TABLE OF CHANGES – INSTRUCTIONS

Form I-485, Application to Register Permanent Residence or Adjust Status OMB Number: 1615-0023 10/30/2019

Reason for Revision:

Legend for Proposed Text:

- Black font = Current text
- Red font = Changes

Expires 6/30/2019

Edition Date 12/13/2017

Current Page Number and Section	Current Text	Proposed Text
Page 1,	[Page 1]	
Table of Contents	Table of Contents	
	Form I-485 Main Instructions/Page What Is the Purpose of Form I-485?/1 Who May File Form I-485?/2 Who May Not Be Eligible to Adjust Status?/3 When Should I File Form I-485?/4 General Instructions/4 What Evidence Must You Submit with Form I-485?/8 What Is the Filing Fee?/14 Where To File?/16 Address Change/16 Processing Information/16 Individuals With Disabilities and/or Impairments/17 USCIS Forms and Information/18 Penalties/18 USCIS Compliance Review and Monitoring/18 USCIS Privacy Act Statement/19 Paperwork Reduction Act/19 Checklist/19	
	Additional Instructions Additional Instructions/20 Additional Instructions for Family-Based Applicants/20 Additional Instructions for Employment- Based Applicants/22 Additional Instructions for Special Immigrants/23 Additional Instructions for Human	

	Trafficking Victims and Crime Victims/24 Additional Instructions for Asylees and Refugees/31 Additional Instructions for Applicants Filing Under Special Adjustment Programs/32 Additional Categories/39	
Pages 2-3,	[Page 3]	[Page 3]
Who May File Form I-485?	Who May File Form I-485?	Who May File Form I-485?
	If you would like more information on how to file under any of these categories, call the National Customer Service Center at 1-800-375-5283. For TTY (deaf or hard of hearing) call: 1-800-767-1833 or visit www.uscis.gov/green-card/other-ways-get-green-card .	If you would like more information on how to file under any of these categories, call the USCIS Contact Center at 1-800-375-5283. For TTY (deaf or hard of hearing) call: 1-800-767-1833 or visit www.uscis.gov/green-card/other-waysget-green-card.
Pages 4-8,	[Page 4]	[Page 4]
General Instructions	General Instructions	General Instructions
	USCIS provides forms free of charge through the USCIS website. In order to view, print, or fill out our forms, you should use the latest version of Adobe Reader, which you can download for free at http://get.adobe.com/reader/ . If you do not have Internet access, you may call the USCIS National Customer Service Center at 1-800-375-5283 and ask that we mail a form to you. For TTY (deaf or hard of hearing) call: 1-800-767-1833.	USCIS provides forms free of charge through the USCIS website. In order to view, print, or fill out our forms, you should use the latest version of Adobe Reader, which you can download for free at http://get.adobe.com/reader/ . If you do not have Internet access, you may call the USCIS Contact Center at 1-800-375-5283 and ask that we mail a form to you. For TTY (deaf or hard of hearing) call: 1-800-767-1833.
	Form G-325A, Biographic Information. Form G-325A is no longer required. You do not need to submit a separate Form G-325A with this Form I-485. Parts 1. and 3. of this Form I-485 meet the requirements of 8 CFR 245.2(a)(3)(i) by collecting the biographical information formerly required on Form G-325A.	[no change]
	[Page 5]	
	Signature. Each application must be properly signed and filed. For all signatures on this application, USCIS will not accept a stamped or typewritten name in place of a signature. If you are under 14	

years of age, your parent or legal guardian may sign the application on your behalf. (See the **Additional Instructions** that relates to Individuals Born Under Diplomatic Status in the United States, for one exception.) A legal guardian may also sign for a mentally incompetent person.

Filing Fee. Each application must be accompanied by the appropriate filing fee and biometric services fee (if applicable). (See the **What Is the Filing Fee** section of these Instructions.) If you file this application with an agency other than USCIS, check with that agency to determine if and when you must submit biometric services fees.

Evidence. At the time of filing, you must submit all evidence and supporting documentation listed in the What Evidence Must You Submit with Form I-485 section of these Instructions. Evidence requirements may vary depending on the immigrant category you are applying under. See the Additional Instructions for information on whether any general evidence requirements do not apply to you, or if you have other evidence requirements specific to your immigrant category.

Biometric Services Appointment. USCIS may require that you appear for an interview or provide fingerprints, photograph, and/or signature at any time to verify your identity, obtain additional information, and conduct background and security checks, including a check of criminal history records maintained by the Federal Bureau of Investigation (FBI), before making a decision on your application, petition, or request. After USCIS receives your application and ensures it is complete, we will inform you in writing if you need to attend a biometric services appointment. If an appointment is necessary, the notice will provide you the location of your local or designated USCIS Application Support Center (ASC) and the date and time of your appointment. If you are an applicant (principal or derivative) filing Form I-485 with an immigration judge, you are required to comply with instructions you will receive during proceedings for submitting Form I-485 to

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

[no change]

Biometric Services Appointment. USCIS may require that you appear for an interview or provide biometrics at any time to verify your identity, obtain additional information, and conduct background and security checks, including a check of criminal history records maintained by the Federal Bureau of Investigation (FBI), before making a decision on your application, petition, or request. After USCIS receives your application and ensures it is complete, we will inform you in writing if you need to attend a biometric services appointment. If an appointment is necessary, the notice will provide you the location of your local or designated USCIS Application Support Center (ASC) and the date and time of your appointment. If you are an applicant (principal or derivative) filing Form I-485 with an immigration judge, you are required to comply with instructions you will receive during proceedings for submitting Form I-485 to USCIS with all relevant fees and for providing biometric and biographic

USCIS with all relevant fees and for providing biometric and biographic information to USCIS.

If you are required to provide biometrics, at your appointment you must sign an oath reaffirming that:

- You provided or authorized all information in the application;
 You reviewed and understood all of the
- information contained in, and submitted with, your application; and **3.** All of this information was complete,
- **3.** All of this information was complete true, and correct at the time of filing.

If you fail to attend your biometric services appointment, USCIS may deny your application. For applicants and derivatives who appear before an immigration judge, failure to attend a biometric services appointment, without good cause, may result in the immigration judge finding that your application was abandoned, and USCIS may also deny any other application, petition, or request you filed with USCIS.

Copies. You should submit legible photocopies of documents requested, unless the Instructions specifically state that you must submit an original document. USCIS may request an original document at the time of filing or at any time during processing of an application, petition, or request. If USCIS requests an original document from you, it will be returned to you after USCIS determines it no longer needs your original.

NOTE: If you submit original documents when not required or requested by USCIS or the Immigration Court, your original documents may remain a part of the record, USCIS or the Immigration Court will not automatically return them to you, **and your original documents may be immediately destroyed upon receipt.**

Translations. If you submit a document with information in a foreign language, you must also submit a full English translation. The translator must sign a certification that the English language translation is complete and accurate, and that he or she is

information to USCIS.

[no change]

competent to translate from the foreign language into English. The certification must include the translator's signature. DHS recommends the certification contain the translator's printed name and the date and the translator's contact information.

[Page 6]

Selective Service. Most males between 18 and 26 years of age are required by the Military Selective Service Act to register with the Selective Service System.

Nonimmigrants are not required to register. If USCIS approves your application, we will send your name, current address, Social Security number, date of birth, and the date you filed the application to the Selective Service System for registration. Men can register at a local post office or at the website, www.sss.gov.

If USCIS does not approve your application, you are still required to register with the Selective Service System by using another means. If you have already registered, the Selective Service System will check its records to avoid any duplication.

Acknowledgement of Selective Service.

Review the Selective Service Acknowledgement in **Part 10.** The purpose of this acknowledgement is to confirm that you understand USCIS will be sending your information to the Selective Service System for registration.

> **Delivery Information.** If your application is approved, your ensuing document (Permanent Resident Card, Employment Authorization Document, or Travel Document) will be delivered using the United States Postal Service's (USPS) Signature Confirmation Restricted Delivery service. You will be required to sign for delivery of your document. You must provide identification as requested by USPS. If you are not able to sign for your document, you may designate an agent to sign on your behalf. To do this you must complete either the US Postal Service Form 3801 and submit it to your local Post Office or Form G-28, Notice of Entry of

	How To Fill Out Form I-485	Appearance as Attorney or Accredited Representative, if you would like your attorney or accredited representative to receive the document. How To Fill Out Form I-485
Pages 14-16,	[Page 14]	[Page 14]
What Is the Filing Fee?	What Is the Filing Fee?	What Is the Filing Fee?
	The filing fee for Form I-485 is \$1,140 .	The filing fee for Form I-485 is \$1,120.
	If you are 13 years of age or younger and:	[delete]
	1. Are filing with a parent's Form I-485, the filing fee for Form I-485 is \$750 ; or	
	2. Are filing without a parent's Form I-485, the filing fee for Form I-485 is \$1,140 .	
	[Page 15]	
	A biometric services fee of \$85 is also required for applicants between 14 and 79 years of age.	
	If you are 79 years of age or older , you do not need to pay a biometric services fee. However, you still must appear for your scheduled biometrics collection appointment.	
	If you are 13 years of age or younger , you do not need to pay a biometric services fee. However, you still must appear for your scheduled biometrics collection appointment. If you turn 14 years of age while your application is pending, you will then have to pay an \$85 biometric services fee before USCIS will adjudicate your application.	
	You do not need to pay either the Form I-485 filing fee or biometric services fee if:	You do not need to pay the Form I-485 filing fee if:
	1. You are a refugee adjusting status under INA section 209(a). Refugees are automatically exempt from paying the Form I-485 filing fee and biometric services fee and are not required to demonstrate an inability to pay;	1. You are a refugee adjusting status under INA section 209(a);

- **2.** You qualify for and receive a fee waiver based on your inability to pay. If you believe you are eligible for a fee waiver under 8 CFR 103.7(c), complete Form I-912, Request for Fee Waiver (or a written request), and submit it and any required evidence of your inability to pay the filing fee with this application. You can review the fee waiver guidance at www.uscis.gov/feewaiver; or
- 3. You are in deportation, exclusion, or removal proceedings before an Immigration Judge, and the Immigration Judge waives your application fee. See 8 CFR 1003.24. If you believe you are eligible for a fee waiver, file a written request with the Immigration Judge, along with any required evidence of your inability to pay the filing fee. For additional information on filing a request for a fee waiver, see the Immigration Court Practice Manual at www.justice.gov/eoir/office-chief-immigration-judge-0.

NOTE: The filing fee and biometric services fee are not refundable, regardless of any action USCIS (or an Immigration Judge if you are in deportation, exclusion, or removal proceedings) takes on this application. **DO NOT MAIL CASH.** You must submit all fees in the exact amounts.

Use the following guidelines when you prepare your checks or money orders for

[delete]

- 2. You are in deportation, exclusion, or removal proceedings before an Immigration Judge, and the Immigration Judge waives your application fee. See 8 CFR 1003.24. If you believe you are eligible for a fee waiver, file a written request with the Immigration Judge, along with any required evidence of your inability to pay the filing fee. For additional information on filing a request for a fee waiver, see the Immigration Court Practice Manual at www.justice.gov/eoir/office-chief-immigration-judge-0; or
- **3.** You are an applicant who filed USCIS Form I-485 on or after July 30, 2007, and before [INSERT EFFECTIVE DATE OF THIS RULE], and paid the Form I-485 fee or for applicants for Special Immigrant Status based on an approved Form I-360 as an Afghan or Iraqi Interpreter, or Iraqi National employed by or on behalf of the U.S. Government or Afghan National employed by the U.S. government or the International Security Assistance Forces ("ISAF").

Fee Waiver

For information on fee waivers under 8 CFR 106.3 please review the instructions for USCIS Form I-912 found at www.uscis.gov.

NOTE: The filing fee is not refundable, regardless of any action USCIS (or an Immigration Judge if you are in deportation, exclusion, or removal proceedings) takes on this application. **DO NOT MAIL CASH.** You must submit all fees in the exact amounts.

Use the following guidelines when you prepare your check or money order for

the Form I-485 filing fee and biometric services fee:

- **1.** The check or money order must be drawn on a bank or other financial institution located in the United States and must be payable in U.S. currency; **and**
- 2. Make the checks or money orders payable to U.S. Department of Homeland Security.

NOTE: Spell out U.S. Department of Homeland Security; do not use the initials "USDHS" or "DHS."

Notice to Those Making Payment by Check. If you send us a check, USCIS will convert it into an electronic funds transfer (EFT). This means we will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will usually take 24 hours and your bank will show it on your regular account statement.

You will not receive your original check back. We will destroy your original check, but will keep a copy of it. If USCIS cannot process the EFT for technical reasons, you authorize us to process the copy in place of your original check. If your check is returned as unpayable, USCIS will resubmit the payment to the financial institution one time. If the check is returned as unpayable a second time, we will reject your application and charge you a returned check fee.

How To Check If the Fees Are Correct

Form I-485's filing fee and biometric services fee are current as of the edition date in the lower left corner of this page. However, because USCIS fees change

the Form I-485 filing fee:

[no change]

2. Make the check or money order payable to U.S. Department of Homeland Security.

[no change]

You will not receive your original check back. We will destroy your original check, but will keep a copy of it. If USCIS cannot process the EFT for technical reasons, you authorize us to process the copy in place of your original check. If your check is returned as unpayable, we may reject your application.

Payments by Credit Card

If you are filing your application at a USCIS Lockbox facility, you can pay your filing fee using a credit card. Please see Form G-1450, Authorization for Credit Card Transactions, at www.uscis.gov/g-1450 for more information.

How To Check If the Fees Are Correct

Form I-485's filing fee is current as of the edition date in the lower left corner of this page. However, because USCIS fees change periodically, you can verify that the

periodically, you can verify that the fees are correct by following one of the steps below.

- **1.** Visit the USCIS website at www.uscis.gov, select "FORMS," and check the appropriate fee; or
- **2.** Call the USCIS National Customer Service Center at **1-800-375-5283** and ask for fee information. For TTY (deaf or hard of hearing) call: **1-800-767-1833**.

[Page 16]

Filing Form I-485 with Forms I-765 and I-131

If you properly file Form I-485 and pay the required fees, you may file Form I-765 and Form I-131 without paying additional fees. You may file these forms together, or if you choose to file Form I-765 or Form I-131 separately, you must also submit a copy of your I-797C, Notice of Action, receipt as evidence that you filed and paid for Form I-485.

fees are correct by following one of the steps below.

[no change]

2. Call the USCIS Contact Center at **1-800- 375-5283** and ask for fee information. For TTY (deaf or hard of hearing) call: **1-800- 767-1833**.

[delete]

Page 16,

Where To File?

[Page 16]

Where To File?

Please see our website at www.uscis.gov/i-485 or call our National Customer Service Center at **1-800-375-5283** for the most current information about where to file this application. For TTY (deaf or hard of hearing) call: **1-800-767-1833**.

If you are in proceedings in Immigration Court (that is, if you have been served with Form I-221, Order to Show Cause and Notice of Hearing; Form I-122, Notice to Applicant for Admission Detained for Hearing Before an Immigration Judge; Form I-862, Notice to Appear; or Form I-863, Notice of Referral to Immigration Judge, that U.S. Department of Homeland Security (DHS) filed with the Immigration Court), you should file this application with the appropriate Immigration Court. The DHS attorney will provide you with Pre-Order Filing Instructions regarding background and security investigations. You must also submit a copy to USCIS.

[Page 16]

Where To File?

Please see our website at www.uscis.gov/i-485 or call our USCIS Contact Center at 1-800-375-5283 for the most current information about where to file this application. For TTY (deaf or hard of hearing) call: 1-800-767-1833.

If you are in proceedings in Immigration Court (that is, if you have been served with Form I-221, Order to Show Cause and Notice of Hearing; Form I-122, Notice to Applicant for Admission Detained for Hearing Before an Immigration Judge; Form I-862, Notice to Appear; or Form I-863, Notice of Referral to Immigration Judge, that U.S. Department of Homeland Security (DHS) filed with the Immigration Court), you should file this application with the appropriate Immigration Court. The DHS attorney will provide you with Pre-Order Filing Instructions regarding background and security investigations. You must also submit a copy to USCIS.

	Dleage one our vielesite et	Dlagge and our virgheite at
	Please see our website at www.uscis.gov/laws/immigration-benefits-	Please see our website at www.uscis.gov/laws/immigration-benefits-
	eoir-removal-proceedings or call our National Customer Service Center for the most current information about where to file the copy of the application that you file with the Immigration Court.	eoir-removal-proceedings or call our USCIS Contact Center for the most current information about where to file the copy of the application that you file with the Immigration Court.
Page 16,	[Page 16]	[Page 16]
Address Change	Address Change	Address Change
	An applicant who is not a U.S. citizen must notify USCIS of his or her new address within 10 days of moving from his or her previous residence. For information on filing a change of address, go to the USCIS website at www.uscis.gov/addresschange or contact the USCIS National Customer Service Center at 1-800-375-5283. For TTY (deaf or hard of hearing) call: 1-800-767-1833.	An applicant who is not a U.S. citizen must notify USCIS of his or her new address within 10 days of moving from his or her previous residence. For information on filing a change of address, go to the USCIS website at www.uscis.gov/addresschange or contact the USCIS Contact Center at 1-800-375-5283. For TTY (deaf or hard of hearing) call: 1-800-767-1833.
	If you are already in proceedings in Immigration Court, you must also notify the Immigration Court on EOIR Form 33/IC, Alien's Change of Address Form/Immigration Court, of any changes of address within five days of the change in address. The EOIR Form 33/IC is available on the EOIR website at www.justice.gov/eoir/formslist.htm .	[no change]
	NOTE: Do not submit a change of address request to the USCIS Lockbox facilities because the Lockbox does not process change of address requests.	
Page 19,	[Page 19]	[Page 19]
Checklist	Checklist	Checklist
	I have signed Form I-485 in Part 10. , Item Number 6.a.	I have signed Form I-485 in Part 10. , Item Number 6.a.
	I have included the appropriate filing fee and biometric services fee (if applicable), if not exempted or waived.	I have included the appropriate filing fee.
	I have read these Instructions and the following Additional Instructions (if any) relating to my specific immigrant category.	[no change]
	I have included all of the required documentation listed in these Instructions and in the following Additional	

	Instructions (if any) relating to my specific immigrant category.	
Pages 20-21,	[Page 21]	[Page 20]
Additional Instructions	Additional Instructions	Additional Instructions
	VAWA self-petitioner (Form I-360)	[no change]
	You may file under this category if you are the victim of battery or extreme cruelty by a U.S. citizen or lawful permanent resident who is your spouse (or former spouse) or parent, OR if you are the victim of battery or extreme cruelty by a U.S. citizen who is your son or daughter and is at least 21 years of age. Special confidentiality protections (described at 8 U.S.C. section 1367) apply to you as the VAWA self-petitioner. 8 U.S.C. section 1367 provides two forms of critical protection for VAWA self-petitioners. The first form of protection is a prohibition on adverse determinations against the victim based on information provided solely by their abuser and other prohibited sources. The second form of protection is a prohibition on disclosure of any information about the victim to third parties, except in certain very limited circumstances.	
	If a visa is immediately available, applicants filing as VAWA self-petitioners do not have to wait until Form I-360 is approved to file Form I-485. If a visa is immediately available, you may file your Form I-485 together with your Form I-360, while your Form I-360 is approved. Otherwise, you may file your Form I-485 only after your Form I-360 is approved and a visa is immediately available. See the When Should I File Form I-485 section above for more information.	
	NOTE: VAWA-based applicants for adjustment of status are exempt from Affidavit of Support requirements; however, each applicant must include Form I-864W with the adjustment application.	
	NOTE: USCIS will not accept requests for Change of Address submitted online,	NOTE: USCIS will not accept requests for Change of Address submitted online,

mailed to USCIS Lockbox facilities, or by
telephonic requests at the National
Customer Service Center for adjustment of
status applications filed by VAWA self-
petitioners. For information on filing a
change of address go to the USCIS website
at <u>www.uscis.gov/addresschange</u> or contact
the USCIS National Customer Service
Center at 1-800-375-5283 . For TTY (deaf
or hard of hearing) call: 1-800-767-1833 .

