

Instructions for I-485, Application to Register Permanent Residence or Adjust Status

NOTE: The filing fee for Form I-485 is \$985 plus biometrics fee, if applicable. Refer to "What is the Filing Fee?" on Page 8.

What Is the Purpose of Form I-485?

This form is used by a person who is in the United States to apply to U.S. Citizenship and Immigration Services (USCIS) to adjust to permanent resident status or register for permanent residence.

This form may also be used by certain Cuban nationals to request a change in the date that their permanent residence began.

Who May File Form I-485?

1. Based on an immigrant petition

You may apply to adjust your status if:

- A. An immigrant visa number is immediately available to you based on an approved immigrant petition; or
- B. You are filing this application with a completed relative petition, special immigrant juvenile petition, or special immigrant military petition which, if approved, would make an immigrant visa number immediately available to you.

2. Based on being the spouse or child (derivative) - at the time another adjustment applicant (principal) files to adjust status or at the time a person is granted permanent resident status in an immigrant category that allows derivative status for spouses and children.

- A. **If the spouse or child is in the United States**, the individual derivatives may file their Form I-485 with Form I-485 for the principal applicant, or file Form I-485 at anytime after the principal is approved, if a visa number is available.
- B. **If the spouse or child is residing abroad**, the person adjusting status in the United States should file **Form I-824, Application for Action on an Approved Application or Petition**, together with the principal's Form I-485, to allow the derivatives to immigrate to the United States without delay if the principal's Form I-485 is approved.

The fee submitted with Form I-824 will not be refunded if the principal's adjustment is not granted.

3. Based on admission as the fiancé(e) of a U.S. citizen and subsequent marriage to that citizen

- A. You may apply to adjust status if you were admitted to the United States as the K-1 fiancé(e) of a U.S. citizen, and you married that citizen within 90 days of your entry.
- B. If you were admitted as the K-2 child of such a fiancé(e), you may apply to adjust status based on your parent's Form I-485.

4. Based on asylum status

You may apply to adjust status after you have been granted asylum in the United States if you have been physically present in the United States for 1 year after the grant of asylum, provided you still qualify as an asylee or as the spouse or child of a refugee.

5. Based on refugee status

You may apply to adjust status after you have been admitted as a refugee and have been physically present in the United States for 1 year following your admission, provided that your status has not been terminated.

6. Based on Cuban citizenship or nationality

You may apply to adjust status if:

- A. You are a native or citizen of Cuba, were admitted or paroled into the United States after January 1, 1959, and thereafter have been physically present in the United States for at least 1 year; or
- B. You are the spouse or unmarried child of a Cuban described above and regardless of your nationality, you were admitted or paroled after January 1, 1959, and thereafter have been physically present in the United States for at least 1 year.

7. Applying to change the date on which your permanent residence began

If you were granted permanent residence in the United States prior to November 6, 1966, and are a native or citizen of Cuba, or you are the spouse or unmarried child of such an individual, you may ask to change the date your lawful permanent residence began to your date of arrival in the United States or May 2, 1964, whichever is later.

8. Based on continuous residence since before January 1, 1972

You may apply for permanent residence if you have continuously resided in the United States since before January 1, 1972. This is known as "Registry."

9. Other basis of eligibility

If you are not included in the above categories, but believe you may be eligible for adjustment or creation of record of permanent residence, contact our National Customer Service Center at **1-800-375-5283** for information on how to use the Internet to make an appointment at your local USCIS office.

10. Who Is Not Eligible to Adjust Status?

Unless you are applying for creation of record based on continuous residence since before January 1, 1972, or adjustment of status under a category in which special rules apply (such as 245(i) adjustment, asylum adjustment, Cuban adjustment, special immigrant juvenile adjustment, or special immigrant military personnel adjustment), **you are not eligible for adjustment of status if any of the following apply to you:**

- A. You entered the United States in transit without a visa;
- B. You entered the United States as a nonimmigrant crewman;
- C. You were not admitted or paroled following inspection by an immigration officer;
- D. Your authorized stay expired before you filed this application;
- E. You were employed in the United States without USCIS authorization prior to filing this application;
- F. You failed to maintain your nonimmigrant status, unless your failure to maintain status was through no fault of your own or for technical reasons; unless you are applying because you are:
 - 1. An immediate relative of a U.S. citizen (parent, spouse, widow, widower, or unmarried child under 21 years old);
 - 2. A K-1 fiancé(e) or a K-2 fiancé(e) dependent who married the U.S. petitioner within 90 days of admission; or
 - 3. An H or I nonimmigrant or special immigrant (foreign medical graduates, international organization employees, or their derivative family members);

