify the asylee adjustment section. The I-94 for asylee adjustment is to show the grant of asylum. Therefore, we will not keep the note about I-94s provided by Customs and Border Protection.
50	Instructions for Programs Based on Certain Public Laws. CAA. Eligibility.	The commenter (Number 7) states that the first Note that follows the eligibility lists misstates the law, which requires the dependent be “residing” with the principal alien, not just that the	USCIS has made clarifying edits to the Note based on your comment.

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		relationship with the Cuban spouse or parent is bona fide.	
51	Instructions for Programs Based on Certain Public Laws. CAA for Abused Spouses and Children.	The commenter (Number 7) states that the inaccurate language regarding a dependent's eligibility in the CAA eligibility section is repeated in the CAA for Abused Spouses and Children section.	USCIS has made clarifying edits to the Note based on your comment.
52	Instructions for Programs Based on Certain Public Laws. Section 13. Failing to Maintain Status.	The commenter (Number 7) states that individuals applying for Section 13 adjustment of status rarely have information from the DS-2008 or the date DOS terminated the individual's diplomatic status. Most applicants only have a termination letter from the foreign mission. The evidence checklist on page 93 simply says that an applicant needs evidence status was terminated. USCIS should clarify in this section that the termination notice that the consulate or international organization gave to the applicant will suffice.	Applicants for Section 13 adjustment of status should receive a Notice of Termination issued by the Department of State (DOS), Office of Foreign Missions. However, USCIS verifies every Section 13 applicant's date of termination of status with DOS during the Section 13 adjudication process, and does not rely solely on what the applicant submits in that regard. Therefore, USCIS will remove this requirement from the Instruction Booklet.
54	Additional Options for LPR Status. Diversity. General Comment.	The commenter (Number 7) suggests USCIS reference relevant sections of the 245(i) instructions.	<p>No change will be made based on this comment. The general instruction section already discusses INA 245(i) and refers applicants to the section of the booklet that provides specific instructions for 245(i) adjustment applicants.</p> <p>USCIS believes that the best approach, in order to avoid unnecessarily repetitive instructions, is to place instructions with broad applicability in the general instructions. Otherwise, we will have to include the same note in multiple sections which will simply add to the length of the instructional booklet without providing additional substantive clarity.</p>

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55	Additional Options for LPR Status. Diversity. End of Fiscal Year Warning.	The commenter (Number 7) suggests USCIS include instructions for requesting expedited processing when there is less than 60 days left in the fiscal year. There also appears to be an extra “only” in the first sentence of this section.	No changes will be made based on this comment. There is no process to expedite a Form I-485. However, an applicant may write an office letting the office know that there are 60 days left in a fiscal year.
56	Additional Options for LPR Status. Diversity. Evidence Checklist.	The commenter (Number 7) requests the parenthetical relating to GEDs be moved to subsection one, not subsection two. It appears there is an extra parenthesis in subsection two.	USCIS made the change requested.
57	Additional Options for LPR Status. Individuals Born Under Diplomatic Status in the U.S.	The commenter (Number 7) requests the beginning of the instructions be moved from the bottom of page 101 to page 102. The commenter also requests the instructions provide a link to the Blue List maintained by the State Department.	USCIS added the link to the Blue List as requested. Page numbers have shifted since the commenter’s comment, however USCIS will ensure the final version of the Instruction Booklet can be easily navigated.
58	Additional Options for LPR Status. Other Eligibility.	The commenter (Number 7) requests the beginning of the instructions be moved from the bottom of page 104 to page 105.	Page numbers have shifted since the commenter’s comment, however USCIS will ensure the final version of the Instruction Booklet can be easily navigated.
59	Instructions for Supplement A.	The commenter (Number 7) notes that Page 107 is an extra blank page, therefore the Supplement A instructions could begin on this page.	Page numbers have shifted since the commenter’s comment, however USCIS will ensure the final version of the Instruction Booklet can be easily navigated.
60	Instructions for Supplement A. What Evidence Should You Submit to Establish Your Eligibility for Adjustment of Status under INA Section 245(i)?	The commenter (Number 7) suggests the following text be added to the section: “Properly filed” means “(i) With respect to a qualifying immigrant visa petition, that the application was physically received by the Service on or before April 30, 2001, or if mailed, was postmarked on or before April 30, 2001, and accepted for filing as provided in §103.2(a)(1) and (a)(2) of this chapter; and (ii) With respect to a qualifying application for labor certification, that	No change will be made based to “properly filed” instructions based on this comment. The current instructions already cover all points of the suggested added text. In response to the second part of this comment, USCIS has edited the instruction about “approvable when filed” to include additional information based on 8 CFR 245.10(a)(3).

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		<p>the application was properly filed and accepted pursuant to the regulations of the Secretary of Labor, 20 CFR 656.21.” See 8 CFR §245.10(a)(2).”</p> <p>“Approvable when filed” means “that, as of the date of the qualifying immigrant visa petition under section 204 of the Act or qualifying application for labor certification, the qualifying petition or application was properly filed, meritorious in fact, and nonfrivolous (‘frivolous’ being defined herein as patently without substance). This determination will be made based on the circumstances that existed at the time the qualifying petition or application was filed.” See 8 C.F.R. § 245.10(a)(3).”</p>	

USCIS Response to some of the General Comments

Several commenters objected to the expanded length of the revised form and instructions, stating they believe this increases the burden on the public and is contrary to the principles of the Paperwork Reduction Act. USCIS has made several changes based on these comments.

USCIS has revised the Form I-485 to make the form more user-friendly for both the public and USCIS officers, while bringing the form up-to-date to reflect various laws enacted by Congress over the last several years.

