

**Instructions for I-687, Application for Status as a
Temporary Resident Under Section 245A of the INA****Instructions**

Please read these instructions carefully to properly complete this form. If you need more space to complete an answer, use a separate sheet(s) of paper. Write your name and Alien Registration Number (A #), if any, at the top of each sheet of paper and indicate the section and number of the item to which the answer refers.

What Is the Purpose of This Form?

The original version of Form I-687 was designed for use during the Immigration and Nationality Act (INA) section 245A legalization program of the 1986 Immigration Reform and Control Act which ended in 1988. The form will now be used to apply to U.S. Citizenship and Immigration Services (USCIS) for benefits pursuant to the terms and conditions of certain settlement agreements.

Preparation of Application

A separate application for each applicant must be typed or printed legibly in black ink. The application must be completed in full. If extra space is needed to answer any item, attach a continuation sheet(s) and indicate the item number.

Where to File?

For U.S. Postal Service (USPS) deliveries, use the following P.O. Box number:

**USCIS
Box 805887
Chicago, IL 60680-4120**

For courier/express deliveries, use the following address:

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

If you do not sign your application or if you fail to submit the appropriate fee according to the instructions below, we will return your form. If your application is returned, no further action will be taken. You would then need to resubmit your application properly to renew processing.

Eligibility

An alien may be eligible for Temporary Resident status if:

1. He or she can establish that he or she entered the United States before January 1, 1982, and that he or she has resided continuously in the United States in an unlawful status since such date and through the date the application is considered filed pursuant to the settlement agreements (in the case of an alien who entered the United States as a nonimmigrant before

January 1, 1982, the alien must establish that the alien's period of authorized stay as a nonimmigrant expired before such date through the passage of time or the alien's unlawful status was known to the Government as of such date) and

2. He or she can establish that he or she has been continuously physically present in the United States since November 6, 1986, and through the date the application is considered filed pursuant to the settlement agreements.

Admissible as an Immigrant.

The alien must establish that he or she:

1. Is admissible to the United States as an immigrant, except as otherwise provided under INA section 245A (d)(2).
2. Has not been convicted of any felony or of three or more misdemeanors committed in the United States;
3. Has not assisted in the persecution of any person or persons on account of race, religion, nationality, membership in a particular social group, or political opinion; and
4. Is registered or registering under the Military Selective Service Act, if the alien is required to be so registered under the Act.

Documents to Establish Identity

You must submit proof of identity with your application. The following are examples of the types of documents that may serve to establish your identity:

1. Birth certificate, baptismal certificate, or other evidence of birth;
2. National identification card from your country of origin;
3. Passport;
4. Driver's license;
5. Identification card issued by a school or your State of residence.
6. Military identification.

Admissibility

An applicant for temporary resident status pursuant to section 245A of the Immigration and Nationality Act (INA) must establish that he or she is admissible under section 212(a) of the INA. In determining the admissibility of an applicant, the provisions of sections 212(a)(6)(A) and 212(a)(7) of the INA shall not apply to applicants for adjustment of status as a lawful temporary or permanent resident under section 245A of the INA.

The following grounds of inadmissibility **may not** be waived by the Secretary of Homeland Security:

1. Section 212(a)(2)(A)(i)(I) (crimes involving moral turpitude);
2. Section 212(a)(2)(A)(i)(II) (crimes involving controlled substances, except for the portion of the paragraph that relates to a single offense of simple possession of 30 grams or less of marijuana);
3. Section 2312(a)(2)(B) (multiple criminal convictions);
4. Section 212(a)(2)(C) (controlled substance traffickers);
5. Section 212(a)(3) (security and related grounds); and
6. Section 212(a)(4) (public charge). **Except** this prohibition does not apply to an alien who is or was an aged, blind, or disabled individual (as defined in section 1614(a)(1) of the Social Security Act. An alien is not ineligible for adjustment of status due to being inadmissible under section 212(a)(4) if the alien demonstrates a history of employment in the United States evidencing self-support without receipt of public cash assistance. Special adjudication standards regarding public charge contained in any settlement agreements apply.

All other grounds of inadmissibility may be waived by the Secretary of Homeland Security. In order to seek such a waiver, you must submit a Form I-690, Application for Waiver of Grounds of Excludability.

Documents to Establish Residence

Documents that may be submitted to prove continuity of residence include but are not limited to:

1. Leases, rent receipts, or deeds or other evidence of a mortgage;
2. Birth certificates of children born in the United States;
3. Employment, union, or other business records;
4. Driver's license receipts or evidence of vehicle registrations;

5. Utility bill receipts;
6. Installment loan records;
7. Church records, medical records;
8. Affidavits or declarations from third parties.