- G. You were admitted as a K-1 fiancé(e), but did not marry the U.S. citizen who filed the petition for you, or you were admitted as the K-2 child of a fiancé(e) and your parent did not marry the U.S. citizen who filed the petition;
- H. You are or were a J-1 or J-2 exchange visitor and are subject to the 2-year foreign residence requirement and you have not complied with or been granted a waiver of the requirement;
- I. You have A, E, or G nonimmigrant status or have an occupation that would allow you to have this status, unless you complete Form I-508 (Form I-508F for French nationals) to waive diplomatic rights, privileges, and immunities and, if you are an A or G nonimmigrant, unless you submit a completed Form I-566;
- J. You were admitted to Guam as a visitor under the Guam visa waiver program;
- K. You were admitted to the United States as a visitor under the Visa Waiver Program, unless you are applying because you are an immediate relative of a U.S. citizen (parent, spouse, widow, widower, or unmarried child under 21 years of age); or
- L. You are already a conditional permanent resident.

General Instructions

Fill Out Form I-485

- 1. Type or print legibly in black ink.
- 2. If extra space is needed to complete any item, attach a continuation sheet, indicate the item number, and date and sign each sheet.
- 3. Answer all questions fully and accurately. State that an item is not applicable with "N/A." If the answer is none, write "None."
- 4. You must file your application with the required **Initial Evidence** described below. Your application must be properly signed and filed with the correct fee. If you are under 14 years of age, your parent or guardian may sign your application.

Translations. Any document containing a foreign language submitted to USCIS shall be accompanied by a full English language translation which the translator has certified as complete and accurate, and by the translator's certification that he or she is competent to translate from the foreign language into English.

Copies. Unless specifically required that an original document be filed with an application or petition, an ordinary legible photocopy may be submitted. Original documents submitted when not required will remain a part of the record, even if the submission was not required.

Initial Evidence

You must file your application with the following evidence:

1. Criminal history

- A.** If you have ever been arrested or detained by any law enforcement officer for any reason, and no charges were filed, submit:

An original official statement by the arresting agency or applicable court order confirming that no charges were filed.

- B.** If you have ever been arrested or detained by any law enforcement officer for any reason, and charges were filed, or if charges were filed against you without an arrest, submit:

An original or court-certified copy of the complete arrest record and/or disposition for each incident (e.g., dismissal order, conviction record, **or** acquittal order).

- C.** If you have ever been convicted or placed in an alternative sentencing program or rehabilitative program (such as a drug treatment or community service program), submit:

1. An original or court-certified copy of the sentencing record for each incident; **and**
2. Evidence that you completed your sentence, specifically:
 - a. An original or certified copy of your probation or parole record; or
 - b. Evidence that you completed an alternative sentencing program or rehabilitative program.

- D.** If you have ever had any arrest or conviction vacated, set aside, sealed, expunged, or otherwise removed from your record, submit:

1. An original or court-certified copy of the court order vacating, setting aside, sealing, expunging, or otherwise removing the arrest or conviction; **or**
2. An original statement from the court that no record exists of your arrest or conviction.

NOTE: Unless a traffic incident was alcohol or drug-related, you do not need to submit documentation for traffic fines and incidents that did not involve an actual arrest if the only penalty was a fine of less than \$500 and/or points on your driver's license.

2. Birth certificate

Submit a copy of your foreign birth certificate or other record of your birth that meets the provisions of secondary evidence found in Title 8, Code of Federal Regulations (CFR), 103.2(b)(2).

3. Copy of passport page with nonimmigrant visa

If you have obtained a nonimmigrant visa(s) from a U.S. Embassy or consulate abroad within the last year, submit a photocopy(ies) of the page(s) of your passport containing the visa(s).

4. Photos

You **must** submit two identical color photographs of yourself taken within 30 days of the filing of this application. The photos must have a white to off-white background, be printed on thin paper with a glossy finish, and be unmounted and unretouched.

Passport-style photos must be 2" x 2." 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" from top of hair to bottom of chin, and eye height is between 1 1/8" to 1 3/8" from bottom of photo. Your head must be bare unless you are wearing a headdress as required by a religious order of which you are a member. Using pencil or felt pen, lightly print your name and Alien Registration Number (A-Number) on the back of the photo.

5. Biometrics services

If you are between the ages of 14 and 79, you must be fingerprinted as part of the USCIS biometrics services requirement. After you have filed this application, USCIS will notify you in writing of the time and location where you must go to be fingerprinted. If necessary, USCIS may also take your photograph and signature. Failure to appear to be fingerprinted or for other biometrics services may result in a denial of your application.

6. Police clearances

If you are filing for adjustment of status as a member of a special class described in an I-485 supplement form, please read the instructions on the supplement form to see if you need to obtain and submit police clearances, in addition to the required fingerprints, with your application.

7. Medical examination

When required, submit a medical examination report on Form I-693, Report of Medical Examination and Vaccination Record.

Individuals applying for adjustment of status:

A. General: When filing your Form I-485, include your medical examination report with the application, unless you are a refugee.

B. Refugees: If you are applying for adjustment of status 1 year after you were admitted as a refugee, you only need to submit the vaccination portion of Form I-693 (pages 1,4, and 6) with your Form I-485, not the entire medical report, **unless** you had a Class A condition noted on your overseas medical exam.

8. Fiancé(e)s

If you are a K-1 fiancé(e) or K-2 dependent who had a medical examination within the past year as required for the nonimmigrant fiancé(e) visa, you only need to submit a vaccination supplement, not the entire medical report. You may include the vaccination supplement with your Form I-485.

9. Persons not required to have a medical examination

The medical report is not required if you are applying for creation of a record for admission as a lawful permanent resident under section 249 of the INA as someone who has continuously resided in the United States since January 1, 1972 (registry applicant).

10. Form G-325A, Biographic Information Sheet

You must submit a completed Form G-325A if you are between 14 and 79 years of age.

11. Affidavit of Support/Employment Letter

A. Affidavit of Support

Submit an Affidavit of Support (Form I-864) if your Form I-485 is based on your entry as a fiancé(e), a relative visa petition (Form I-130) filed by your relative, or an employment-based visa petition (Form I-140) related to a business that is five percent or more owned by your family.

B. Employment Letter

If your Form I-485 is related to an employment-based visa petition (Form I-140), you must submit a letter on

the letterhead of the petitioning employer which confirms that the job on which the visa petition is based is still available to you. The letter must also state the salary that will be paid.

NOTE: The affidavit of support and/or employment letter are not required if you are applying for creation of a record based on continuous residence since before January 1, 1972, asylum or refugee adjustment, or a Cuban citizen or a spouse or unmarried child of a Cuban citizen who was admitted after January 1, 1959.

12. Evidence of eligibility

A. Based on an immigrant petition

Attach a copy of the approval notice for an immigrant petition that makes a visa number immediately available to you, or submit a complete relative, special immigrant juvenile, or special immigrant military petition that, if approved, will make a visa number immediately available to you.

B. Based on admission as the K-1 fiancé(e) of a U. S. citizen and subsequent marriage to that citizen

Attach a copy of the fiancé(e) petition approval notice, a copy of your marriage certificate, and your Form I-94, Arrival/Departure Document.

C. Based on asylum status

Attach a copy of the letter or Form I-94 that shows the date you were granted asylum.

D. Based on continuous residence in the United States since before January 1, 1972

Attach copies of evidence that shows continuous residence since before January 1, 1972.

13. Based on Cuban citizenship or nationality

Attach evidence of your citizenship or nationality, such as a copy of your passport, birth certificate, or travel document.

14. Based on derivative status as the spouse or child of another adjustment applicant or person granted permanent residence based on issuance of an immigrant visa

File your application with the application of the other applicant, or with evidence that the application is pending with USCIS or was approved, or with evidence that your spouse or parent was granted permanent residence based on an immigrant visa, and:

If you are applying as the spouse of that person, also attach a copy of your marriage certificate and copies of documents showing the legal termination of all other marriages by you and your spouse;

If you are applying as the child of that person, attach also a copy of your birth certificate and, if the other person is not your parent, submit copies of evidence (such as a marriage certificate and documents showing the legal termination of all other marriages and an adoption decree) to demonstrate that you qualify as his or her child.

15. Other basis for eligibility

Attach copies of documents proving that you are eligible for the classification.

Where Should You File Form I-485?

