

TABLE OF CHANGES – INSTRUCTIONS
Instructions for Form I-485, Application to Register Permanent Residence or Adjust Status
OMB Number: 1615-0023
05/15/2020

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Project Phase: NPRM

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- Black font = Current text
- Red font = Changes

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| <p>Pages 4-8, General Instructions</p> | <p>[page 4]</p> <p>General Instructions</p> <p>...</p> <p>[page 5]</p> <p>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 USCIS with all relevant fees and for providing biometric and biographic information to USCIS.</p> <p>If you are required to provide biometrics, at your appointment you must sign an oath reaffirming that:</p> | <p>[page 4]</p> <p>General Instructions</p> <p>...</p> <p>[page 5]</p> <p>Biometric Services Appointment. Every individual who is an applicant, petitioner, derivative, beneficiary, or sponsor of an immigration benefit request or other request submitted to USCIS is required to submit biometrics unless USCIS waives or exempts the requirement. You will be notified of the time and place of your appointment if you must appear and you will be provided requirements for rescheduling if necessary. If you fail to provide any biometrics as required, USCIS may deny your application, petition, or request.</p> <p>DHS may store the biometrics submitted by an individual and use or reuse biometrics to conduct background and security checks, including a check of criminal history records maintained by the Federal Bureau of Investigation (FBI), verify identity, produce documents, determine eligibility for immigration and naturalization benefits, or to perform any other functions necessary for administering and enforcing immigration and naturalization laws, and any other law within DHS authority.</p> <p>If you are required to provide biometrics, at your appointment you must sign an oath reaffirming that:</p> |

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| | <p>...</p> <p>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.</p> <p>...</p> | <p>...</p> <p>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.</p> <p>...</p> |
| <p>Pages 8-17, What Evidence Must You Submit with Form I-485?</p> | <p>[page 9]</p> <p>...</p> <p>If you will be submitting the same documentation (i.e. tax return transcripts or birth certifications) for the I-485, I-864 or the I-944, you do not need to submit the documentation multiple times.</p> <p>1. Photographs</p> <p>You must submit two recent identical color passport-style photographs of yourself. The photos must have a white to off-white background, be printed on thin paper with a glossy finish, and be unmounted and unretouched.</p> <p>The two recent identical color passport-style photos must be 2 by 2 inches. The photos must be in color with full face, frontal view on a white to off-white background. Head height should measure 1 to 1 3/8 inches from top of hair to bottom of chin, and eye height is between 1 1/8 to 1 3/8 inches from bottom of photo. Your head must be bare unless you are wearing headwear as required by a religious denomination of which you are a member. Using a pencil or felt pen, lightly print your name and A-Number (if any) on the back of the photo. Visit the following DOS website at travel.state.gov/content/passports/english/passports/photos/photo-examples.html for examples.</p> | <p>[page 9]</p> <p>...</p> <p>If you will be submitting the same documentation (i.e. tax return transcripts or birth certifications) for the I-485, I-864 or the I-944, you do not need to submit the documentation multiple times.</p> <p>[deleted]</p> |

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| | <p>2. Government-Issued Identity Document with Photograph</p> <p>...</p> <p>3. Birth Certificate</p> <p>...</p> <p>4. Inspection and Admission or Inspection and Parole</p> <p>[Page 10]</p> <p>...</p> <p>5. Documentation of Your Immigrant Category (see Part 2., Item Numbers 2.a. - 8.e. of Form I-485)</p> <p>...</p> <p>6. Marriage Certificate and Other Proof of Relationship</p> <p>[Page 11]</p> <p>...</p> <p>7. Evidence of Continuously Maintaining a Lawful Status Since Arrival in the United States</p> <p>...</p> <p>8. Confirmation of Bona Fide Job Offer or Request for Job Portability Under INA Section 204(j) (Supplement J)</p> <p>[Page 12]</p> <p>...</p> <p>9. Public Charge: Declaration of Self-Sufficiency (Form I-944) and Affidavit of Support Under Section 213A of the INA (Form I-864)</p> <p>...</p> | <p>1. Government-Issued Identity Document with Photograph</p> <p>...</p> <p>2. Birth Certificate</p> <p>...</p> <p>3. Inspection and Admission or Inspection and Parole</p> <p>[Page 10]</p> <p>...</p> <p>4. Documentation of Your Immigrant Category (see Part 2., Item Numbers 2.a. - 8.e. of Form I-485)</p> <p>...</p> <p>5. Marriage Certificate and Other Proof of Relationship</p> <p>[Page 11]</p> <p>...</p> <p>6. Evidence of Continuously Maintaining a Lawful Status Since Arrival in the United States</p> <p>...</p> <p>7. Confirmation of Bona Fide Job Offer or Request for Job Portability Under INA Section 204(j) (Supplement J)</p> <p>[Page 12]</p> <p>...</p> <p>8. Public Charge: Declaration of Self-Sufficiency (Form I-944) and Affidavit of Support Under Section 213A of the INA (Form I-864)</p> <p>...</p> |
| <p>Pages 17-18, What Is the Filing Fee?</p> | <p>[page 17]</p> <p>What Is the Filing Fee?</p> | <p>[page 17]</p> <p>What Is the Filing Fee?</p> |

