## TABLE OF CHANGES – INSTRUCTIONS

## Form I-485, Application to Register Permanent Residence or Adjust Status OMB Number: 1615-0023 12/27/2022

**Reason for Revision: FeeRule NPRM** 

**Project Phase: OMBReview** 

Legend for Proposed Text:

• Black font = Current text

• Red font = Changes

Expires 12/31/2024 Edition Date 12/23/2022

Current Page Number and Section	Current Text	Proposed Text
Page 1,	[Page 1]	[Page 1]
<b>Table of Contents</b>	Table of Contents	<b>Table of Contents</b>
	Form I-485 Main Instructions, Page	Form I-485 Main Instructions, Page
	What Is the Purpose of Form I-485?, 2 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?, 10 What Is the Filing Fee?, 16 Where To File?, 17 Address Change, 17 Processing Information, 18 Individuals With Disabilities and/or Impairments, 19 USCIS Forms and Information, 19 Penalties, 20 USCIS Compliance Review and Monitoring, 20 USCIS Privacy Act Statement, 20 Paperwork Reduction Act, 21 Checklist, 21	What Is the Purpose of Form I-485?, 2 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?, 10 Where To File?, 17 Address Change, 17 Processing Information, 18 Individuals With Disabilities and/or Impairments, 19 USCIS Forms and Information, 19 Penalties, 20 USCIS Compliance Review and Monitoring, 20 USCIS Privacy Act Statement, 20 Paperwork Reduction Act, 21 Checklist, 21
Page 4-5,	[Page 4]	
	General Instructions	General Instructions

General Instructions		
	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.	<b>Filing Fee.</b> See Form G-1055, available at <a href="https://www.uscis.gov/forms">www.uscis.gov/forms</a> , for specific information about the fees applicable to this form.
Page 6-9,	[Page 6]	
How To Fill Out Form I-	How To Fill Out Form I-485	How To Fill Out Form I-485
403		
	7. Form I-94 Arrival-Departure Record. If U.S. Customs and Border Protection (CBP) or USCIS issued you a Form I-94, Arrival-Departure Record, provide your Form I-94 number and date that your authorized period of stay expires or expired (as shown on Form I-94). The Form I-94 number also is known as the Departure Number on some versions of Form I-94.	[no change]
	NOTE: If you were admitted to the United States by CBP at an airport or seaport after April 30, 2013, you may have been issued an electronic Form I-94 by CBP, instead of a paper Form I-94. You may visit the CBP website at <a href="https://www.cbp.gov/i94">www.cbp.gov/i94</a> to obtain a paper version of an electronic Form I-94. CBP does not charge a fee for this service. Some travelers admitted to the United States at a land border, airport, or seaport, after April 30, 2013, with a passport or travel document, who were issued a paper Form I-94 by CBP, may also be able to obtain a replacement Form I-94 from the CBP website without charge. If your Form I-94 cannot be obtained from the CBP website, it may be obtained by filing Form I-102, Application for Replacement/Initial Nonimmigrant Arrival-Departure Record, with USCIS. USCIS does charge a fee for this service.	NOTE: If you were admitted to the United States by CBP at an airport or seaport after April 30, 2013, you may have been issued an electronic Form I-94 by CBP, instead of a paper Form I-94. You may visit the CBP website at <a href="https://www.cbp.gov/i94">www.cbp.gov/i94</a> to obtain a paper version of an electronic Form I-94. CBP does not charge a fee for this service. Some travelers admitted to the United States at a land border, airport, or seaport, after April 30, 2013, with a passport or travel document, who were issued a paper Form I-94 by CBP, may also be able to obtain a replacement Form I-94 from the CBP website without charge. If your Form I-94 cannot be obtained from the CBP website, it may be obtained by filing Form I-102, Application for Replacement/Initial Nonimmigrant Arrival-Departure Record, with USCIS. USCIS does charge a fee for this service. USCIS does charge a fee for Form I-102. See Form G-1055, available at <a href="https://www.uscis.gov/forms">www.uscis.gov/forms</a> , for specific information about the fees applicable to this