If you submit letters from landlords, the correspondence must include the landlord's present address and the beginning and ending dates of your residence. Letters from employers, organizations, or churches should be on official stationery and include relevant dates, the organization seal (if any), and the signer's name and title.

To evaluate the sufficiency of the applicant's proof of residence, USCIS will take into account the passage of time and attendant difficulties in obtaining corroborative documentation of unlawful residence.

Additional Sheets

If you do not have enough space to answer any particular question on this form, attach additional sheets and on each sheet indicate your name, date of birth, A-number (if available), and Social Security Number (if available) and indicate the number of the question to which you are replying.

Copies

If these instructions tell you to submit a copy of a particular document, you should send a copy. If there are stamps, remarks, notations, etc., on the back of the original document(s), please also provide a copy of the back of the document(s).

If you choose to send an original document, you should also send a copy and USCIS will return the original to you. **If you do not provide a copy along with the original, USCIS will attach the original document to your petition, and it will not be returned to you.**

There are times when USCIS must request an original copy of a document. In that case, the original is generally returned after it has been reviewed. If you are asked to submit an original document, make a copy for yourself and keep it in a safe place. For your personal records, we advise you to keep copies of the petition and all of the documents you submit to USCIS.

However, if you are interviewed, the original documents must be presented whenever possible at that time except for the following: official government records; employment or employment related records maintained by employers, unions, or collective bargaining organizations; medical records; school records maintained by a school or school board; or other records maintained by a party other than the applicant.

Copies of these records must be endorsed as true and correct and must bear the signature and title of persons authorized to act in their behalf. All certified copies of documents become the property of USCIS. At the discretion of a USCIS District Director, original documents, even if accompanied by certified copies, may be temporarily retained.

Foreign Language Documents

Any document in a foreign language must be accompanied by an English translation. The translator must certify that he or she is competent to translate the foreign language into English and that the translation is accurate.

Interview

You may be required to be present for a personal interview by a USCIS officer.

Biometric Services for Applicant's Fingerprints, Photograph and Signature

If you are between the ages of 14 and 79 years, you must be fingerprinted as part of the USCIS biometric services requirements. Biometric services may also include the taking of your photograph and signature. After you have filed this application, USCIS will notify you in writing on Form I-797, Notice of Action, to call our National Customer Service Center at **1-800-375-5283** to schedule your biometric services appointment at a USCIS Application Support Center in your area. If you fail to appear for the biometric services appointment, your application may be denied.

What Is the Filing Fee?

The filing fee for this application is \$710.

An additional biometric fee of **\$80** is required when filing this application. After you submit Form I-687, USCIS will notify you about when and where to go for biometric services.

You may submit one check or money order for both the application and biometric fees, for a total of **\$790**.

Use the following guidelines when you prepare your check or money order for the Form I-687 and the biometric service 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 and are filing your petition there, make it payable to **Treasurer, Guam**.
 - B. If you live in the U.S. Virgin Islands and are filing your petition there, make it payable to **Commissioner of Finance of the Virgin Islands**.

- C. If you live outside the United States, Guam, or the U.S. Virgin Islands, contact the nearest U.S. Embassy or consulate for instructions on the method of payment.

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

Employment Authorization

Applicants seeking employment authorization must mail Form I-765, Application for Employment Authorization, to the appropriate address noted in these Instructions on **Page 1, Number 1** Provide the **\$340** fee with the Form I-765 application.

An applicant previously issued a CSS or LULAC/Newman employment authorization document may file a Form I-765 one time without a fee. Such Form I-765 must be submitted together with Form I-687 and worksheet. Subsequent Forms I-765 must be submitted with fee.

How to Check If the Fees Are Correct

The form and biometric fees on this form are current as the 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 website at **www.uscis.gov**, select "Immigration 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.

USCIS Forms and Information

To order USCIS forms, call our toll-free number at **1-800-870-3676**. You can also get USCIS forms and information on immigration laws, regulations, and procedures by telephoning our National Customer Service Center at **1-800-375-5283** or visiting our Internet website at **www.uscis.gov**.

As an alternative to waiting in line for assistance at your local USCIS office, you can now schedule an appointment through our Internet-based system, **InfoPass**. To access the system, visit our website. Use the **InfoPass** appointment scheduler and follow the screen prompts to set up your appointment. **InfoPass** generates an electronic appointment notice that appears on the screen.

Penalties

If you knowingly and willfully falsify or conceal a material fact or submit a false document with this request, we will deny the benefit you are filing for, 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-687.

Confidentiality

The information provided in this application is confidential and may only be used as provided in INA section 245A(c)(5). The information provided is subject to verification by USCIS.

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 1 hour and 10 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 Management Division, 111 Massachusetts Avenue, N.W., 3rd Floor, Suite 3008, Washington, DC 20529. OMB No. 1615-0090. **Do not mail your application to this address.**