Much of the revised Form I-485 increased length can be attributed to new standard language and added white space to improve the flow and readability of the form. The revised Form I-485 will be easier for applicants to understand, fill out, and file complete and

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accurate applications with all required evidence. USCIS believes the revisions will minimize the need for requests for evidence (RFEs) and reduce processing times. In addition, the revised form adds questions that are intended to enhance national security and benefits integrity and support the USCIS mission to grant immigration benefits only to those applicants that are eligible under the law.

Expanded Listing of Specific Immigrant Categories

The current Form I-485 contains only 10 categories (four of which relate only to Cuban adjustments) for applicants to select as the immigrant category under which they are seeking to adjust status. The revised form is more comprehensive and lists 31 immigrant categories. Applicants can easily identify the specific immigrant category on which their adjustment application is based. Likewise, USCIS officers can readily determine what category constitutes the basis of the adjustment application and focus on the particular eligibility requirements and issues that apply to that category. Immigrant categories are listed together in logical groups: family-based, employment-based, special immigrants, asylees or refugees, and others. Although this expanded listing of immigrant categories takes up a full page in the revised form, applicants need only select the one box/category that applies.

Comprehensive Questions on Inadmissibility

Over time, Congress has added new inadmissibility grounds to the Immigration and Nationality Act (INA).¹ The revised Form I-485 includes comprehensive questions about inadmissibility in a format that is easier to navigate and understand. The current form is deficient because it includes questions on fewer than half the number of specified inadmissibility grounds. The comprehensive questions about inadmissibility also provide applicants with clear notice and a better understanding of how their actions may affect their eligibility for adjustment. The questions are listed in logical groupings: general, health, criminal, terrorist/national security, public charge, immigration violations, unlawful presence, and others. By ensuring all inadmissibility grounds are addressed in the revised form, USCIS reduces the need to supplement the current form's deficiencies through RFEs and interviews, which ultimately should reduce the burden on the public and reduce the time required for USCIS to process the application.

Elimination of Form G-325A

¹ Congress specified certain acts or conditions that make a foreign national's admission to the United States contrary to the public interest, public health and safety, or national security. These grounds of inadmissibility are described in INA section 212.

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The revised Form I-485 eliminates the requirement to file a separate Form G-325A by incorporating the G-325A questions into the new form. Several questions are repeated in the current Forms I-485 and G-325A and this consolidation eliminates the need for applicants to answer the same questions twice.

Biographic Information

The revised form adds questions to collect data for background checks. The questions, categories, instructions, definitions, and manner in which the identifying data is collected comply with the U.S. Office of Management and Budget, Standards for the Classification of Federal Data on Race and Ethnicity. Once the I-485 is automated these data elements will be stored in USCIS's database and will not need to be collected at the Application Support Center for performing the necessary background checks.

Signature, Preparer, and Accommodations Sections

The revised form's section for the applicant's signature and the sections collecting information from interpreters and preparers are expanded to comply with current federal government requirements. As more USCIS forms are available to be filed in an electronic, paperless environment we are enhancing forms language to combat immigration fraud as requested by federal law enforcement agencies. USCIS is also utilizing the attestation process to meet its identity-proofing and attribution requirements established for electronic identity authentication under federal law. USCIS does not believe the language is overly long, repetitive or that it adds excessive burden on respondents. The language does not exceed USCIS' authority to make requests necessary to complete case processing.

New Forms Standards

The new Form I-485 is longer due to added content and new forms standards. Form I-485 now has the latest standards for look and feel of public forms, including font size, style, format, layout, space to accommodate answers, and increased "white space." Much of the revised Form I-485 increased length can be attributed to these new forms standards. These standards add significantly to the length of the current Form I-485. In addition, inadmissibility questions, biographical data, G-325 consolidation, and signature statements and data add length to the form. However, the form is not any longer in the sense that the information collected and the evidence required has not appreciably increased by not requiring the G-325A and reducing the need for follow-up RFEs.

Further Streamlining

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Since the 60-day publication in the Federal Register, USCIS has eliminated and consolidated questions to streamline the form where possible while maintaining its integrity for effective and efficient adjudication. USCIS also eliminated many questions regarding an applicant's spouse, former spouses, and children.

New Form I-485 Instruction Booklet

The revised Form I-485 is accompanied by a new comprehensive Instruction Booklet. This Booklet is designed to provide applicants general information about completing the Form I-485 as well as, for the first time ever, separate sections that provide specific, tailored instructions about virtually every immigrant category under which an applicant might apply. These category-specific instructions also contain a document checklist applicants can reference to determine the particular evidence they must submit to prove their eligibility to adjust under their immigrant category. These expanded instructions are intended to guide applicants in filing a complete Form I-485 in the first instance, reducing the need for USCIS to issue RFEs or Notices of Intent to Deny and the corresponding delays. Importantly, applicants will not need to review the entire Instruction Booklet but merely the main Form I-485 instructions pertaining to all applicants and the one other section that pertains to their specific immigrant category. This new Booklet allows USCIS to terminate several Form I-485 exhibits and attachments. Although the Booklet appears lengthy, USCIS believes that it will ultimately prove helpful and streamlined compared to the current form and instruction structure.

Commenter 1 = J Charles Ferrari (3/20/15)
Commenter 2 = [Shara Svendsen](#) (4/10/15)
Commenter 3 = [Emma Huse, Costa & Riccio LLP](#) (4/30/15)
Commenter 4 = [Michael Porcello, Family Equality Counsel](#) (5/8/15)
Commenter 5 = [Allison Posner, CLINIC](#) (5/11/15)
Commenter 6 = [Kirsten Jackson, Public Counsel](#) (5/11/15)
Commenter 7 = [Kate Voigt, AILA](#) (5/12/15)
Commenter 8 = [Rachel Prandini, Immigrant Legal Resource Center](#) (5/12/15)