

**TABLE OF CHANGES-INSTRUCTIONS**  
**FORM I-290B, Notice of Appeal or Motion**  
**OMB No 1615-0095**  
**02/26/2013**

**Reason for Revision:** To make the form clearer, more concise, more user-friendly, and to reduce the rate of error in filings.

Current Section and Page Number	Current Text	Proposed Text and Location
		<p><b>Page 1,</b></p> <p><b>What Is the Purpose of Form I-290B?</b>  Form I-290B, Notice of Appeal or Motion, is used to file an appeal or motion to reopen or reconsider certain decisions under the immigration laws.</p>
<p><b>Page 1, When Should I Use Form I-290B?</b></p>	<p>Form I-290B must be filed within 30 calendar days after service of the decision. If the decision is mailed, the form must be filed within 33 days. If the appeal relates to a revocation of an immigrant petition approval, the appeal must be filed within 15 calendar days after service of the decision, 18 days if the decision was mailed. The date of service is normally the date of the decision.</p> <p>Late filed appeals and motions may be rejected</p> <p>Form I-290B may be used in the following circumstances:</p> <ol style="list-style-type: none"> <li><b>1.</b> To file an appeal with the Administrative Appeals Office (AAO);</li> <li><b>2.</b> To file a motion to reconsider a decision of USCIS (either the AAO or a field office);</li> <li><b>3.</b> To file a motion to reopen a decision of USCIS (either the AAO or a field office); or</li> <li><b>4.</b> To file a motion to reopen a decision of USCIS under the Northwest Immigrant Rights Project (NWIRP) Settlement.</li> </ol>	<p><b>When Should I Use Form I-290B?</b></p> <p>Please visit the USCIS Web site at <a href="http://www.uscis.gov">www.uscis.gov</a> to view appeal and motion eligibility by form type.</p> <p>For most appeals <b>and motions</b>, Form I-290B must be filed within 30 calendar days after personal service of the decision, 33 calendar days if the decision was mailed. An appeal relating to a revocation of an immigrant petition must be filed within 15 calendar days after personal service of the decision, 18 calendar days if the decision was mailed. The date of service is normally the date of the decision.</p> <p>Late filed appeals that do not meet the requirements for a motion to reopen or reconsider will be rejected. Late filed motions may be dismissed.</p> <p><b>Form I-290B may be used in the following circumstances:</b></p> <ol style="list-style-type: none"> <li><b>1.</b> To file an appeal with the Administrative Appeals Office (AAO); or</li> <li><b>2.</b> To file a motion to reconsider a decision (i.e., the AAO, a field office or service center); and/or</li> </ol>

	<p><b>5.</b> To file a motion to reopen a decision of USCIS under the Special Immigrant Juvenile (SIJ) <i>Perez-Olano</i> Settlement Agreement (POSA).</p> <p>When a decision on a petition is appealed or a request for a motion is made, the petitioner, an authorized official of a petitioning employer, or the petitioner's attorney or representative must sign Form I-290B. (In the case of self-petitioners and applicants for certain waivers, the self-petitioner or waiver applicant must sign the form.)</p>	<p><b>3.</b> To file a motion to reopen a decision (i.e., the AAO, a field office or service center), including decisions under the Northwest Immigrant Rights Project (NWIRP) Settlement, or the Special Immigrant Juvenile (SIJ) <i>Perez-Olano</i> Settlement Agreement (POSA).</p>
<p><b>Page 1, Who May Not File Form I-290B?</b></p>	<p>If you are the beneficiary of a visa petition or the beneficiary's attorney or representative, you may not file an appeal or motion</p>	<p><b>Who May Not File Form I-290B?</b></p> <p>1. Per DHS regulations, the <b>beneficiary</b> of a visa petition that is denied or revoked by USCIS <b>MAY NOT</b> file an appeal or a motion of that visa petition. Only a petitioner or applicant may file an appeal or motion. Similarly, an attorney or BIA-accredited representative <b>MAY NOT</b> file an appeal or motion on the behalf of such <b>beneficiary</b>.</p> <p>2. A petitioner whose Petition for Alien Relative (Form I-130) or Petition for Widow(er) filed on Form I-360 was denied or was revoked by USCIS MAY NOT use Form I-290B to file an appeal with the Board of Immigration Appeals (BIA). Instead, the petitioner or the petitioner's attorney or BIA-accredited representative must file Form EOIR-29 in accordance with the instructions included in the denial or notice of revocation.</p> <p>For filing instructions of Form EOIR-29, visit the USCIS Web site at <a href="http://www.uscis.gov/eoir-29">www.uscis.gov/eoir-29</a> or the Department of Justice Web site at <a href="http://www.justice.gov/eoir/eoirforms/eoir29.pdf">www.justice.gov/eoir/eoirforms/eoir29.pdf</a>.</p> <p>3. Do not use this <b>form</b> to file an appeal or motion for a Form I-601A (<b>Provisional Unlawful Presence Waiver</b>) or Form I-821D (<b>Consideration of Deferred Action for Childhood Arrivals</b>) denial. There are no appeal or motion rights for Form I-601A or</p>

		<p><b>Form I-821D.</b></p> <p>4. Do not use this form to appeal a Department of State overseas consular officer's denial of your visa application (i.e., DS-156, DS-156E, DS-156K, DS-117, DS-157, DS-230, or DS-260). For information about visa application denials, please reference the Department of State <b>Web site</b>.</p> <p>5. Do not use this form to file an appeal on a <b>Special Agricultural Worker (SAW)</b> or Legalization Application. Appeals on these case types must be filed on Form I-694, <b>Notice of Appeal of Decision under Sections 245A or 210 of the Immigration and Nationality Act</b>.</p>
<b>Page 1, General Instructions</b>	<p><b>Fill Out Form I-290B</b></p> <p>1. Type or print legibly in black ink.</p> <p>2. If extra space is needed to complete any item, attach a continuation sheet, indicate the name and Alien Registration Number (A-Number) of the petitioner/applicant, the item number, and date and sign each sheet.</p> <p>3. Answer all questions fully and accurately. State that an item is not applicable with "N/A." If the answer is none, write "None."</p> <p>Form I-290B is divided into <b>Parts 1</b> through</p> <p>4. The following information should help you fill out the form.</p>	<p><b>Page 2</b></p> <p><b>General Instructions</b></p> <p>Each appeal or motion form must be properly signed, filed, and accompanied by the appropriate filing fee. An appeal or motion is not considered properly filed until it is accepted by USCIS.</p> <p><b>Evidence</b></p> <p><b>Motion:</b></p> <p>(a) If you file a motion to reopen, the motion must be accompanied by new facts and/or documentary evidence that establish eligibility at the time of filing.</p> <p>(b) If you file a motion to reconsider, you must provide the citations to the statute, regulation, or precedent decisions that serve(s) as the basis for your motion to reconsider. The motion must establish that the decision was based on an incorrect application of law or policy, and that the decision was incorrect based on the evidence of record at the time of the decision.</p> <p>(c) No additional time will be permitted to submit supplementary arguments or evidence in support of a motion to reopen or reconsider after the Form I-290B has been filed.</p>

<p><b>Page 2, General Requirements</b></p>	<p>Your appeal or motion must include the following items.</p> <p><b>Your signed and completed Form I-290B</b></p> <p><b>NOTE:</b> If you wish, you may be represented at no expense to the U.S. Government by an attorney or other duly authorized representative. Your attorney or representative must submit Form G-28 with the appeal or motion. If the appeal or motion is filed by an attorney or representative without a properly executed Form G-28, it will be dismissed or rejected.</p> <p><b>Appeals</b></p> <p><b>1. Brief</b></p> <p>You do not need to submit a brief in support of your appeal, but you may submit one if you so choose. You may also submit additional evidence. Any brief and/or additional evidence must specifically reference the appeal for which it is being submitted. If an affected party has filed multiple appeals with the AAO, separate copies of the brief and/or evidence must be provided for each individual appeal. Failure to do so may result in the return of the brief or evidence to the individual or entity that submitted it and preclude such material from consideration.</p> <p>You may submit a brief and evidence with Form I-290B. Or you may send these materials to the AAO within 30 days of filing the appeal. You must send any materials you submit after filing the appeal to:</p> <p><b>USCIS Administrative Appeals Office U.S. Citizenship and Immigration Services 20 Massachusetts Avenue, N.W., MS2090 Washington, DC 20529-2090</b></p> <p>If you need more than 30 days, you must explain why in a separate letter attached to Form I-290B. The AAO may grant more time <b>only</b> for good cause.</p>	<p><b>Appeals:</b></p> <p><b>1. Brief</b></p> <p>You do not need to submit a brief in support of your appeal, but you may submit one to the AAO if you so choose within 30 calendar days of filing the appeal. You may also submit additional evidence.</p> <p>Any brief and additional evidence must specifically reference the appeal for which it is being submitted. If an affected party has filed multiple appeals with the AAO, separate copies of the brief and evidence must be provided for each individual appeal. Failure to do so may result in the return of the brief or evidence to the individual or entity that submitted it and preclude such material from consideration.</p> <p>A brief and/or additional evidence may be submitted with Form I-290B. After filing Form I-290B, you must send any brief and/or additional evidence within 30 days to:</p> <p><b>USCIS Administrative Appeals Office U.S. Citizenship and Immigration Services 20 Massachusetts Avenue, N.W., MS2090 Washington, DC 20529-2090</b></p> <p>If you need more than 30 calendar days, you must explain why in a separate letter attached to Form I-290B. The AAO may grant more time only for good cause.</p> <p><b>2. Oral Argument</b></p> <p>You may request an oral argument before the AAO in Washington, D.C. in a letter attached to Form I-290B. The letter must explain specifically why an oral argument is necessary (i.e., why your argument cannot be adequately addressed in writing). If your request is granted, the AAO will contact you about setting the date and time. The U.S. Government does not furnish interpreters for oral arguments.</p>
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	<p><b>2.Oral Argument</b></p> <p>You may request oral argument before the AAO in Washington, D.C. in a separate letter attached to Form I-290B. The letter must explain specifically why an oral argument is necessary, i.e., why your argument cannot be adequately addressed in writing.</p> <p>If your request is granted, the AAO will contact you about setting the date and time. The U.S. Government does not furnish interpreters for oral argument.</p> <p><b>Motions</b></p> <p>Although a petitioner may be permitted additional time to submit a brief and/or evidence to support an appeal, no such provision applies to motions. Any additional evidence must be submitted concurrent with the motion.</p> <p><b>Translations.</b> Any document containing a 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.</p>	<p><b>Copies.</b> Unless specifically required that an original document be filed with an appeal or motion, 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.</p> <p><b>Translations.</b> Any document containing a foreign language submitted to USCIS must be accompanied by a full English language translation that 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.</p> <p><b>How to Fill Out Form I-290B</b></p> <ol style="list-style-type: none"> <li>1. Type or print legibly in black ink.</li> <li>2. If extra space is needed to complete any item, attach a continuation sheet, indicate the name and Alien Registration Number (A-Number) of the petitioner/applicant, USCIS Electronic Immigration System Account Identifier Number (ELIS Number), the Receipt Number of the underlying petition or application, the item number, and date and sign each sheet.</li> <li>3. Answer all questions fully and accurately. If an item is not applicable, leave it blank.</li> <li>4. Do not make any changes or amendments to the form. Failure to properly fill out and sign the form will result in a rejection.</li> </ol>
<p><b>Page 1, Part 1, Information About Petitioner/Applicant</b></p>	<p><i>(Individual/Business/Organization/Attorney/ Representative filing appeal or motion.)</i></p> <ol style="list-style-type: none"> <li>1. <b>Family Name</b> (Last Name) - Give your legal name. If you have two last names, include both and use a hyphen (-) between the names, if appropriate.</li> <li>2. <b>Name of Business or Organization-</b> Give the complete name, without abbreviations.</li> </ol>	<p><b>Page 2, Specific Instructions</b></p> <p>Form I-290B is divided into <b>Parts 1</b> through <b>5</b>. The following information should help you fill out the form.</p> <p><b>Part 1. Information About Petitioner/Applicant</b></p>

	<p><b>3. Mailing Address-</b> Give your complete mailing address.</p> <p><b>4. Daytime Phone Number-</b> Give a phone number with area code where you can be reached during the day.</p> <p><b>5. Fax Number-</b> Give a fax number with area code.</p> <p><b>6. E-mail Address-</b> If you have an E-mail addresses please provide it.</p> <p>If you are acting as an attorney or representative- check the box provided and complete the rest of <b>Part 1</b> as follows:</p> <p><b>1. Family Name</b> (Last name) - Give your legal name. If you have two last names, include both and use a hyphen (-) between the names, if appropriate.</p> <p><b>2. Business/Organization/School Name-</b> Give the complete name, without abbreviations, if the party for whom you are filing is other than an individual.</p> <p><b>3. A-Number-</b> This is the USCIS (or INS) file number. It begins with an "A" and can be found on a Permanent Resident Card or on correspondence that has been received from the Department of Homeland Security (DHS) or USCIS. If you do not have an A-Number, leave this blank.</p>	<p>Provide information about the individual upon whose behalf the appeal or motion is being filed.</p> <p><b>1.a.-1.c. Full Name</b> Provide the full legal name of the petitioner/applicant. If the petitioner/applicant has two last names, include both and use a hyphen (-) between the names, if appropriate.</p> <p><b>2. Business/Organization, if applicable</b> Provide the complete name of the business or organization, without abbreviations, if applicable.</p> <p><b>3. Alien Registration Number (A-Number)</b> This is the USCIS (or Immigration and Naturalization Service (INS)) file number. It begins with an "A" and can be found on a Permanent Resident Card or on correspondence that has been received from the Department of Homeland Security (DHS) or USCIS. If the person does not have an A-Number, leave this blank.</p> <p><b>4. Receipt number</b> Provide the form receipt number for the petition or application that was denied by USCIS (e.g., EAC, SRC, NSC, NBC (MSC), WAC XXXXXXXXXXXX).</p> <p><b>5. USCIS Electronic Immigration System Account Identifier Number (ELIS Number)</b> This is the USCIS electronic account identifier number. If you do not have an ELIS account, leave this blank.</p> <p><b>6.a.-6.i.Mailing Address</b> Provide the petitioner/applicant's complete mailing address (including military APO/FPO address if applicable).</p> <p><b>7. Daytime Telephone Number</b> Provide a phone number with area code and extension (if any) where you can be reached during the day.</p> <p><b>8. Mobile Telephone Number, if any</b> Provide a mobile telephone number with</p>
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		<p>area code.</p> <p><b>9. E-mail Address, if any</b> Provide the petitioner/applicant's E-mail address.</p> <p><b>10. Fax Number, if any</b> Provide a fax number with area code.</p>
<p><b>Page 2,</b> <b>Part 2- Information About the Appeal or Motion</b></p>	<p>You must clearly indicate if you are filing an appeal or a motion. The adverse decision will indicate whether you may file an appeal or a motion. The requirements for motions to reopen and motions to reconsider are located at 8 CFR §103.5.</p>	<p><b>Page 4</b></p> <p><b>Part 2. Information About Person/Organization Filing Appeal or Motion on Behalf of the Petitioner/Applicant</b></p> <p>If you are the petitioner or applicant filing an appeal or motion without an attorney or representative accredited by the BIA, skip this part, and proceed to <b>Part 3</b>.</p> <p>If you are an attorney or a BIA-accredited representative, you must check the box in item number 1 and attach a <b>new</b> Form G-28 even if you submitted a Form G-28 with the underlying petition/application.</p> <p><b>NOTE:</b> The Form G-28 must be properly completed with new dates and be properly signed by the petitioner or applicant and attorney or BIA-accredited representative. If the petitioner or applicant wishes, he or she may be represented at no expense to the U.S. Government by an attorney or BIA-accredited representative. If the appeal or motion is filed by an attorney or a BIA-accredited representative without a properly executed Form G-28, it may be rejected or dismissed.</p> <p>Provide information about the individual or the organization filing the appeal or motion on behalf of the petitioner or applicant.</p> <p><b>2.a.-2.c. Full Name</b> Provide your full legal name. If you have two last names, include both and use a hyphen (-) between the names, if appropriate.</p> <p><b>3. Complete Name of Business/Organization, if applicable</b></p>

		<p>Provide the complete name of your business or organization, without abbreviations, if applicable.</p> <p><b>4. Daytime Telephone Number</b> Provide a telephone number with area code and extension (if any) where you can be reached during the day.</p> <p><b>5. Mobile Telephone Number, if any</b> Provide your mobile telephone number with area code.</p> <p><b>6. E-mail Address, if any</b> Provide your E-mail address.</p> <p><b>7. Fax Number, if any</b> Provide a fax number with area code.</p>
		<p><b>Page 4, Part 3. Information About the Appeal or Motion</b></p> <p>Provide the following information:</p> <p><b>1 and 2. Appeal or Motion Request (Select only one box)</b> Check a single item from boxes “a.-f.” Do not check more than one box or make any changes to the form.</p> <p>You must clearly indicate if you are filing an appeal or a motion. The adverse decision will indicate whether you may file an appeal or a motion. Although the adverse decision may indicate that you can file an appeal and a motion, you can only file one or the other using a single Form I-290B. The requirements for motions to reopen and motions to reconsider are located at 8 CFR Section 103.5. If you file an appeal, the reviewing office will either take favorable action or forward the appeal to the AAO.</p> <p><b>NOTE:</b> An adverse decision from the AAO may not be further <b>appealed</b> to the AAO. However, you may file a motion to reopen and/or reconsider an AAO decision to the AAO.</p>



		<p><b>3. Form for Which You Are Filing an Appeal, or Motion to Reopen/Reconsider</b></p> <p>Provide the form number for the denied petition or application (e.g., Form I-140, Form I-360, Form I-129, Form I-485, Form I-601, etc.). If you use the dropdown menu and the form number is not listed, select “other” in the dropdown menu.</p> <p><b>4. Specific Status Requested</b></p> <p>Provide the specific status requested (e.g., H-1B, R-1, O-1, EB-1, EB-2, EB-3, etc., if applicable.) If you use the dropdown menu and the status is not listed, select “other” in the dropdown menu.</p> <p><b>5. Date of Adverse Decision</b></p> <p>Provide the date of the decision that is the basis for your appeal or motion.</p> <p><b>6. USCIS Office Where Last Decision Was Issued</b></p> <p>Provide the name of the office that denied or revoked the petition or application. If you are filing a motion on an adverse AAO decision, the correct office is “Administrative Appeals Office (AAO)”. If you are using the dropdown menu and the office name is not listed, select “other” in the drop down menu.</p>
<p><b>Page 2, Part 3- Basis for the Appeal or Motion</b></p>	<p>Your appeal or motion will be dismissed if you do not complete Part 3. If additional space is needed, attach a separate sheet of paper.</p>	<p><b>Page 5, Part 4. Basis for the Appeal or Motion</b></p> <p>Write the basis for the appeal or motion on a separate sheet of paper. Your appeal or motion will be dismissed if you do not provide this information.</p> <p><b>Appeal:</b> Provide a statement clearly explaining any erroneous conclusion of law or fact in the decision being appealed.</p> <p><b>Motion to Reopen:</b> The motion must state new facts and must be supported by affidavits and/or documentary evidence demonstrating eligibility at the time the</p>

		<p>underlying petition or application was filed.</p> <p><b>Motion to Reconsider:</b> The motion must be supported by citations to appropriate statutes, regulations, or precedent decisions when filed and must establish that the decision was based on an incorrect application of law or policy, and that the decision was incorrect based on the evidence of record at the time of decision.</p>
<p><b>Page 2, Part 4- Signature of Person Filing the Appeal/Motion or His or Her Authorized Representative</b></p>	<p>You or your legal representative must sign and submit Form I-290B. Form G-28, Notice of Entry of Appearance as Attorney or Representative, must be attached if signed by a legal representative.</p>	<p><b>Page 5,  Part 5. Signature of Person Filing the Appeal/Motion or His or Her Authorized Representative</b></p> <p>The petitioner/applicant filing this appeal or motion, or an attorney/BIA-accredited representative, must sign and date Form I-290B.</p>
<p><b>Page 2, What Is the Filing Fee?</b></p>	<p><b>What Is the Filing Fee?</b></p> <p>The filing fee for Form I-290B is <b>\$630</b>.</p> <p><b>NOTE:</b> The fee will be the same when an appeal or motion is taken from the denial of a petition with one or multiple beneficiaries, provided that they are all covered by the same petition, and therefore, the same decision.</p> <p>The fee for Form I-290B may be waived, if the applicant can show an inability to pay and the appeal or motion is from denial of an immigration benefit request where the applicant or petitioner was not required to pay a fee, or the fee for the underlying application or petition could have been waived.</p> <p>No fee is required when Form I-290B is filed to appeal a denial of a petition for a special immigrant visa by a Special</p>	<p><b>Page 5,  What Is the Filing Fee?</b></p> <p>The filing fee for Form I-290B is <b>\$630</b>. The fee will not be refunded, regardless of the action taken on your case.</p>

	<p>Immigrant Iraqi or Afghan national who worked for or on behalf of the U.S. Government in Iraq or Afghanistan.</p> <p>The fee will not be refunded, regardless of the action taken in your case.</p> <p>For additional information on fees, fee waivers, and refunds visit our Web site at <a href="http://www.uscis.gov">www.uscis.gov</a>.</p> <p>Use the following guidelines when you prepare your check or money order for the Form I-290B fee:</p> <ol style="list-style-type: none"> <li>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</li> <li>2. Make the check or money order payable to <b>U.S. Department of Homeland Security</b>, unless:</li> </ol> <p>If you live outside the United States, Guam, or the U.S. Virgin Islands, contact the nearest U.S. consulate or embassy for instructions on the method of payment.</p> <p><b>NOTE:</b> Spell out U.S. Department of Homeland Security; do not use the initials "USDHS" or "DHS."</p> <p><b>Notice to Those Making Payment by Check</b></p> <p>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.</p> <p>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</p>	<p><b>Use the following guidelines when you prepare your check or money order for the Form I-290B fee:</b></p> <ol style="list-style-type: none"> <li>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</li> <li>2. Make the check or money order payable to U.S. Department of Homeland Security.:</li> </ol> <p><b>NOTE:</b> Spell out U.S. Department of Homeland Security; do not use the initials "USDHS" or "DHS."</p> <ol style="list-style-type: none"> <li>3. If you live outside the United States, contact the nearest U.S. consulate or embassy for instructions on the method of payment.</li> </ol> <p><b>Notice to Those Making Payment by Check</b></p> <p>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.</p> <p>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</p>
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	<p>completed because of insufficient funds, we may try to make the transfer up to two times.</p> <p><b>How to Check If the Fees Are Correct</b></p> <p>The form fee is current as of the edition date appearing in the lower right corner of Form I-290B. However, because USCIS fees change periodically, you can verify if the fees are correct by following one of the steps below:</p> <ol style="list-style-type: none"> <li>1. Visit our Web site at <b>www.uscis.gov</b>, select "Check Filing Fees" check the appropriate fee;</li> <li>2. Review the Fee Schedule included in your form package, if you called us to request the form; or</li> </ol> <p>Telephone our National Customer Service Center at <b>1-800-375-5283</b> and ask for the fee information.</p>	<p>completed because of insufficient funds, we may try to make the transfer up to two times.</p> <p><b>Page 6,</b> <b>How to Check If the Fees Are Correct</b></p> <p><b>The</b> Form I-290B fee is 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:</p> <ol style="list-style-type: none"> <li>1. Visit the USCIS Web site at <a href="http://www.uscis.gov">www.uscis.gov</a>, select "FORMS" and check the appropriate fee; or</li> <li>2. Telephone the USCIS National Customer Service Center at 1-800-375-5283 and ask for fee information. For TDD (hearing impaired) call 1-800-767-1833</li> </ol> <p><b>NOTE:</b> The fee will be the same when either an appeal or motion is filed from the denial of a petition or application with one or multiple beneficiaries, provided that they are all covered by the same petition, and therefore, the same decision.</p> <p>For additional information on fees, fee waivers, and refunds visit the USCIS Web site at <a href="http://www.uscis.gov">www.uscis.gov</a>.</p> <p><b>Fee Waiver</b></p> <p>The fee for Form I-290B may be waived under 8 CFR Section 103.7(c) if the applicant can show an inability to pay and:</p> <ol style="list-style-type: none"> <li>1. The appeal or motion is from a denial of an immigration benefit request where the applicant or petitioner was not required to pay a fee; or</li> <li>2. The fee for the underlying application or petition could have been waived</li> </ol> <p>If you believe you are eligible for a fee waiver, complete Form I-912, Request for Fee Waiver, (or a written request that</p>
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		<p>complies with 8 CFR Section 103.7(c)), and submit it and required evidence of your inability to pay the form fee with this form. You can review the fee waiver guidance at <a href="http://www.uscis.gov">www.uscis.gov</a>.</p> <p>No fee is required when Form I-290B is filed to appeal a denial of a petition for a special immigrant visa by a Special Immigrant Iraqi or Afghan national who worked for or on behalf of the U.S. Government in Iraq or Afghanistan.</p>
<p><b>Page 3, Where To File?</b></p>	<p><b>You must file your appeal or motion with the USCIS office that made the unfavorable decision within 30 calendar days after service of the decision</b> (33 days if your decision was mailed). If you are appealing the revocation of an immigrant petition approval, you must file the appeal within 15 days of the revocation decision (18 days if the decision was mailed.) The date of service is normally the date of the decision.</p> <p>Do <b>not</b> send your appeal or motion directly to the Administrative Appeals Office (AAO). Submit an original appeal or motion only. Additional copies are not required.</p> <p>You must file your Notice of Appeal or Motion at the USCIS Vermont Service Center for unfavorable decisions made on:</p> <ol style="list-style-type: none"> <li>1. A VAWA (self-petitioning spouse or child of an abusive U.S. Citizen or Lawful Permanent Resident) related Form I-360 to include work authorization (Form I-765);</li> <li>2. Any T Visa related application/petition to include application for T nonimmigrant status (Form I-914/I-914A), application for adjustment of status (Form I-485), work authorization (Form I-765) or advanced parole (Form I-131); or</li> </ol>	<p><b>Page 6, Where to File?</b></p> <p>File the <b>appeal or</b> motion as indicated on the USCIS Web page Direct Filing Addresses for Form I-290B, Notice of Appeal or Motion at <a href="http://www.uscis.gov/i-290b-addresses">www.uscis.gov/i-290b-addresses</a>.</p> <p>Form I-290B is not considered received by USCIS unless filed at the proper location.</p> <p>If you are filing a motion to reopen/reconsider an AAO decision, file the motion with the address as indicated on the chart located at <a href="http://www.uscis.gov/i-290b-addresses">www.uscis.gov/i-290b-addresses</a>.</p> <p><b>DO NOT FILE FORM I-290B DIRECTLY WITH THE AAO.</b> Your form will be rejected if you improperly file.</p> <p>See the USCIS Web site at <a href="http://www.uscis.gov/I-290B">www.uscis.gov/I-290B</a> or call the USCIS National Customer Service Center at <b>1-800-375-5283</b> for the most current information about where to file this benefit request. For TDD (hearing impaired) call <b>1-800-767-1833</b>.</p>

	<p>3. Any U Visa related application/petition to include petition for U nonimmigrant status (Form I-918/I-918A), application for adjustment of status (Form I-485), work authorization (Form I-765), advanced parole (Form I-131), application to extend U nonimmigrant status (Form I-539) and petition to request immigration benefits on behalf of a family member who never held U nonimmigrant (Form I-929).</p> <p><b>USCIS Vermont Service Center</b> <b>75 Lower Welden St.</b> <b>St. Albans, VT 05479-0001</b></p> <p>If you are filing a Notice of Appeal or Motion of any other decision made by a USCIS Service Center, mail to:</p> <p>For U.S. Postal Service (USPS) deliveries, use the following address:</p> <p><b>USCIS 290B</b> <b>P.O. Box 21100</b> <b>Phoenix, AZ 85036</b></p> <p>For Express Mail or courier deliveries, use the following address:</p> <p><b>USCIS</b> <b>Attn: 290B</b> <b>1820 E. Skyharbor Circle S</b> <b>Suite 100</b> <b>Phoenix, AZ 85034</b></p> <p>If you are filing a motion to reopen a decision of USCIS under the <b>NWIRP Settlement</b>, mail the motion to:</p> <p>For U.S. Postal Service (USPS) deliveries, use the following address:</p> <p><b>USCIS</b> <b>P.O. Box 804727</b> <b>Chicago, IL 60680-4180</b></p> <p>For private courier (non-USPS) deliveries, use the following address:</p> <p><b>USCIS</b></p>	
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	<p><b>Attn: NWIRP</b>  <b>131 South Dearborn - 3rd Floor</b>  <b>Chicago, IL 60603-5517</b></p> <p>If you are filing a motion to reopen a decision of USCIS under the Special Immigrant Juvenile (SIJ) <b><i>PEREZ-OLANO Agreement Settlement (POSA)</i></b>, mail the motion to:</p> <p>For U.S. Postal Service (USPS) deliveries, use the following address:</p> <p><b>USCIS</b>  <b>P.O. Box 5510</b>  <b>Chicago, IL 60680-5510</b></p> <p>For private courier (non-USPS) deliveries, use the following address:</p> <p><b>USCIS</b>  <b>Attn: POSA</b>  <b>131 South Dearborn - 3rd Floor</b>  <b>Chicago, IL 60603-5517</b></p> <p>Because USCIS mailing address change periodically, you may verify that the addresses for your appeal are correct by following one of the steps below:</p> <p><b>1.</b> Visit our Web site at <b><a href="http://www.uscis.gov">www.uscis.gov</a></b>, select "FORMS," then "I-290B," and read the "Where to File" on the opening page; or</p> <p><b>2.</b> Telephone our National Customer Service Center at <b>1-800-375-5283</b> and ask for the mailing information.</p>	
<p><b>Page 4,</b>  <b>Address Changes</b></p>	<p>While your <b>appeal</b> is pending, if you change your address, send a written notice of your change of address to the AAO.</p> <p>Include the type of case that was denied and any available tracking number (receipt number and/or A-Number). Mail the notice</p>	<p><b>Page 6,</b>  <b>Address Changes</b></p> <p>You must inform USCIS of any change of address within 10 days of such a move. For information on filing a change of address go to the USCIS Website at <a href="http://www.uscis.gov/addresschange">www.uscis.gov/addresschange</a> or contact the USCIS National Customer Service Center at <b>1-800-375-5283</b>. For TDD (hearing</p>

	<p>to:</p> <p><b>USCIS Administrative Appeals Office U.S. