



**Instructions for Form I-817**  
**Application for Family Unity Benefits**  
Department of Homeland Security  
U.S. Citizenship and Immigration Services

**USCIS**  
**Form I-817**  
OMB No. 1615-0005  
Expires 02/28/2013

### What Is the Purpose of This Form?

Form I-817 is used to request initial benefits under the Family Unity Program, or to request an extension of such benefits.

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

1. You should only file Form I-817 with supporting documents to request an initial or an extension of authorization to remain in the United States under the Family Unity Program and to receive an initial or an extension of Form I-766, Employment Authorization Document (EAD).
2. Use this form 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 section 1504 of the Legal Immigration Family Equity Act (LIFE Act Amendments).
  - a. If you are granted Family Unity benefits under IMMACT 90, you are authorized to remain in the United States for 2 years and you will receive an EAD valid for the same period.
  - b. If you are granted Family Unity benefits under the LIFE Act, you are authorized to remain in the United States for 2 years (only 1 year if your spouse or parent has not adjusted to lawful permanent resident status). You will receive an EAD valid for the same period.
  - c. If you are granted Family Unity benefits under either IMMACT 90 or the LIFE Act and you intend to travel outside the United States temporarily, you must apply for advance authorization by completing Form I-131, Application for Travel Document. Advance parole allows you to be paroled back into the United States when you return.
  - d. For purposes of this application, a legalized alien is someone who obtained temporary or permanent residence in the United States through Legalization under section 210 or 245A of the Immigration and Nationality Act (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.

### General Instructions

Each application must be properly signed and filed. A photocopy of a signed application or a typewritten name in place of a signature is not acceptable.

You must fill out a separate Form I-817 for each person who needs to apply for Family Unity benefits.

Each application must be accompanied by the appropriate filing fee.

An application is not considered properly filed until accepted by USCIS.

If you are under 14 years of age, your parent or legal guardian may sign the application on your behalf.

**Evidence.** You must submit all required initial evidence along with all the supporting documentation with your application at the time of filing.

**Biometrics Services Appointment.** After accepting your application and ensuring completeness, USCIS will inform you in writing when to go to your local USCIS Application Support Center (ASC) for your biometrics services appointment. Failure to attend the biometrics services appointment may result in denial of your application.

**Copies.** Unless specifically required that an original document be filed with an application or petition, a legible photocopy may be submitted. Original documents submitted when not required may remain a part of the record, and will not be automatically returned to you.

**Translations.** Any document containing foreign language submitted to USCIS must 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.

### How to Fill Out Form I-817

1. Type or print legibly in black ink.
2. If extra space is needed to complete any item, attach a continuation sheet, write your name and Alien Registration Number (A-Number) (if any), at the top of each sheet of paper, indicate the **Part** and **item number** to which your answer refers, and date and sign each sheet.
3. Answer all questions fully and accurately. If an item is not applicable or the answer is "none," leave the space blank.

### Reasons for Filing Form I-817

#### 1. Under IMMACT 90

To prove eligibility for Family Unity Program benefits under **IMMACT 90**, you must establish that you 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 must be able to prove that on May 5, 1988 or December 1, 1988 (as appropriate), you were either the spouse or the unmarried child under 21 years of age of a person who became a legalized alien.

**NOTE:** If you were an 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 since married, you will be regarded as continuously eligible for Family Unity Program benefits if you satisfy the other eligibility requirements.

- c. If you are in one of the categories of aliens defined in 8 CFR Section 236.13, you are **ineligible** for benefits under the Family Unity Program.
- d. Your qualifying relative (spouse or parent), on whom you base your application for Family Unity Program benefits has maintained his or her status as a legalized alien or as a U.S. citizen if he or she naturalized. If deceased, your spouse or parent maintained his or her status until his or her death.

**NOTE:** For information on the two dates, May 5, 1988, or December 1, 1988, see item **number 3, Family Unity Benefits Eligibility**, and read items **(1.) a. - g.** regarding relationship to a legalized alien.

- e. If you are in one of the categories of aliens defined in 8 CFR Section 236.13, you are **ineligible** for Family Unity benefits under the IMMACT 90.

#### 2. Under LIFE Act

To prove eligibility for Family Unity benefits under the **LIFE Act**, you must establish that you meet the following conditions:

- a. You entered the United States before December 1, 1988, and resided in the United States on that date.
- b. You are 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 Amendments.
- c. Your spouse or parent has applied for or has been granted adjustment of status under the LIFE Act.
- d. If you are in one of the categories of aliens defined in 8 CFR Section 245a.32, you are **ineligible** for benefits under the LIFE Act Family Unity Program.
- e. The qualifying relationship between you and your spouse or parent continues to exist.

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### 3. Family Unity Benefits Eligibility

The classes of individuals eligible to apply for Family Unity benefits are listed below.

Select the box in **Part 2, Basis for Application**, of Form I-817 that matches your request.

**(1.) I am applying for Family Unity benefits because** *(Select only one box):*

- (a.) On May 5, 1988**, I was the spouse of an alien who was legalized under section 245A of the INA **and** I currently meet all of the necessary residence and other continuous eligibility requirements.

If **all** of the above are applicable, **check box a.**

- (b.) On December 1, 1988**, I was the spouse of an alien who was legalized as a Special Agricultural Worker under section 210 of the INA **and** I currently meet all of the necessary residence and other continuous eligibility requirements.

If **all** of the above are applicable, **check box b.**

- (c.) On May 5, 1988**, I was the unmarried child under 21 years of age, of a person who was legalized under section 245A of the INA, **and** I currently meet all of the necessary residence and other continuous eligibility requirements.

If **all** of the above are applicable, **check box c.**

- (d.) On December 1, 1988**, I was the unmarried child under 21 years of age, of a person who was legalized as a Special Agricultural Worker under section 210 of the INA, **and** I currently meet all of the necessary residence and other continuous eligibility requirements.

If **all** of the above are applicable, **check box d.**

- (e.) On May 5, 1988**, I was the spouse of a legalized alien who adjusted under section 202 of the Immigration Reform and Control Act of 1986 (Cuban/Haitian Adjustment) **and** I currently meet all of the necessary residence and other continuous eligibility requirements.

If **all** of the above are applicable, **check box e.**

- (f.) On May 5, 1988**, I was the unmarried child of a legalized alien who adjusted under section 202 of the Immigration Reform and Control Act of 1986 (Cuban/Haitian Adjustment), **and** I currently meet all of the necessary residence and other continuous eligibility requirements.

If **all** of the above are applicable, **check box f.**

**Relationship to an alien eligible for adjustment of status under the provisions of section 1104(b) of Public Law 106-554 (the LIFE Act):**

- (g.)** I am the spouse of an alien who is eligible for and has filed for or has been granted adjustment pursuant to section 1504 of Public Law 106-554, the LIFE Act Amendments. I entered the United States **before December 1, 1988, and resided** in the United States on that date.

If **all** of the above are applicable, **check box g.**

**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 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.

**(2.) I am requesting:**

- (a.) Initial family unity benefits under section 301 of IMMACT 90.** Select 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. Select box b** if you already have benefits under the Family Unity Program and are requesting an extension. You must submit the following:

1. **a.)** Evidence that Form I-130, Petition for Alien Relative, has been filed on your behalf, if applicable; and **b.)** that the legalized alien through whom Family Unity benefits were obtained is a lawful permanent resident or naturalized U.S. citizen; or **c.)** proof that you no longer have a relationship with your spouse or the legalized alien;
2. A copy of your prior Form I-817 approval notice.

**(c.) Initial Family Unity benefits under section 1504 of P.L. 106-554, the LIFE Act. Select box c** if this is your first application requesting Family Unity benefits under the LIFE Act, as amended.

**(d.) An extension of Family Unity benefits under section 1504 of P.L. 106-554, the LIFE Act Amendments. Select box d** if you already have benefits under section 1504 of P.L. 106-554 and are requesting an extension.

