Instructions for Supplement J, Confirmation of Valid Job Offer or Request for Job Portability Under INA Section 204(j)

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

USCIS
Form I-485
OMB No. 1615-0023
Expires 02/28/2027

You must read these Instructions if you are filing Form I-485, Supplement J, Confirmation of Valid Job Offer or Request for Job Portability Under INA Section 204(j) (Supplement J), to either confirm that the job offered to you in Form I-140, Immigrant Petition for Alien Worker, that is the basis of your Form I-485, Application to Register Permanent Residence or Adjust Status, remains available to you or to request job portability under the Immigration and Nationality Act (INA) section 204(j).

What Is the Purpose of Supplement J?

You must use Supplement J if you are an employment-based applicant for adjustment of status who is filing or has previously filed Form I-485 as the principal beneficiary of a valid Form I-140 in an employment-based immigrant visa category that requires a job offer, and you now seek, in connection with your Form I-485, to:

- Confirm that the job offered to you in Form I-140 remains a valid job offer that you intend to accept once your Form I-485 is approved; or
- Request job portability under INA section 204(j) to a new, full-time, permanent job offer that you intend to accept once your Form I-485 is approved. Portability means to change the offer of employment from one job or employer to another job or employer. The new job offer must be in the same or a similar occupational classification as the job offered to you in Form I-140 that is the basis of your Form I-485.

NOTE: In adjudicating Supplement J, U.S. Citizenship and Immigration Services (USCIS) does not make a determination whether you have current work authorization with the prospective employer. The basis for adjustment of status to lawful permanent resident under a valid Form I-140 is not actual (current) employment. Rather, the basis is prospective employment. Therefore, the adjudication of Supplement J, **for applicants requesting job portability under INA section 204(j)**, is primarily limited to a determination of whether you have a valid job offer from a U.S. employer that is in the same or a similar occupational classification as the position for which the underlying Form I-140 was filed and approved.

NOTE: Individuals seeking or granted a National Interest Waiver of the job offer requirement and individuals seeking or granted classification as an alien of extraordinary ability under INA section 203(b)(1)(A) do not need to file Supplement J. Because these employment-based immigrant visa categories are not tied to a specific job offer, individuals seeking or granted classification as an alien of extraordinary ability or seeking or granted a National Interest Waiver of the job offer requirement do not have to file Supplement J when filing Form I-485 or to request job portability under INA section 204(j).

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Who May File Supplement J?

Unless you are filing Form I-485 at the same time with a Form I-140 or while a Form I-140 is still pending that names you as the principal beneficiary, you must file Supplement J at the time you file your Form I-485 to confirm that the job offered to you in the underlying Form I-140 is still valid and available to you. Additionally, you must file Supplement J to request job portability if you are eligible. USCIS may request that you file Supplement J again prior to final processing of your Form I-485.

To request job portability to a new, permanent job offer under INA section 204(j), you must have a properly filed Form I-485 that:

1. Has been pending with USCIS for 180 days or more since the receipt date; and
2. Is based on an approved or pending Form I-140 that names you as the principal beneficiary.

If the underlying Form I-140 is currently pending with USCIS and your Form I-485 has been pending with USCIS for 180 days or more, you may still file Supplement J to request portability to a new, permanent job offer. However, please know that USCIS must first adjudicate and approve the Form I-140 prior to approving your portability request, if otherwise eligible.

When Should You File Supplement J?

If you are filing Supplement J to confirm that the job offer in the underlying Form I-140 is valid and still available to you, you must submit Supplement J when:

- You initially file your employment-based Form I-485 with USCIS **unless** you are filing Form I-485 at the same time as Form I-140 or while the Form I-140 is still pending, or if your Form I-485 was filed prior to January 17, 2017; or
- You have received a Request for Evidence (RFE) or a Notice of Intent to Deny (NOID) from USCIS requesting confirmation that the job offer in the underlying Form I-140 is valid and still available to you or, if applicable, that the job offer you have previously ported to under INA section 204(j) is valid and still available to you.

NOTE: If Form I-140 is approved, USCIS may consider the approved Form I-140 and supporting documents, along with your filed Form I-485, as prima facie evidence that the job offer is valid and that you, the applicant, intend to accept the job offer if your Form I-485 is approved. However, depending on factors, such as the length of time it takes to adjudicate the underlying Form I-140 and your filed Form I-485, USCIS may request that you submit Supplement J to confirm that the job offer in the underlying Form I-140 is valid and still available to you prior to final processing of your Form I-485, or that you have ported to a new, permanent job offer under INA section 204(j).