Updated Filing Address Information

The filing addresses provided on this form reflect the most current information as of the date this form was last revised. If you are filing Form I-485 more than 30 days after the latest edition date shown in the lower right corner, please visit our Web site at www.uscis.gov before you file, and check the Forms page to confirm the correct filing address and version currently in use. Check the edition date located at the lower right corner of the form. If the edition date on your Form I-485 matches the edition date listed for Form I-485 on the online Forms page, your version is current. If the edition date on the online version is more recent, download a copy and use it. If you do not have Internet access, call the National Customer Service Center at **1-800-375-5283** to verify the current filing address and edition date. **Improperly filed forms will be rejected, and the fee returned with instructions to resubmit the entire filing using the current form instructions.**

Please read the following instructions carefully to ensure you file your application at the correct location.

If you are filing because:

1. You are applying for adjustment of status under one of the eligibility categories listed below, file your Form I-485 with the USCIS Chicago Lockbox facility. See “USCIS Chicago Lockbox Addresses” on **Page 6 of these instructions.**

You **must** include a copy of the Form I-797C, Notice of Action, of an approved Form I-130, Petition for Alien Relative, or Form I-360, Petition for Amerasian,

Widow(er), or Special Immigrant, or other official document reflecting a current priority date and family preference, or file your application together with a Form I-130 or Form I-360 as appropriate.

NOTE: Read the Visa Bulletin “Family-Sponsored Preferences” at www.travel.state.gov to ensure your priority date is current before you file your application.

- A.** Spouse, parent, unmarried son/daughter under age 21 of a U.S. citizen with an approved Form I-130 or Form I-130 filed together with this Form I-485 (Part 2, Box “a” on the form);
- B.** Beneficiary of an approved Form I-130 filed by a qualifying relative (Part 2, Box “a” on the form);
- C.** Spouse or child of an immigrant who has applied for adjustment of status or has been granted Lawful Permanent Residence through a Family-Sponsored Visa category that allows derivative status for spouses and children (Part 2, Box “b” on the form)
- D.** K-1 Fiancé(e) (and K-2 dependents) whose Form I-485 is based on an approved Form I-129F, Petition for Alien Fiance(e), (Part 2, Box “c” on the form);
- E.** Beneficiaries of a Form I-360, Petition for Amerasian, Widow(er), or Special Immigrant, classified as an “Amerasian,” “Widow(er) of a U.S. Citizen who died within the past 2 years,” “Special Immigrant Juvenile,” or “Special Immigrant Armed Forces Member.” (Part 2, Box “h” write “Amerasian,” “Widow(er),” “Self Petitioning Juvenile,” or “Armed Forces Member,” as applicable).
- F.** Applicants eligible under the Cuban Adjustment Act of November 2, 1965 (Part 2, Box “e,” “f,” “i” or “j” on the form);
- G.** Registry applicant filing Form I-485 based on continuous residence in the U.S. since before January 1, 1972 (Part 2, Box “g” on the form);
- H.** Diversity lottery winner eligible to file Form I-485 (Part 2, Box “h” on the form. Write “Diversity Visa Lottery Winner. Copy of lottery letter attached” on the line below the box);
- I.** Public Interest Parolees from certain former Soviet and Southeast Asian countries filing Form I-485 under Public Law 101-167 (the “Lautenberg Amendment”) (Part 2, Box “h” on the form. Write “Lautenberg Parolee” or “Polish Hungarian Parolee” on the line beneath the box);

- J. Registry applicant filing Form I-485 based on birth in the United States to a foreign diplomatic officer (Part 2, Box “h” on the form; Write “Child of Diplomat” on the line beneath the box.);
- K. Former diplomat filing Form I-485 under Section 13 of the Immigration and Nationality Act (Part 2 Box “h” on the form. Write “Section 13” on the line beneath the box); or
- L. Applicants who are beneficiaries of Private Bills (Part 2, Box “h” on the form. Write “Private Bill Beneficiary” on the line beneath the box.)

USCIS Chicago Lockbox Addresses

For U.S. Postal Service (USPS) deliveries:

**USCIS
P.O. Box 805887
Chicago, IL 60680-4120**

For Express mail and courier deliveries:

**USCIS
Attn: FBAS
131 South Dearborn - 3rd Floor
Chicago, IL 60603-5517**

2. You are:

- A. **The beneficiary of an approved Form I-360 based on the eligibility category “Battered Spouse/ Children” and you are filing for adjustment of status.** If you are filing as a battered or abused spouse or child and you are filing Form I-485 (Part 2, Box “h” on the form), file it and any associated forms with the **USCIS Vermont Service Center.**
- B. **A T or U-based nonimmigrant filing Form I-485,** file your application at the **USCIS Vermont Service Center.** Please read Form I-485 Supplement E, for additional guidance on filing.

If you are a T or U-based nonimmigrant, you must include a copy of your Form I-797C, Notice of Action, for approval of your T or U nonimmigrant status, in addition to a copy of your Form I-94, Arrival-Departure Record, and a copy of all pages of your passport with a T or U nonimmigrant visa (or explanation why you do not have a passport).

**USCIS - Vermont Service Center
Attn: CRU
75 Lower Welden Street
St. Albans, VT. 05479-0001**

3. You are filing Form I-485 based on one of the eligibility categories (A - F) below, then file your application at the **USCIS Phoenix or Dallas Lockbox** facility based on where you are located. See mailing address on **Page 7** of these instructions.

A. You are filing Form I-485 based on an underlying Form I-360 and you are filing under one of the following classifications.

- 1. **International Organization Employee or Family Member:** Form I-485 filed with Form I-360, or Form I-485 based on a pending or approved Form I-360 for an International Organization Employee or eligible family member. (Part 2, Box “h” on the form. Write “International Organization Employee” on the line beneath the box.)
- 2. **Other Form I-360 Categories:** Form I-485 filed based on an **approved** Form I-360 for the following classifications (**NOTE:** You **cannot** file Form I-360 together with Form I-485 for the five classifications below.):
 - a. Special Immigrant Religious Worker;
 - b. Panama Canal Company Employment;
 - c. U.S. Government in Canal Zone Employment;
 - d. Special Immigrant Physician; or
 - e. International Broadcasters.

(Part 2, Box “h” on the form. Write “Approved Form I-360, Copy of Approval Notice Attached,” on the line beneath the box.)

NOTE: If you have an **approved or pending** Form I-360, you **must** include a copy of the Form I-797C which shows that your Form I-360 was accepted.

- B. **You are filing your Form I-485 based on Asylum status.** (Part 2, Box “d” on the form).
- C. **You are filing your Form I-485 based Refugee status.** (Part 2, Box “h” on the form. Write “Refugee” on the line beneath the box.)
- D. **You are filing your Form I-485 as a HRIFA Dependent.** Only the spouse and children of the principal granted legal status under HRIFA are eligible to apply for benefits under HRIFA. The filing period for principal HRIFA applicants has closed (Part 2, Box “h” on the form. Write “HRIFA” on the line beneath the box.)

E. You are filing your Form I-485 based on a pending or approved Form I-140.

If you have an **approved or pending** Form I-140, you **must** include a copy of the Form I-797 which shows that your Form I-140 was accepted or approved.

NOTE: Read the Visa Bulletin “Employment - Based Preferences” at www.travel.state.gov to ensure your priority date is current before you file your application.

F. You are filing your Form I-485 based on an approved Form I-526, Immigrant Petition by Alien Entrepreneur (Part 2, Box “a” on the form). You must include a copy of the Form I-797C which shows that your Form I-526 was approved.

NOTE: You **cannot** file Form I-526 and Form I-485 together.

USCIS Phoenix or Dallas Lockbox Addresses	
If you live in:	Mail your application to:
Alaska, Arizona, California, Colorado, Commonwealth of Northern Mariana Islands, Guam, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Montana, Nebraska, Nevada, North Dakota, Ohio, Oregon, South Dakota, Utah, Washington, Wisconsin, or Wyoming	<p><u>USCIS Phoenix Lockbox</u></p> <p>For U.S. Postal Service (USPS) deliveries:</p> <p>USCIS PO Box 21281 Phoenix, AZ 85036</p> <p>For Express mail and courier deliveries:</p> <p>USCIS Attn: AOS 1820 E. Skyharbor Circle S Suite 100 Phoenix, AZ 85034</p>

USCIS Phoenix or Dallas Lockbox Addresses	
If you live in:	Mail your application to:
Alabama, Arkansas, Connecticut, Delaware, District of Columbia, Florida, Georgia, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Mississippi, New Hampshire, New Jersey, New Mexico, New York, North Carolina, Oklahoma, Pennsylvania, Puerto Rico, Rhode Island, South Carolina, Tennessee, Texas, Vermont, Virginia, U.S. Virgin Islands, or West Virginia	<p><u>USCIS Dallas Lockbox.</u></p> <p>For U.S. Postal Service (USPS) deliveries:</p> <p>USCIS PO Box 660867 Dallas, TX 75266</p> <p>For Express mail and courier deliveries:</p> <p>USCIS Attn: AOS 2501 S State Hwy. 121 Business Suite 400 Lewisville, TX 75067</p>

4. If you are filing your Form I-485 together with Form I-140, you must file with the USCIS Dallas Lockbox facility.

<p><u>USCIS Dallas Lockbox.</u></p> <p>For U.S. Postal Service (USPS) deliveries:</p> <p>USCIS PO Box 660867 Dallas, TX 75266</p> <p>For Express mail and courier deliveries:</p> <p>USCIS Attn: AOS 2501 S. State Highway 121 Business Suite 400 Lewisville, TX 75067</p>

NOTE: Read the Visa Bulletin "Employment - Based Preferences" at www.travel.state.gov to ensure your priority date is current before you file your application.

5. If you are filing your Form I-485 as an Afghan or Iraqi Translator. If you are filing Form I-485 based on an approved Form I-360 for Afghan or Iraqi Translators, you must file your Form I-485 with the **USCIS Nebraska Service Center.**

**USCIS - Nebraska Service Center
P.O. Box 87485
Lincoln, NE 68501-7485**

You **must** include a copy of the Form I-797C, Notice of Action, showing that your Form I-360 was approved.

NOTE: You cannot file Form I-360 together with Form I-485 for this classification.

E-NOTIFICATION:

If you are filing your Form I-485 at one of the USCIS Lockbox facilities, you may elect to receive an email and/or text messages notifying you that your application has been accepted. You must complete Form G-1145, E-Notification of Application/Petition Acceptance, and clip it to the first page of your application. To download a copy of Form G-1145, including the instructions, refer to www.uscis.gov "**FORMS.**"

Questions Regarding Form I-485

For additional information about Form I-485, including how to file your application or filing locations not mentioned, call the USCIS National Customer Service Center at **1-800-375-5283** or visit our Internet Web site at www.uscis.gov.

What Is the Filing Fee?

The filing fee for Form I-485 is **\$985**.

An additional biometrics fee of **\$85** is required when filing your Form I-485. After you submit Form I-485, USCIS will notify you about when and where to go for biometrics services.

The fee is **\$985** only (no biometrics fee required) for applicants 79 years of age or older, and applicants under 14 years of age who submit Form I-485 independent from other family members.

The Fee for a child under 14 years of age will be **\$635** when submitted with the application of a parent under section 201(b)(A)(i), 203(a)(2)(A), and 203(d) of the INA.

There is no fee if an applicant is filing as a refugee under section 209(a) of the INA.

You may submit one check or money order for both the application and biometrics fees.

Use the following guidelines when you prepare your check or money order for the Form I-485 and the biometrics 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 check or money order payable to **U.S. Department of Homeland Security**, unless:
 - A. If you live in Guam, make it payable to **Treasurer of Guam**.
 - B. If you live in the U.S. Virgin Islands, make it payable to **Commissioner of Finance of the Virgin Islands**.

NOTE: Effective July 30, 2007, if you file Form I-485, no additional fee is required to also file an application for employment authorization on Form I-765, Application for Employment Document, and/or advance parole on Form I-131, Application for Travel Document. You may file these forms together. If you choose to file Form I-765 and/or Form I-131 separately after the effective date, you must also submit a copy of your Form I-797C, Notice of Action, receipt as evidence of the filing of Form I-485.

NOTE: Please 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, it will be converted 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 will be shown on your regular account statement.

You will not receive your original check back. We will destroy your original check, but we will keep a copy of it. If the EFT cannot be processed for technical reasons, you authorize us to process the copy in place of your original check. If the EFT cannot be completed because of insufficient funds, we may try to make the transfer up to two times.

How to Check If the Fees Are Correct

The form and biometric fees on this form are current as of the edition date appearing in the lower right corner of this page.

However, because USCIS fees change periodically, you can verify if the fees are correct by following one of the steps below:

1. Visit our Internet Web site at www.uscis.gov, select "FORMS," and check the appropriate fee;
2. Review the Fee Schedule included in your form package, if you called us to request the form; or
3. Telephone our National Customer Service Center at **1-800-375-5283** and ask for the fee information.

NOTE: If your Form I-485 requires payment of a biometrics services fee for USCIS to take your fingerprints, photograph, or signature, you can use the same procedure to obtain the correct biometrics fee.

Address Changes

If you have changed your address, you must inform USCIS of your new address. For information on filing a change of address go to the USCIS Web site at www.uscis.gov/addresschange or contact the USCIS National Customer Service Center at **1-800-375-5283**.

NOTE: Do not submit a change of address request to USCIS Lockbox facilities because USCIS Lockbox facilities do not process change of address requests.

Processing Information

You must have a U.S. address to file this form.

Any application that is not signed or is not accompanied by the correct application fee will be rejected with a notice that the application is deficient. You may correct the deficiency and resubmit the application. An application is not considered properly filed until accepted by USCIS.

Initial processing

Once an application has been accepted, it will be checked for completeness, including submission of the required initial evidence. If you do not completely fill out the form or file it without required initial evidence, you will not establish a basis for eligibility, and we may deny your application.

Requests for more information or interview

We may request more information or evidence, or we may request that you appear at a USCIS office for an interview.

We may request more information or evidence, or we may request that you appear at a USCIS office for an interview. We may also request that you submit the originals of any copy. We will return these originals when they are no longer required.

National Interest Waiver (NIW) Physicians

An NIW Physician applicant must fulfill the medical service requirement to which he or she is subject based upon a Form I-140 petition which was approved under section 203(b) (2) (B) (ii) (I) of the Immigration and Nationality Act (INA), as amended by the Nursing Relief for Disadvantaged Areas Act (Nursing Relief Act) of 1999.

Specifically, an NIW Physician applicant must submit evidence to establish that he or she has met the qualifying medical service requirement within 120 days after completing the required service. An NIW Physician applicant's application for adjustment of status will be considered ready for processing after evidence of the completion of the required medical service is submitted. (If an NIW Physician must also complete medical service based on a waiver of the foreign residence requirement of section 212(e) of the INA, then evidence of the completion of this required service should also be submitted at this time.)

Interview

After you file your application, you may be notified to appear at a USCIS office to answer questions about the application. You will be required to answer these questions under oath or affirmation. You must bring your Arrival-Departure Record (Form I-94) and any passport or official travel document you have to the interview.

Decision

You will be notified in writing of the decision on your application.

Selective Service Registration

If you are a male at least 18 years of age, but not yet 26 years, and required according to the Military Selective Service Act to register with the Selective Service System, USCIS will help you register.

When your signed application is filed and accepted by USCIS, we will transmit to the Selective Service System your name, current address, Social Security number, date of birth, and the date you filed the application. This action will enable the Selective Service System to record your registration as of the filing date of your application.

If USCIS does not accept your application and, if still so required, you are responsible to register with the Selective Service System by using other means, provided you are under 26 years of age. If you have already registered, the Selective Service System will check its records to avoid any duplication.

(NOTE: Men 18 through 25 years of age who are applying for student financial aid, government employment, or job training benefits should register directly with the Selective Service System or such benefits may be denied. Men can register at a local post office or on the Internet at <http://www.sss.gov>).

Effect of departure from the United States while your application is pending

1. Applying for adjustment of status under section 245 of the Act

If you apply for adjustment of status under section 245 of the Act, traveling anywhere outside the United States (including brief visits to Canada or Mexico) will lead to the denial of your Form I-485 as abandoned unless:

- A. You are an H, L, V or K3/K4 nonimmigrant who is maintaining lawful nonimmigrant status and you return with a valid H, L, V or K3/K4 nonimmigrant visa; OR
- B. You obtain, *before* you leave the United States, a grant of advance parole by filing Form I-131, Application for Travel Document, as specified in the Form I-131 instructions, and you are paroled into the United States when you return.

2. Applying for adjustment of status under section 209 of the Act

If you apply for adjustment of status under section 209 of the Act because you were admitted as a refugee or granted asylum, you may travel abroad and return to the United States with a refugee travel document. You may obtain a refugee travel document by filing Form I-131, Application for Travel Document, as specified in the Form I-131 instructions.

3. Applying for registry of permanent residence under section 249 of the Act

Under the DHS regulations at 8 CFR Part 249, you do not “abandon” your registry application by traveling abroad while it is pending. If you do not obtain a grant of advance parole, however, you may not be able to return lawfully to the United States. You may obtain advance parole by filing Form I-131, Application for Travel Document, as specified in the Form I-131 instructions.

Warning:

Travel outside of the United States may trigger the three and ten year bar to admission under section 212(a)(9)(B)(i) of the Act for adjustment applicants, but not registry applicants. This ground of inadmissibility is triggered if you were unlawfully present in the United States (i.e., you remained in the United States beyond the period of authorized stay) for more than 180 days before you applied for adjustment of status and you travel outside of the United States while your Form I-485 is pending.

NOTE: Only unlawful presence that was accrued on or after April 1, 1997, counts towards the three and ten year bar under section 212(a)(9)(B)(i) of the Act.

If you become inadmissible under section 212(a)(9)(B)(i) of the Act while your Form I-485 is pending, you will need a waiver of inadmissibility under section 212(a)(9)(B)(v) of the Act before your Form I-485 can be approved. This waiver, however, is granted on a case-by-case basis and in the exercise of discretion. It requires a showing of extreme hardship to your U.S. citizen or lawful permanent resident spouse or parent, unless you are a refugee or asylee. For refugees and asylees, the waiver may be granted for humanitarian reasons to assure family unity or if it is otherwise in the public interest.

Accommodations for Individuals With Disabilities and/or Impairments

USCIS is committed to providing reasonable accommodations for individuals with disabilities and/or impairments.

Accommodations vary with the disability(ies) and/or impairment(s) and involve modifications to practices or procedures. For example, if you are:

- 1. Unable to use your hands, you may be permitted to take a test orally rather than in writing;
- 2. Hard of hearing, you may be provided with a sign-language interpreter for a USCIS-sponsored training session; or
- 3. Unable to travel to a designated USCIS location for an interview, you may be visited at your home or a hospital.

If you believe that you need us to accommodate your disability(ies) and/or impairment(s), check the "Yes" box and then check any applicable box that describe(s) the nature of your disability(ies) and/or impairment(s). Also, write the type(s) of accommodation(s) you are requesting on the line(s)

provided. If you are requesting a sign-language interpreter, indicate which language. If you need more space, use a separate sheet of paper.

NOTE: All domestic USCIS facilities meet the Accessibility Guidelines of the Americans with Disabilities Act, so you do not need to contact us to request an accommodation for physical access to a domestic USCIS office.

USCIS considers requests for accommodations on a case-by-case basis. Asking for an accommodation will not affect your eligibility for the immigration benefit.

Penalties

If you knowingly and willfully falsify or conceal a material fact or submit a false document with your Form I-485, we will deny your Form I-485 and may deny any other immigration benefit.

In addition, you will face severe penalties provided by law and may be subject to criminal prosecution.

Privacy Act Notice

We ask for the information on this form, and associated evidence, to determine if you have established eligibility for the immigration benefit for which you are filing. Our legal right to ask for this information can be found in the Immigration and Nationality Act, as amended. We may provide this information to other government agencies. Failure to provide this information, and any requested evidence, may delay a final decision or result in denial of your Form I-485.

USCIS Compliance Review and Monitoring

By signing this form, you have stated under penalty of perjury (28 U.S.C. 1746) that all information and documentation submitted with this form is true and correct. You also have authorized the release of any information from your records that USCIS may need to determine eligibility for the benefit you are seeking and consented to USCIS verification of such information.

The Department of Homeland Security has the right to verify any information you submit to establish eligibility for the immigration benefit you are seeking at any time. Our legal right to verify this information is in 8 U.S.C. 1103, 1155, 1184, and 8 CFR parts 103, 204, 205, and 214. To ensure compliance with applicable laws and authorities, USCIS may verify information before or after your case has been decided. Agency verification methods may include, but are not limited to: review of public records and information; contact via written correspondence, the Internet, facsimile, or other electronic transmission, or telephone; unannounced physical site inspections of residences and places of employment; and interviews. Information obtained through verification will be used to assess your compliance with the laws and to determine your eligibility for the benefit sought.

Subject to the restrictions under 8 CFR part 103.2(b)(16), you will be provided an opportunity to address any adverse or derogatory information that may result from a USCIS compliance review, verification, or site visit after a formal decision is made on your case or after the agency has initiated an adverse action which may result in revocation or termination of an approval.

Paperwork Reduction Act

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 OMB control number. The public reporting burden for this collection of information is estimated at 6 hours and 15 minutes per response, including the time for reviewing instructions, and completing and submitting the form. 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 Products Division, Office of the Executive Secretariat, 20 Massachusetts Avenue, N.W., Washington, DC 20529-2020. OMB No. 1615-0023. This form expires January 31, 2013. **Do not mail your application to this address.**