

## Instructions

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

### What Is the Purpose of This Form?

For requesting initial benefits under the Family Unity Program, or to request an extension of such benefits.

### When Should I Use Form I-817?

You should use Form I-817 to request initial benefits under the Family Unity Program as well as to request an extension of such benefits.

1. Form I-817 should be used if you are applying for Family Unity Program benefits under section 301 of the Immigration Act of 1990 (IMMACT 90), or if you are applying under to section 1504 of the Legal Immigration Family Equity Act (LIFE Act) Amendments.
2. If you are granted family unity benefits under IMMACT 90, you are authorized to remain in the United States for two years, and you will receive an Employment Authorization Document (EAD) valid for the same period.
3. If you are granted family unity benefits under the LIFE Act Amendments, you are authorized to remain in the United States for two years (or one year if your spouse or parent has not adjusted to lawful permanent resident status). You will receive an EAD valid for the same period. You should file only this Form I-817 with supporting documents to request authorization to remain in the United States and receive an EAD.
4. If after being granted family unity benefits under either IMMACT 90 or the LIFE Act Amendments you intend to travel outside the United States temporarily, you must apply for advance authorization by completing Form I-131, Application for Travel Document. Upon approval of Form I-131, you will be issued Form I-512, Authorization of Parole Into the United States. Advance parole allows you to leave the United States and be paroled back into the United States when you return.

### General Instructions

You must fill out a separate Form I-817 for each person who needs to apply for family unity benefits. Follow the steps to complete the application process:

**Step 1** - Read the Reasons for Filing Form I-817

**Step 2** - Fill Out Form I-817

#### Step 1. Reasons for Filing Form I-817

##### 1. Under IMMACT 90

To prove eligibility for Family Unity Program benefits under **IMMACT 90**, you must meet the following conditions:

- A. You must have entered the United States prior to May 5, 1988, or December 1, 1988, as appropriate to the section of law that applies to you, and have been continuously residing in the United States since that date.
- B. You were the spouse or unmarried child under 21 years of age of a legalized alien as of May 5, 1988, or December 1, 1988, as appropriate, and you have been continuously eligible since that date for family-sponsored immigrant status based on your relationship to that person.

**NOTE:** If you were an unmarried child under 21 years of age as of May 5, 1988, or December 1, 1988, as appropriate, who has since been married, you will be regarded as continuously eligible for family-sponsored immigration benefits only if you were married after the legalized alien, through whom your eligibility was gained, naturalized as a U.S. citizen.

**NOTE:** For information on the two dates, May 5, 1988, or December 1, 1988, go to **Page 2** of these instructions and read "Relationship to a legalized alien."

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## 2. Under LIFE Act Amendments

To prove eligibility for Family Unity Program benefits under the **LIFE Act Amendments**, you must be the spouse or unmarried child under 21 years of age of an alien who is eligible for adjustment under section 1504(b) of the LIFE Act and:

- A. Your spouse or parent has applied for or been granted adjustment of status; and
- B. You entered the United States before December 1, 1988, and resided in the United States on that date.

A legalized alien is someone who obtained temporary or permanent residence in the United States as a Special Agricultural Worker under section 210 of the Immigration and Nationality Act (INA) through Legalization under section 245A of the INA, or under section 1504(b) of Public Law 106-553 (the LIFE Act). For the purposes of this form, a legalized alien is also someone who obtained permanent residence through a Cuban/Haitian Adjustment under section 202 of the Immigration Reform and Control Act of 1986.

- 3. The classes of individuals eligible to apply for family unity benefits are listed below. Check the box in **Part 2** of Form I-817 that matches your request.

### A. Relationship to a legalized alien:

- 1. I am the spouse of an alien who was legalized under section 245A of the INA, and we have been married since at least May 5, 1988. **Check box A** if your relationship was established on or before May 5, 1988, and you currently meet the residence and continuous eligibility requirements.
- 2. I am the spouse of an alien who was legalized as a Special Agricultural Worker under section 210 of the INA, and we have been married since at least December 1, 1988. **Check box B** if your relationship was established on or before December 1, 1988, and you currently meet the residence and continuous eligibility requirements.
- 3. As of May 5, 1988, I was the unmarried child under 21 years of age of an alien who was legalized under section 245A of the INA. I am currently the child, son, or daughter of the same parent. That parent is either a legalized alien or a naturalized U.S. citizen who was a legalized alien on or before May 5, 1988, and maintained such status until his or her naturalization. **Check box C** if your relationship was established on or before May 5, 1988, and you currently meet the residence and continuous eligibility requirements.

- 4. As of December 1, 1988, I was the unmarried child under 21 years of age of an alien who was legalized as a Special Agricultural Worker under section 210 of the INA. I am currently the child, son, or daughter of the same parent. That parent is either a legalized alien or a naturalized U.S. citizen who was a legalized alien on or before December 1, 1988, and maintained such status until his or her naturalization. **Check box D** if your relationship was established on or before December 1, 1988, and you currently meet the residence and continuous eligibility requirements.

- 5. I am the spouse of a legalized alien who adjusted under section 202 of the Immigration Reform and Control Act of 1986 (Cuban/Haitian Adjustment), and we have been married since at least May 5, 1988. **Check box E** if your relationship was established on or before May 5, 1988, and you currently meet the residence and continuous eligibility requirements.

- 6. As of May 5, 1988, I was the unmarried child under 21 years of age of an alien who adjusted under section 202 of the Immigration Reform and Control Act of 1986 (Cuban/Haitian Adjustment). I am currently the child, son, or daughter of the same parent. That parent is either a legalized alien or a naturalized U.S. citizen who was a legalized alien on or before May 5, 1988, and maintained such status until his or her naturalization. **Check box F** if your relationship was established on or before May 5, 1988, and you currently meet the residence and continuous eligibility requirements.

### B. Relationship to an alien eligible for adjustment of status under the provisions of section 1104(b) of Public Law 106-553 (the LIFE Act):

- 1. I am the spouse of an alien who is eligible for and has filed for adjustment under section 1504 of Public Law 106-554, the LIFE Act. I entered the United States before December 1, 1988, and was in the United States on that date. **Check box G** if you entered the United States before December 1, 1988, and you were in the United States on that date.
- 2. I am the unmarried child of an alien who is eligible for and has filed for adjustment under section 1504 of Public Law 106-554, the LIFE Act. I entered the United States before December 1, 1988, and was in the United States on that date. **Check box H** if you entered the United States before December 1, 1988, and were in the United States on that date.

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**NOTE:** When a legalized alien becomes a U.S. citizen, his or her spouse and unmarried children under 21 years of age will be eligible to apply for an immigrant visa or to adjust status as a permanent resident. If you are eligible to apply abroad for an immigrant visa abroad, you must follow U.S. Department of State requirements. To apply for adjustment of status, you must follow the requirements set forth in the INA and Title 8, Code of Federal Regulations.

**4. I am requesting:**

- A. Initial family unity benefits under section 301 of IMMACT 90.** Check box A if this is your first application requesting family unity benefits.
- B. An extension of family unity benefits under section 301 of IMMACT 90.** Check box B if you already have benefits under the Family Unity Program and you are requesting an extension. You must submit proof that Form I-130, Petition for Alien Relative, has been filed on your behalf if the legalized alien through whom family unity benefits were obtained is a lawful permanent resident or naturalized U.S. citizen.
- C. Initial Family Unity benefits under the LIFE Act as amended.** Check box C if this is your first application requesting family unity benefits under the LIFE Act, as amended.

**Step 2. Fill Out Form I-817**

Use **black ink only**. Type or print clearly using **CAPITAL** letters. If an item does not apply to you, write "N/A." If the answer is none, write "NONE."

This form is divided into **Parts 1** through **8**. The following information will help you fill out the form.

**Part 1. Information About You**

- 1. Family Name (Last Name)** - Use your legal name. If you have two last names, include both and use a hyphen (-) between the names, if appropriate.
- 2. Alien Registration Number (A-Number)** - This is your file number. If you do not have an A-Number or do not know it, leave this blank. If your A-Number has 8 digits, place a zero before the first number (example: A12345678 must be written A012345678).
- 3. U.S. Social Security Number** - If you do not have a U.S. Social Security Number, leave this blank.

- 4. Date of Birth** - Use eight numbers to show your date of birth (example: May 1, 1979, must be written 05/01/1979).
- 5. Country of Birth** - Give the name of the country where you were born. Include the city, state or province, and country.
- 6. Country of Citizenship** - Give the name of the country or countries of which you are a citizen.
- 7. Home Address** - Give your physical street address. This must include a street number and name or a rural route number. Do not put a post office box (P.O. Box) number here.
- 8. Mailing Address** - Give your U.S. mailing address, if different from your home address.  
  
Applicants must provide a U.S. or APO/FPO address in either the Mailing Address or the Home Address.
- 9. Daytime Telephone Number** - Give a telephone number where you can be reached during the day. Include area, country, and city codes, if applicable.

**Part 2. Basis for Application**

- 1. Number 1** - Check one box that applies to your particular circumstance.
- 2. Number 2** - Check one box that relates to what you are requesting.

**Part 3. Additional Information**

The information requested is about you. You must provide all the requested information in numbers **1** through **5**. You must answer all the questions numbered **6** through **36**.

**Part 4. Information About Your Spouse or Parent**

The information requested is about the legalized alien through whom you are claiming eligibility or an applicant qualifying for Legalization under the LIFE Act.

**Part 5. Complete Only If You Are Applying Based on a Marital Relationship**

Provide the requested information about your qualifying marriage.

**Part 6. Complete Only If You Are Applying Based on a Child/Parent Relationship**

- 1.** Provide the requested information about your relationship to the alien.
- 2.** If you are married, divorced, or widowed, provide the requested information.

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## Part 7. Signature

1. You must sign and date your application. If you do not sign the form, the application will be returned as incomplete.
2. A parent or legal guardian may sign the application on behalf of a child under 14 years of age.

## Part 8. Signature of Person Preparing Form, If Other Than Above

1. If you do not fill out Form I-817, the preparer must also sign and date the form and give his or her address.
2. If the preparer is a business or organization, its name must be included on the application.
3. Signature for placement on Employment Authorization Document.

Make sure that your signature fits into the box provided. **No part of your signature should be outside the box.**

## Evidence Requirements

Attach copies showing the front and back of the documents you need to support your application. **Do not send original documents unless instructed to do so.**

**NOTE:** If you send us a document in a foreign language, it must have a full English translation that the translator has certified as complete and correct. The translator must also certify that he or she is competent to translate the foreign language into English.

1. **If you are requesting initial family unity benefits under section 301 of IMMACT 90.** Copies of the following documents are evidence that the required relationship exists and that you may be eligible to file an initial application:
  - A. A copy, front and back, of the document issued by USCIS to your legalized spouse or parent (for example: Form I-551, Permanent Resident Card, N-550, Certificate of Naturalization, etc.).
  - B. **If the legalized alien is your spouse** - Submit a copy, front and back, of a registered marriage certificate. If you or your spouse were previously married, submit a copy of a final divorce decree or death certificate.

**C. If the legalized alien is your parent** - Give evidence of a valid parent-child relationship. This evidence can vary, depending on the circumstances of your relationship.

1. If your mother is the legalized alien, submit a copy of your birth certificate showing your mother's name.
2. If you were born in wedlock and the legalized alien is your natural father, submit a copy of your birth certificate showing your father's name, your parents' marriage certificate, and proof of termination of any of their prior marriages.
3. If you are the legitimated child of a legalized father, submit a copy of your birth certificate and evidence of your legitimation. Legitimation may be established by the marriage certificate of your natural parents or by documents of legitimation issued by civil authorities. The legitimation must have occurred while you were unmarried and prior to your 18th birthday. You must also submit evidence of any legal termination of your parents' prior marriages, if your legitimation resulted from your natural parents' marriage to each other.
4. If you were born out of wedlock and the legalized alien is your natural father, submit a copy of your birth certificate showing your father's name. Evidence showing that a bona fide relationship exists must also be provided. Such evidence may include, but is not limited to: money order receipts or canceled checks showing your father's financial support, your father's income tax returns, your father's medical or insurance records showing you as a beneficiary, your school records, your father's work documents showing you as a beneficiary, correspondence, and/or notarized affidavits from witnesses who are knowledgeable about the relationship.
5. If the legalized alien is your stepparent, whether or not you were born in wedlock, evidence must be provided showing that you had not yet reached 18 years of age at the time of the marriage creating your status as a stepchild. Submit a copy of your birth certificate showing the name of your natural parent to whom your stepparent is married. You must also provide copy of the marriage certificate that created the stepparent-stepchild relationship and evidence of termination of any previous marriages of your natural parent and stepparent.

6. If you are the adopted child of a legalized alien parent, submit a certified copy of your adoption decree showing that you were adopted while under 16 years of age, a copy of the legal custody decree if your custody was obtained before adoption, and a statement showing the dates and places where you and your adoptive parent(s) have lived.

**NOTE:** If you or your parent have had a name change, the document authorizing the name change must be submitted.

**2. If you are requesting initial family unity benefits under section 1504 of Pub. L. 106-554, LIFE Act, as amended.**

Copies of the following documents are evidence that the required relationship exists and that you may be eligible to file an initial application:

- A. If the alien eligible for adjustment under the LIFE Act is your spouse, submit a copy, front and back, of a registered marriage certificate. If you or your spouse were married previously, submit a copy of a final divorce decree or death certificate.
- B. If the alien eligible for adjustment under the LIFE Act is your parent, give evidence of a valid parent-child relationship. This evidence can vary depending on the circumstances of your relationship:
  1. If your mother is the alien eligible for adjustment under the LIFE Act, submit a copy of your birth certificate showing your mother's name.
  2. If you were born in wedlock and the alien eligible for adjustment under the LIFE Act is your natural father, submit a copy of your birth certificate, your parents' marriage certificate, and proof of termination of any prior marriages.
  3. If you are the legitimated child of an alien eligible for adjustment under the LIFE Act, submit a copy of your birth certificate and evidence of your legitimation. Legitimation may be established by the marriage certificate of your natural parents or by documents of legitimation issued by civil authorities. The legitimation must have occurred while you were unmarried and prior to your 18th birthday. You must also submit evidence of any legal termination of your parents' prior marriages if your legitimation resulted from your natural parents' marriage to each other.
  4. If you were born out of wedlock and the alien eligible for adjustment under the LIFE Act is your natural father, submit a copy of your birth certificate showing your father's name. Evidence showing that a bona fide relationship exists must also be submitted.

Such evidence may include but is not limited to: money order receipts or canceled checks showing your father's financial support, your father's income tax returns, your father's medical or insurance records showing you as a beneficiary, your school records, and/or your father's work documents showing you as a beneficiary.

5. If the alien eligible for adjustment under the LIFE Act is your stepparent, whether or not you were born in wedlock, evidence must be provided showing that you had not yet reached 18 years of age at the time of the marriage creating your status as a stepchild. Submit a copy of your birth certificate showing the name of your natural parent to whom your stepparent is married. A copy of the marriage certificate that created the stepparent-stepchild relationship and evidence of termination of any previous marriages of your natural parent and stepparent must also be provided.
6. If you are the adopted child of an alien parent eligible for adjustment under the LIFE Act, submit a certified copy of your adoption decree showing that you were adopted while under 16 years of age, a copy of the legal custody decree if your custody was obtained before adoption, and a statement showing the dates and places you and your adoptive parent(s) have lived together.

**NOTE:** If you or your parent have had a name change, the document authorizing the name change must be submitted.

- 3. Secondary evidence (for applicants of both section 301 of IMMACT 90 and section 1504 of Public Law 106-554, the LIFE Act, as amended).** Official documents must be issued by the civil registrar, vital statistics office, or other civil authority. If such documents are unavailable, you must file your application with evidence from those authorities establishing that the primary evidence is unavailable. You must then submit secondary evidence to establish the facts in question. Submit as many types of secondary evidence as possible to verify the claimed relationship. Any evidence submitted must contain enough information (dates, names, etc.) to establish the event you are trying to prove. Listed below are examples of secondary evidence:

- A. **Baptismal certificate.** A certificate under the seal of the church or other religious entity where the baptism or similar rite took place. The certificate must have been issued within two months of the birth, show the date and place of the birth, date of the baptism, and names of the child's parents.

**B. School record.** A letter from the school official charged with recording attendance. The letter must show the date of admission, the child's date of birth or age at the time of admission, and the place of birth of the parents, if shown in the record.

**C. Census record.** State or Federal census record showing the name(s) and place(s) of birth, and date(s) of birth or age(s) of the person(s) listed.

As noted above, if all forms of primary and secondary evidence are unavailable, you must file your application with evidence from those authorities stating that such evidence is not available. In such case, you may submit at least two affidavits sworn to or affirmed by persons who are not parties to the application who have direct personal knowledge of the events or circumstances. The persons making the affidavits do not have to be U.S. citizens.

Each affidavit must contain the full name, address, date and place of birth, and signature of the person attesting to the event(s). The affidavit must also explain the person's relationship to you, full information concerning the event(s), and complete details of how the person acquired the information.

#### **4. Evidence of continuous residence requirements for family unity applicants under section 301 of IMMACT 90**

You must submit at least three documents that prove residence in the United States since May 5, 1988, or December 1, 1988. Such evidence may include but is not limited to:

- A.** Employment records, pay stubs, W-2 Forms, Federal and/or State tax returns, letter(s) from employers, or, if you are self-employed, letters from banks and other firms with whom you have done business. Your name and the name of the employer or other interested organization must appear on the form or letter.
- B.** Employment letters must be in affidavit form and must be signed by the employer under penalty of perjury. The letters must include dates of employment, your home address at the time of employment, and your duties with the company.
- C.** Hospital or medical records showing treatment or hospitalization of you or your children in the United States. The records must show the name of the medical facility or physician and the date(s) of the treatment or hospitalization.
- D.** Attestations by an official of a church, union, or other organization indicating your residence, dates of

membership, and attendance. The statement must include the organization's seal and be on official letterhead stationary, if available.

- E.** Rent receipts, utility bills, or letters from companies showing the dates when you received service.
- F.** School records (letters, report cards, etc.) from schools you or your children have attended in the United States that show the name of the school and periods of attendance.
- G.** Any other relevant documents such as money order receipts, passport entries, insurance documents, birth certificates of children born in the United States, correspondence between you and another person or organization, automobile license receipts, deeds, mortgages, contracts to which you have been a party, insurance policies, etc.

#### **5. Evidence requirements for Family Unity applicants under section 1504 of Public Law 106-554, the LIFE Act, as amended.** You must submit documents that prove entry into the United States before December 1, 1988, and residence on that date. Such evidence may include but is not limited to:

- A.** At least three documents that prove entry into the United States before December 1, 1988. Examples: a photocopy of your Form I-94, Arrival-Departure Record; Form I-862, Notice to Appear; Form I-122, Notice to Applicant for Admission Detained for Hearing Before an Immigration Judge; Form I-221, Order to Show Cause; photocopies of other DHS (including USCIS) documents, including any application or petition for benefits under the Act filed by or on your behalf on or prior to December 1, 1988; or a fee receipt issued for such application or petition.
- B.** Other government documentation issued by a Federal, State, or local authority, provided such documentation bears the signature, seal, or other authenticating authority; was dated at the time of issuance; and bears the date of issuance not later than November 30, 1988, when proving entry. Examples: a State driver's license, a State identification card issued in lieu of a driver's license, a county or municipal hospital record, a public college or public school transcript, income tax records, property tax payment, private or religious school transcripts (the school having been registered with, or approved or licensed by appropriate State or local authorities, or having been accredited by the State or regional accrediting body, or by the appropriate private school association).

C. Non-governmental documents that include actual dates. Examples: employment records, pay stubs, employer letters, or if self-employed, letters from banks and other firms with whom you have done business (your name and the name of the employer or interested organization must appear on the form or letter and must be in affidavit form, signed by the employer, under penalty of perjury, and must include dates of employment, home address at the time of employment, and duties with the company), hospital or medical records showing hospitalization or treatment showing the name of the medical facility or physician and dates of the treatment, attestation by a church official, union, or other organization indicating your residence, dates of membership, and attendance, including the organization's seal and letterhead.

D. Other relevant documents, including but not limited to: rent receipts, credit card statements, utility bills, money orders, passport entries, insurance documents, birth certificate of child born in the United States, automobile license receipts, deeds, mortgages, and contracts to which you have been a party.

**6. Request for extension of family unity benefits.** Copies of the following documents are evidence that the required relationship exists and that you may be eligible to file an application for extension of family unity benefits:

A. A copy, front and back, of the document issued by USCIS to your legalized spouse or parent (for example: Form I-551, Permanent Resident Card, N-550, Certificate of Naturalization, etc.).

B. If the legalized alien through whom family unity benefits were obtained is a lawful permanent resident or naturalized U.S. citizen, evidence that Form I-130, Petition for Alien Relative, has been filed on your behalf.

C. Evidence that you have been granted family unity benefits in the past.

D. A list of all trips you have made outside the United States since you were last granted family unity benefits. This statement must include the dates and reason for each absence. If you have not been outside the United States since your last Form I-817 was approved, provide a statement affirming this fact.

E. A list of all your residences in the United States since your last Form I-817 was approved.

F. Fingerprints, if you were under 14 years of age when your last Form I-817 was approved, but are now 14 years of age or older, or if USCIS requests them, as part of the biometric services.

### Biometrics Requirement

When required, fingerprints must be taken at a USCIS Application Support Center (ASC) after you file your application. USCIS will send you a notice about where to go and when to get your fingerprints taken. As part of the biometrics service, USCIS may also take your signature and photograph.

### Photographs

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.

**NOTE: Because of the current USCIS scanning process, if a digital photo is submitted, it needs to be produced from a high resolution camera that has at least 3.5 mega pixels of resolution.**

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 a pencil or felt pen, lightly print your name and Alien Receipt Number on the back of the photo.

### Where To File?

#### 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-817 more than 30 days after the latest edition date shown in the lower right corner, visit our Web site at [www.uscis.gov](http://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 in the lower right corner of the form.

If the edition date on your Form I-817 matches the edition date listed for Form I-817 on the online "FORMS" page, your version is current. If the edition date on the online version is later, 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.

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Please read the filing instructions below carefully, to assure you file your application at the correct location.

**Improperly filed forms will be rejected, and the fee returned, with instructions to resubmit the entire filing using the current form instructions.**

**1. If filing under section 1504 of Public Law 106-554, LIFE Act, as amended to request initial benefits, or to request an extension of previously acquired Family Unity Program benefits (Part 2, box "G" or "H" on the form), mail your application package to the USCIS Chicago Lockbox facility:**

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

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

For Express mail or courier deliveries:

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

**2. If you are filing under section 301 of IMMACT 90, and currently live or intend to live anywhere in the United States, Puerto Rico, the U.S. Virgin Islands, Guam, or the Commonwealth of Northern Mariana Islands (Part 2, box "A" or "B" or "C" or "D" or "E" or "F" on the form), you must mail your application package to the USCIS Dallas Lockbox facility.**

For U.S. Postal Service:

**USCIS**  
P.O. Box 660162  
Dallas, TX 75266

For Express mail or courier deliveries:

**USCIS**  
Attn: I-817  
2501 S. State Highway, 121 Business  
Suite 400  
Lewisville, TX 75067

**E-Notification:**

If you are filing your Form I-817 at one of the USCIS Lockbox facilities, you may elect to receive an email and/or text message 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, click on the link [www.uscis.gov](http://www.uscis.gov) "FORMS."

**What Is the Filing Fee?**

The filing fee for Form I-817 is **\$435**.

An additional biometric fee of **\$85** is required when filing Form I-817. After you submit Form I-817, USCIS will notify you about when and where to go for biometric services.

If you are under 14 years of age, no biometrics fee is required.

You may submit one check or money order for both the application and biometric fees, for a total of **\$520**.

Use the following guidelines when you prepare your check or money order for the Form I-817 and biometrics services fees:

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, Guam**.
  - B. If you live in the U.S. Virgin Islands, make it payable to **Commissioner of Finance of the Virgin Islands**.

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

**How to Check If the Fees Are Correct**

The form fee on this form is 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 Web site at [www.uscis.gov](http://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.



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## 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.

### 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](http://www.uscis.gov/addresschange) or contact the National Customer Service Center at **1-800-375-5283**.

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

### Processing Information

**Any Form I-817 that is not signed or accompanied by the correct fee, will be rejected with a notice that Form I-817 is deficient.** You may correct the deficiency and resubmit Form I-817. An application or petition is not considered properly filed until accepted by USCIS.

### Initial Processing

Once Form I-817 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 Form I-817.

## 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 also request that you submit the originals of any copy. We will return these originals when they are no longer required.

### Service Processing Information

Our goal at USCIS is to process all applications fairly. The processing time will vary, depending on the specific circumstances of each case. We may reject an incomplete application. We may deny your application if you do not give us the requested information or do not go to a scheduled interview.

### Decision

The decision on Form I-817 involves a determination of whether you have established eligibility for the requested benefit. You will be notified of the decision in writing.

### 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 Web site at [www.uscis.gov](http://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 Web site. 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.

### 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-817.

## 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 2 hours 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. 1615-0005. **Do not mail your application to this address.**

## Application Check List

- Did you completely fill out and sign the form?
- Did you attach three color photos?
- Did you attach a check or money order for the appropriate fee for Form I-817, plus the appropriate fee if you are required to obtain fingerprints or other biometric services?

For your records you should keep copies of your application and supporting documents.