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| | <p>The filing fee for Form I-485 is \$1,140.</p> <p>If you are 13 years of age or younger and:</p> <ol style="list-style-type: none"> 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. <p>[page 15]</p> <p>A biometric services fee of \$85 is also required for applicants between 14 and 79 years of age.</p> <p>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.</p> <p>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.</p> <p>You do not need to pay either the Form I-485 filing fee or biometric services fee if:</p> <p>...</p> | <p>The filing fee for Form I-485 is \$1,140. A biometric services fee of \$85 is also required.</p> <p>If you are 13 years of age or younger and:</p> <ol style="list-style-type: none"> 1. Are filing with a parent’s Form I-485, the filing fee for Form I-485 is \$750, plus an \$85 biometric services fee; or 2. Are filing without a parent’s Form I-485, the filing fee for Form I-485 is \$1,140, plus an \$85 biometric services fee. <p>[page 15]</p> <p>[deleted]</p> <p>You do not need to pay either the Form I-485 filing fee or biometric services fee if:</p> <p>...</p> |
| <p>Pages 19, Processing Information</p> | <p>[page 19]</p> <p>...</p> <p>Requests for Interview. We may request that you appear at a USCIS office for an interview based on your application. At the time of any interview or other appearance at a USCIS office, we may require that you provide your fingerprints, photograph, and/or signature to verify your identity and/or update background and security checks.</p> | <p>[page 19]</p> <p>...</p> <p>Requests for Interview. We may request that you appear at a USCIS office for an interview based on your application. At the time of any interview or other appearance at a USCIS office, we may require that you provide your biometrics to verify your identity and/or update background and security checks.</p> |

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| Page 22, Paperwork Reduction Act | <p>[Page 22]</p> <p>Paperwork Reduction Act</p> <p>An agency may not conduct or sponsor an information collection, and a person is not required to respond to a collection of information, unless it displays a currently valid Office of Management and Budget (OMB) control number. The public reporting burden for this collection of information is estimated at 6.424 hours per response, including the time for reviewing instructions, gathering the required documentation and information, completing the application, preparing statements, attaching necessary documentation, and submitting the application. The collection of biometrics is estimated to require 1 hour and 10 minutes. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to: U.S. Citizenship and Immigration Services, Regulatory Coordination Division, Office of Policy and Strategy, 20 Massachusetts Ave NW, Washington, DC 20529-2140; OMB No. 1615-0023. Do not mail your completed Form I-485 to this address.</p> | <p>[Page 22]</p> <p>Paperwork Reduction Act</p> <p>An agency may not conduct or sponsor an information collection, and a person is not required to respond to a collection of information, unless it displays a currently valid Office of Management and Budget (OMB) control number. The public reporting burden for this collection of information is estimated at 6.424 hours per response, including the time for reviewing instructions, gathering the required documentation and information, completing the application, preparing statements, attaching necessary documentation, and submitting the application. The collection of biometrics is estimated to require 3 hours and 40 minutes. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to: U.S. Citizenship and Immigration Services, Regulatory Coordination Division, Office of Policy and Strategy, 20 Massachusetts Ave NW, Washington, DC 20529-2140; OMB No. 1615-0023. Do not mail your completed Form I-485 to this address.</p> |
| Page 27-33, Human trafficking victim (T Nonimmigrant, Form I-914) or derivative family member (Form I-914A) | <p>[page 26]</p> <p>...</p> <p>NOTE: If you have less than three years of continuous physical presence since you were first admitted as a T-1 nonimmigrant, you must submit a document signed by the Attorney General of the United States (or designee) stating that the investigation or prosecution is complete.</p> <p>Evidence of Good Moral Character</p> <p>Before USCIS can approve your application, USCIS must find that you are a person of good moral character according to INA section 101(f).</p> <p>In order to demonstrate good moral character, you must submit:</p> | <p>[page 29]</p> <p>...</p> <p>NOTE: If you have less than three years of continuous physical presence since you were first admitted as a T-1 nonimmigrant, you must submit a document signed by the Attorney General of the United States (or designee) stating that the investigation or prosecution is complete.</p> <p>[deleted]</p> |

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| | <p>1. Your own affidavit attesting to your good moral character; and</p> <p>2. A local police clearance or a state-issued criminal background check from each locality or state in the United States that you have resided in for six or more months while you were in T-1 nonimmigrant status. If local police clearances, criminal background checks, or similar reports are not available for any location where you resided, you may include an explanation and submit other evidence about your good moral character while you resided at that location.</p> <p>You may also submit other credible evidence of good moral character, such as affidavits from responsible persons who can knowledgeably attest to your good moral character.</p> <p>If you are under 14 years of age, you do not need to submit evidence of good moral character. However, if there is reason to believe that you may lack good moral character, USCIS may require evidence of good moral character.</p> <p>Evidence of Compliance with Reasonable Requests for Assistance in the Investigation or Prosecution OR Evidence That You Were Under 18 Years of Age at the Time of the Victimization OR Evidence of Extreme Hardship Involving Unusual and Severe Harm</p> <p>You must submit evidence that shows you:</p> <p>1. Complied with any reasonable request for assistance in the investigation or prosecution of acts of trafficking;</p> <p>...</p> | <p>Evidence of Compliance with Reasonable Requests for Assistance in the Investigation or Prosecution OR Evidence That You Were Under 18 Years of Age at the Time of the Victimization OR Evidence of Extreme Hardship Involving Unusual and Severe Harm</p> <p>You must submit evidence that shows you:</p> <p>1. Complied with any reasonable request for assistance in the investigation or prosecution of acts of trafficking;</p> <p>...</p> |
| <p>Page 34, Evidence of Battery or Extreme Cruelty</p> | <p>[page 34]</p> <p>...</p> <p>6. Documentation to show you sought safe haven in a family violence shelter or similar place; or</p> | <p>[page 36]</p> <p>...</p> <p>6. Documentation to show you sought safe-haven in a family violence shelter or similar place; or</p> |

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