Derivative Applicants

Children of principal applicants may file as derivative applicants. However, you may not file as a derivative if the principal applicant is a self-petitioning parent of an abusive U.S. citizen son or daughter.

mailed to USCIS Lockbox facilities, or by telephonic requests at the USCIS Contact Center for adjustment of status applications filed by VAWA self- petitioners. For information on filing a change of address go to the USCIS website at www.uscis.gov/addresschange or contact the USCIS Contact Center at 1-800-375-5283. For TTY (deaf or hard of hearing) call: 1-800-767-1833.

[no change]

Pages 32-39,

Additional Instructions for Applicants Filing Under Special Adjustment Programs

[Page 32]

Additional Instructions for Applicants Filing Under Special Adjustment Programs

. . .

Additional Evidence Requirements

As a CAA applicant, you must submit evidence showing you meet certain requirements specific to this immigrant category. Therefore, in addition to the evidence listed in the **What Evidence Must You Submit with Form I-485** section, principal applicants must also submit:

- **1.** Evidence of Cuban birth or citizenship, if not contained in your birth certificate; and
- **2.** Evidence that you have been physically present in the United States for at least one year.

Evidence of Being a Cuban Native (If You Were Born in Cuba)

Examples of evidence submitted by principal applicants that demonstrates being a Cuban native can include but are not limited to:

1. An expired or unexpired Cuban passport (*Pasaporte de la Republica de Cuba*) that lists the holder's place of birth as being

[Page 32]

Additional Instructions for Applicants Filing Under Special Adjustment Programs

...

Additional Evidence Requirements

As a CAA applicant, you must submit evidence showing you meet certain requirements specific to this immigrant category. Therefore, in addition to the evidence listed in the **What Evidence Must You Submit with Form I-485**section, principal applicants must also submit:

- **1.** Evidence of Cuban birth or citizenship, if not contained in your birth certificate; and
- **2.** Evidence that you have been physically present in the United States for at least one year.

Evidence of Being a Cuban Native (If You Were Born in Cuba)

Examples of evidence submitted by principal applicants that demonstrates being a Cuban native can include but are not limited to:

1. An expired or unexpired Cuban passport (*Pasaporte de la Republica de Cuba*) that lists the holder's place of birth as being

Cuba; and	Cuba; and
2. A Cuban birth certificate issued by the appropriate civil registry in Cuba. (Note: A Cuban birth certificate acknowledging a birth outside of Cuba or Cuban consular birth record issued for a principal applicant who was not born in Cuba is not sufficient to prove Cuban citizenship.)	2. A Cuban birth certificate issued by the appropriate civil registry in Cuba. (Note: A Cuban birth certificate acknowledging a birth outside of Cuba or Cuban consular birth record issued for a principal applicant who was not born in Cuba is not sufficient to prove Cuban citizenship.)

8 CFR 245.2(a)(3)(iv) (Under the Act of November 2, 1966). The requirements to apply for adjustment of status on Form I-485A with an accompanied Form I-643, as well as the inclusion of clearances from local police jurisdictions for any area in the United States where the applicant has lived for six month or more since the age of 14 years of age, are not required. The consolidation of Supplement A into the I-485 and the obtaining of FBI background checks on the applicant meet these requirements as enumerated under 8 CFR 245.2(a)(3)(iv).

Evidence of Cuban Citizenship (If You Were Born Outside of Cuba)

Evidence of Cuban Citizenship (If You Were Born Outside of Cuba)