		form.
	•••	
Page 16-17,	[Page 16]	
What Is the Filing Fee?	What Is the Filing Fee?	[deleted]
	The filing fee for Form I-485 is <b>\$1,140</b> .	
	If you are <b>13 years of age or younger</b> and:	
	<b>1.</b> Are filing <b>with</b> a parent's Form I-485, the filing fee for Form I-485 is <b>\$750</b> ; or	
	<b>2.</b> Are filing <b>without</b> a parent's Form I-485, the filing fee for Form I-485 is <b>\$1,140</b> .	
	A biometric services fee of <b>\$85</b> is also required for applicants between 14 and 79 years of age.	
	If you are <b>79 years of age or older</b> , 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:	
	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;	
	[Page 17]	
	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 <a href="https://www.uscis.gov/feewaiver">www.uscis.gov/feewaiver</a>; 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 <a href="https://www.justice.gov/eoir/eoir-policy-manual">https://www.justice.gov/eoir/eoir-policy-manual</a>.

**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 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

Page 21,	[Page 21]	
Where To File?	Where To File?	Where To File?
Page 18,	[Page 18]	
	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.	
	If you properly file Form I-485 and pay the required fees, you may file Form I-765 and	
	Filing Form I-485 with Forms I-765 and I-131	
	2. Call the USCIS Contact Center at <b>1-800</b> -375-5283 and ask for fee information. For TTY (deaf or hard of hearing) call: <b>1-800</b> -767-1833.	
	<b>1.</b> Visit the USCIS website at <a href="https://www.uscis.gov">www.uscis.gov</a> , select "FORMS," and check the appropriate fee; or	
	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 periodically, you can verify that the fees are correct by following one of the steps below.	
	How To Check If the Fees Are Correct	
	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.	

## **Paperwork Reduction Act Paperwork Reduction Act Paperwork Reduction** Act An agency may not conduct or sponsor an An agency may not conduct or sponsor an information collection, and a person is not information collection, and a person is not required to respond to a collection of required to respond to a collection of information, unless it displays a currently information, unless it displays a currently valid Office of Management and Budget valid Office of Management and Budget (OMB) control number. The public (OMB) control number. The public reporting burden for this collection of reporting burden for this collection of information is estimated at 7 hours and 10 information is estimated at 6.237 hours minutes per response, including the time minutes per response, including the time for reviewing instructions, gathering the for reviewing instructions, gathering the required documentation and information, required documentation and information, completing the application, preparing completing the application, preparing statements, attaching necessary statements, attaching necessary documentation, and submitting the documentation, and submitting the application. The collection of biometrics is application. The collection of biometrics is estimated to require 1 hour and 10 minutes. estimated to require 1.17 hours. Send Send comments regarding this burden comments regarding this burden estimate or estimate or any other aspect of this any other aspect of this collection of collection of information, including information, including suggestions for suggestions for reducing this burden, to: reducing this burden, to: U.S. Citizenship U.S. Citizenship and Immigration Services, and Immigration Services, Office of Policy Office of Policy and Strategy, Regulatory and Strategy, Regulatory Coordination Coordination Division, 5900 Capital Division, 5900 Capital Gateway Drive, Gateway Drive, Mail Stop #2140, Camp Mail Stop #2140, Camp Springs, MD 20588-0009; OMB No. 1615-0023. Do not Springs, MD 20588-0009; OMB No. 1615-0023. Do not mail your completed Form mail your completed Form I-485 to this I-485 to this address. address. [Page 21] Page 21, Checklist Checklist Checklist I have signed Form I-485 in **Part 10.**, **Item** I have signed Form I-485 in **Part 10.**. **Item** Number 6.a. Number 6.a. I have included the appropriate fee, if not I have included the appropriate filing fee exempted or waived. and biometric services fee (if applicable), if not exempted or waived. I have read these Instructions and the I have read these Instructions and the following **Additional Instructions** (if any) following **Additional Instructions** (if any) relating to my specific immigrant category. relating to my specific immigrant category. I have included all of the required I have included all of the required documentation listed in these Instructions documentation listed in these Instructions and in the following **Additional** and in the following **Additional Instructions** (if any) relating to my specific **Instructions** (if any) relating to my specific immigrant category. immigrant category.