If you are filing Supplement J to request job portability to a new, permanent job offer under INA section 204(j), you may file Supplement J only after your Form I-485 was properly filed and has remained pending for 180 days or more since the receipt date, and:

- You have received a new, permanent job offer from a U.S. employer that is in the same or similar occupational classification as the job offered to you in the underlying Form I-140, and now you would like to request that the new job offer be used in connection with your eligibility to adjust status to that of lawful permanent resident;
- You have received an RFE or a NOID from USCIS in connection with your pending Form I-485 asking for confirmation that the job offered to you in the underlying Form I-140 or a previously filed Supplement J is still available to you; or
- You have received a NOID from USCIS regarding your Form I-485 because the petitioner has withdrawn the Form I-140 filed on your behalf, or the petitioner has gone out of business.

If you are requesting job portability under INA section 204(j), USCIS will reject Supplement J if you file it before your Form I-485 has been pending for 180 days or more since the receipt date. You can check your case status online at **www.uscis.gov**.

What Evidence Must You Submit With Supplement J?

1. If you are filing Supplement J to confirm that the job offer represented in the underlying Form I-140 is valid, then you, the applicant, only need to complete **Parts 1.**, **2.**, **3.**, **4.**, and **5.** of Supplement J and have the Form I-140 petitioner complete **Parts 6.**, **7.**, **8.**, and **9.**
2. If you are filing Supplement J to request job portability under INA section 204(j), you, the applicant, must complete **Parts 1.**, **2.**, **3.**, **4.**, and **5.** and the employer offering a new permanent job must complete **Parts 6.**, **7.**, **8.**, and **9.** In addition, you must submit the following documents with Supplement J:

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A. A copy of Form I-797, Notice of Action, establishing the receipt date and acceptance of your Form I-485 under INA section 245, which shows that your Form I-485 has been pending for 180 days or more. If you do not have such documentation, USCIS will review the electronic record for the Form I-485 receipt number provided in **Part 2.** of Supplement J and/or any other USCIS records for evidence that you have filed a Form I-485 that has remained pending for 180 days or more; and

B. If available, a copy of Form I-797 showing that you are the principal beneficiary of an approved or still pending Form I-140. If you do not have such documentation, USCIS will review the electronic record for the Form I-140 receipt number provided in **Part 2.** of Supplement J and/or any other USCIS records for evidence that you are the principal beneficiary of an approved or still pending Form I-140.

NOTE: If you do not have the evidence listed in **Items A.** or **B.** above, you may provide information on Supplement J or other secondary evidence to demonstrate that you have filed Form I-485 which has been pending for 180 days or more since the receipt date, and that you are the principal beneficiary of an approved or still pending Form I-140. Failure to provide the evidence listed above or secondary evidence may result in delayed processing or denial of your request for job portability.

NOTE: USCIS will review Supplement J in assessing whether the new job offer is in the same or a similar occupational classification as the job in the underlying Form I-140. The applicant and/or employer may submit any other evidence that is relevant in showing the new job is in the same or a similar occupational classification as the job specified in Form I-140.

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How Does USCIS Determine What Qualifies as a Same or Similar Occupational Classification?

To determine whether the new job qualifies as the same or similar occupational classification as the job in the approved permanent labor certification (if applicable) and Form I-140, USCIS will review the totality of the record, including Supplement J and any additional evidence submitted by the applicant and/or employer.

In determining whether the new job is in the same or a similar occupational classification as the job specified in Form I-140, USCIS will consider factors, including, but not limited to:

- The similarity of the job duties and responsibilities; and/or
- The similarity of the educational, experience, and/or training requirements.

USCIS may refer to resources published by the U.S. Department of Labor (DOL) and its Bureau of Labor Statistics, or other relevant resources, to assist in determining whether the new offer of employment is in the same or similar occupational classification. These resources include:

- DOL Occupational Outlook Handbook at **www.bls.gov/ooh**;
- DOL O*NET system at **www.onetonline.org**; and
- Standard Occupational Classification system used by DOL's Occupational Employment Statistics program at **www.bls.gov/soc**.

These resources contain detailed information on job titles, duties, rates of pay, and educational, experience, and/or training requirements. In many cases, the resources do provide information on similar or related occupations. Applicants may also use any of these resources or other relevant evidence to demonstrate that the new job is in the same or similar occupational classification as the job specified in Form I-140.

USCIS may request that you provide more information or evidence to support your Supplement J.

General Instructions

We provide free forms through the USCIS website. To view, print, or complete 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 and ask that we mail a form to you.