**NOTE:** If you previously qualified for Family Unity benefit under section 1504, you may be eligible to apply for benefits under Section 301 of IMMACT 90.

**(3.) I am claiming relationship to:**

Select one box that explains your relationship to the legalized alien.

## Fill Out Form I-817

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. Alien Registration Number (A-Number(s))

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).

#### 2.a. - 2.c. Full Name

Use your legal name. If you have two last names, include both and use a hyphen (-) between the names, if appropriate.

#### 3.a. - 4.c. Other Names Used (*including maiden name*)

If you have used any other names, provide them in this section. If you need more space, use an additional sheet(s) of paper.

#### 5. Date of Birth (*mm/dd/yyyy*)

Use eight numbers to show your date of birth (example: May 1, 1979, must be written 05/01/1979).

#### 6. U. S. Social Security Number

If you do not have a U.S. Social Security Number, leave this blank.

#### 7. Gender

Select the appropriate box.

#### 8. Country of Birth

Provide the name of the country where you were born.

#### 9. Country of Citizenship

Provide the name of the country or countries of which you are a citizen.

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### 10.a. - 10.e. Physical Address

Provide 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.

### 11.a. - 11.f. Mailing Address

Provide 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.

### 12. Daytime Telephone Number

Provide a telephone number where you can be reached during the day. Include area, country, and city codes, if applicable.

### 13. E-Mail Address

Provide an E-Mail address where you can be reached.

## Part 2. Basis for Application

- (1) **I am applying for Family Unity benefits because** - Select one box that applies to your particular circumstance.
- (2) **I am requesting** - Select one box that relates to what you are requesting.
- (3) **I am claiming relationship to** - Select one box that relates to your relationship to the legalized alien.

## Part 3. Information About Relationship

### A. 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. You must provide all the requested information in item **numbers 1.a. - 6.c.**

### B. Complete IF You Are Applying Based on a Marital Relationship Or You Were Previously Married

Complete this Part if you are applying based on a qualifying marital relationship or you were previously married. You must provide all the requested information in item **numbers 1. - 7.k.** If not, go on to **Part 3, "C. Complete Only If You Are Applying Based on a Child/Parent Relationship."**

1. Check the box that reflects your marital status.
2. If you are married, divorced, or widowed, provide the requested information about your marriage(s).

### C. Complete Only If You Are Applying Based on a Child/Parent Relationship

1. Provide the requested information about your relationship to the alien. If you select the box of Parent based on circumstances not described above (e.g., legal custody), you need to explain in detail on a separate sheet of paper and submit supporting documentation required in accordance to the Foreign Affairs Manual.
2. If you were previously married, you must complete **Part 3, section entitled B., "Complete If You Are Applying Based on a Marital Relationship Or You Were Previously Married"**, item numbers **1.-7.k.**, then check item **number 4** to indicate that you have done so.

## Part 4. Additional Information

The information requested is about you. You must provide all the requested information in **numbers 1 - 24.f.** You must answer all the questions numbered **25.a. - 38.**

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## Part 5. Signature of Applicant

You must sign and date your application. If you do not sign the form, the application will be returned to you as incomplete.

A parent or legal guardian may sign the application on behalf of a child under 14 years of age.

## Part 6. Signature of Person Preparing This Application, If Other Than the Applicant

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.

## Part 7. Interpreter's Statement and Signature

**If you are an interpreter for the applicant, you must provide all the requested information in numbers 1 - 7.**

## Part 8. 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

#### 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** - Provide 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 (front and back) 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, front and back, 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 the front and back of your birth certificate showing your father's name. Evidence showing that a bona fide parent-child 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 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 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.

- (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 (including any official stamps or seals on the document) if your custody was obtained before adoption, and a statement showing the dates and places where 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.

**2. If you are requesting initial Family Unity benefits under section 1504 of P. L. 106-554, LIFE Act Amendments.**

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 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 showing your father's name, your parents' marriage certificate and proof of termination of any of 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 parent-child 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.

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### 3. Secondary evidence (for applicants of both section 301 of IMMACT 90 and section 1504 of P. L. 106-554, the LIFE Act Amendments).

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 2 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 2 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 3 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.

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## **5. Evidence requirements for Family Unity applicants under section 1504 of P. L. 106-554, the LIFE Act Amendments.**

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 3 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.**

The following documents are evidence that the required relationship existed on May 5, 1988 or December 1, 1988, 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 biometrics services.

## Photographs

You **must** submit 2 identical color photographs of yourself taken within 30 days of the filing of this application. The photographs must have a white background, be printed on thin paper with a glossy finish, and be un-mounted and un-retouched.

**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 photographs must be 2"x 2." The photographs must be in color with full face, frontal view on plain white or 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 photograph. 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 Registration Number on the back of the photograph.

## What Is the Filing Fee?

The fee for this application is **\$435**.

An additional biometrics services 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 biometrics services.

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

Use the following guidelines when you prepare your check or money order for the Form I-817 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**.

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

**Notice to Those Making Payment by Check.** If you send us a check, 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 USCIS to process the copy in place of your original check. If the EFT cannot be completed because of insufficient funds, USCIS may try to make the transfer up to two times.

## How to Check If the Fees Are Correct?

The form and biometrics services fees on this form are current as of the edition date appearing in the lower left 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 USCIS' Web site at [www.uscis.gov](http://www.uscis.gov), select "FORMS," and check the appropriate fee; or
2. Telephone our National Customer Service Center at **1-800-375-5283** and ask for the fee information. For TDD (hearing impaired) call **1-800-767-1833**.

## Where To File?

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

Please see the USCIS Web site at [www.uscis.gov/i-817](http://www.uscis.gov/i-817) or call our National Customer Service Center at **1-800-375-5283** for the most current information about where to file this benefit request. For TDD (hearing impaired) call **1-800-767-1833**.

### 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**. For TDD (hearing impaired) call **1-800-767-1833**.

**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

**Initial Processing.** Once the application has been accepted, it will be checked for completeness. If you do not completely fill out the form, 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 also request that you provide the originals of any copies you submit. 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. If your application is approved, an Employment Authorization Document (EAD) will be mailed to you. If your application is denied, we will mail you a notice explaining the reasons for the denial.

### USCIS Forms and Information

You can get USCIS forms and immigration-related information on the USCIS Web site at [www.uscis.gov](http://www.uscis.gov). You may order USCIS forms by calling our toll-free number at **1-800-870-3676**. You may also obtain forms and information by telephoning our USCIS National Customer Service Center at **1-800-375-5283**. For TDD (hearing impaired) call **1-800-767-1833**.

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 the USCIS 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.

### Penalties

If you knowingly and willfully falsify or conceal a material fact or submit a false document with your Form I-817, we will deny your Form I-817, and may deny any other immigration benefit.

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

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## USCIS Privacy Act Statement

**AUTHORITIES:** The information requested on this form, and the associated evidence, is collected under the Immigration and Nationality Act, section 101, et seq.

**PURPOSE:** The primary purpose for providing the requested information on this form is to determine if you have established eligibility for the immigration benefit for which you are filing. The information you provide will be used to grant or deny the benefit sought.

**DISCLOSURE:** The information you provide is voluntary. However, failure to provide the requested information, and any requested evidence, may delay a final decision or result in denial of your form.

**ROUTINE USES:** The information you provide on this form may be shared with other Federal, State, local, and foreign government agencies and authorized organizations following approved routine uses described in the associated published system of records notices [DHS-USCIS-007 - Benefits Information System and DHS-USCIS-001 - Alien File, Index, and National File Tracking System of Records, which can be found at [www.dhs.gov/privacy](http://www.dhs.gov/privacy)]. The information may also be made available, as appropriate, for law enforcement purposes or in the interest of national security.

## 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 Coordination Division, Office of Policy and Strategy, 20 Massachusetts Avenue, N.W., Washington, DC 20529-2020; OMB No. 1615-0005. **Do not mail your completed Form I-817 to this address.**

For Production