Signature. Each supplement must be properly signed by both the applicant and an individual employer or authorized signatory of the business entity employer and filed. For all signatures on this supplement, 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 supplement on your behalf. A legal guardian may also sign for a mentally incompetent person. If your supplement is not signed, or if the signature is not valid, we will reject your supplement. See 8 CFR 103.2(a)(7)(ii)(A). If USCIS accepts a request for adjudication and determines that it has a deficient signature, USCIS may reject or deny the request.

Validity of Signatures. USCIS will consider a photocopied, faxed, or scanned copy of an original benefit request with a handwritten signature as valid for filing purposes. The photocopy, fax, or scan must be of the original request or document containing the handwritten ink signature.

Filing Fee. See Form G-1055, available at **www.uscis.gov/forms**, for specific information about the fees applicable to this form.

Evidence. When you file your supplement, you must submit all evidence and supporting documentation listed in the **What Evidence Must You Submit With Supplement J** section of these Instructions.

Biometric Services Appointment. USCIS may require you to appear for an interview or provide biometrics (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 or petition. If we determine that a biometric services appointment is necessary, we will send you an appointment notice with the date, time, and location of your appointment. If you are currently overseas, your notice will instruct you to contact a U.S. Embassy, U.S. Consulate, or USCIS office outside the United States to schedule an appointment.

At your biometrics appointment, you must sign an oath reaffirming that:

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

If you do not attend your biometric services appointment, we may deny your supplement.

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Copies. You should submit legible photocopies of requested documents unless the Instructions specifically instruct you to submit an original document. USCIS may request an original document at any time during our process. If we request an original document from you, we will return it to you after USCIS determines it no longer needs the original.

NOTE: If you submit original documents when they are not required or requested, **USCIS may destroy them after we receive them.**

Translations. If you submit a document with information in a foreign language, you must also submit a full English translation. The translator must sign a certification that the English language translation is complete and accurate, and that he or she is competent to translate from the foreign language into English. The certification must also include the translator's signature, printed name, the signature date, and the translator's contact information.

USCIS Contact Center. For additional information on the supplement and Instructions about where to file, change of address, and other questions, visit the USCIS Contact Center at **www.uscis.gov/contactcenter** or call **800-375-5283** (TTY **800-767-1833**). The USCIS Contact Center provides information in English and Spanish.

Disability Accommodations/Modifications. To request a disability accommodation/modification, follow the instructions on your appointment notice or at **www.uscis.gov/accommodationsinfo**.

How To Complete Supplement J

1. If you need extra space to complete any item within this supplement, use the space provided in **Part 10. Additional Information** or attach a separate sheet of paper.

2. Answer all questions fully and accurately. If a question does not apply to you (for example, if you have never been married and the question asks, "Provide the name of your current spouse"), type or print "N/A" unless otherwise directed. If your answer to a question which requires a numeric response is zero or none (for example, "How many children do you have" or "How many times have you departed the United States"), type or print "None" unless otherwise directed.

3. **USCIS Online Account Number.** You will only have a USCIS Online Account Number (OAN) if you previously filed a form that has a receipt number that begins with IOE. If you filed the form online, you can find your OAN in your account profile. If you mailed us the form, you can find your OAN at the top of the Account Access Notice we sent you. If you do not have a receipt number that begins with IOE, you do not have an OAN. The OAN is not the same as an A-Number.

4. **Part 3. Applicant's Contact Information, Certification, and Signature.** You must sign and date your supplement and, if applicable, provide your daytime telephone number, mobile telephone number, and email address. The signature of a parent or legal guardian, if applicable, is acceptable. A stamped or typewritten name in place of a signature is not acceptable.

5. **Part 4. and Part 9. Interpreter's Contact Information, Certification, and Signature.** If you used anyone as an interpreter to read the Instructions and questions on this supplement to you in a language in which you are fluent, the interpreter must fill out this section and sign and date the supplement.

6. **Part 5. Contact Information, Certification, and Signature of the Person Preparing Parts 1. - 4. of this Supplement, if Other Than the Applicant.** The person who completed your supplement, if other than the applicant, must sign this section. If the same individual acted as your interpreter and your preparer, then that person should complete both **Part 4.** and **Part 5.** A stamped or typewritten name in place of a signature is not acceptable.

7. **Part 6. Information About the Employer.** Business entity employers must complete **Item Numbers 1. - 12.** Individual employers must complete **Item Numbers 1. - 2.** and **13. - 17.**

8. **Instructions for Industry and Occupation Codes**

   A. NAICS Code. The North American Industry Classification System (NAICS) is a standard in classifying business establishments for use by Federal statistical agencies. In the United States, the U.S. Department of Commerce (USDOC), U.S. Census Bureau assigns each establishment one NAICS code based on its primary activity. You can obtain the NAICS code from the USDOC, U.S. Census Bureau at **www.census.gov/epcd/www/naics.html**. Type or print the code from left to right, entering one digit in each of the six boxes. If you use a code that is less than six digits, type or print the code left to right and then add zeros in the remaining unoccupied boxes. For example

   - Type or print the code sequence 33466 as 334660; or
   - Type or print the code sequence 5133 as 513300.

   B. SOC Code. The Standard Occupational Classification (SOC) System is used by U.S. Federal agencies to classify workers into occupational categories for data purposes. All occupations are classified into a SOC System code by DOL, Bureau of Labor Statistics. You can obtain the SOC System codes from DOL, Bureau of Labor Statistics at **www.bls.gov/soc**. Type or print the code from left to right, entering one digit in each of the six boxes.

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9. **Part 8. Contact Information, Certification, and Signature of the Individual Employer or Authorized Signatory of the Business Entity Employer.** You must sign and date your supplement and, if applicable, provide your daytime telephone number, mobile telephone number, and email address. A stamped or typewritten name in place of a signature is not acceptable.

We recommend that you print or save a copy of your completed supplement for your records.

Where To File?

Please see our website at **www.uscis.gov/i-485supj** for the most current information about where to file this supplement.

Address Change

You must notify USCIS any time you change your mailing address or physical address. You must notify us no later than 10 days after making such a change. For information on changing your address, go to our website at **www.uscis.gov/addresschange**, or call the USCIS Contact Center.

NOTE: Do not submit a change of address request to the USCIS Lockbox.

Processing Information

You must have a United States address to file this supplement.

Requests for More Information. Once USCIS accepts your supplement, we will check it for completeness. If you do not properly complete this supplement, you will not establish a basis for your eligibility and we may request that you provide more information or evidence to support your supplement. We may also request that you provide the originals of any copies you submit. If we request an original document from you, we will return it to you after USCIS determines it is no longer needed.

Decision. The decision on Supplement J involves a determination of whether you have established eligibility for the immigration benefit you are seeking. USCIS will notify you of our decision in writing.

USCIS Forms and Information

To ensure you are using the latest version of this supplement, visit **www.uscis.gov**.

For questions about filing your supplement, you can use our many online tools (**uscis.gov/tools**) including our virtual assistant, Emma. This website is available in Arabic, Haitian Creole, Spanish, French, Polish, Portuguese, Russian, Tagalog, Vietnamese, and Chinese.

Penalties

If you knowingly and willfully falsify or conceal a material fact or submit a false document with your Supplement J, we will deny your Supplement J and may deny any other immigration benefit. In addition, you will face severe penalties provided by law and may be subject to criminal prosecution.

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DHS Privacy Notice

AUTHORITIES: USCIS is collecting the information requested on this supplement, and the associated evidence, under INA section 204(j)..

PURPOSE: The primary purpose for providing the requested information on this supplement is to either confirm that the job offered to you in Form I-140, Immigrant Petition for Alien Worker, that is the basis of your Form I-485, Application to Register Permanent Residence or Adjust Status, remains available to you or to request job portability under the INA section 204(j). DHS will use the information you provide to grant or deny the immigration benefit you are seeking.

DISCLOSURE: The information you provide is voluntary. However, failure to provide the requested information, including your Social Security number (if applicable), and any requested evidence, may delay a final decision or result in USCIS denying your supplement.

ROUTINE USES: DHS may, where allowable under relevant confidentiality provisions, share the information you provide on this supplement, and any additional requested evidence, with other Federal, state, local, and foreign government agencies and authorized organizations. DHS follows approved routine uses, as described in the associated published system of records notices [DHS/USCIS/ICE/CBP-001 Alien File, Index, and National File Tracking System, DHS/USCIS-007 Benefits Information System, and DHS/USCIS-018 Immigration Biometric and Background Check] and the published privacy impact assessments [DHS/USCIS/PIA-016(a) Computer Linked Application Information Management System] which you can find at **www.dhs.gov/privacy**. DHS may also share the information, as appropriate, for law enforcement purposes or in the interest of national security.

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Paperwork Reduction Act

USCIS may not conduct or sponsor an information collection, and you are 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 36 minutes per response, in addition to the burden for completing Form I-485, including the time for reviewing instructions, gathering the required documentation and information, completing the supplement, preparing statements, attaching necessary documentation, and submitting the supplement. 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, Office of Policy and Strategy, Regulatory Coordination Division, 5900 Capital Gateway Drive, Mail Stop #2140, Camp Springs, MD 20588-0009; OMB No. 1615-0023. **Do not mail your completed Supplement J to this address.**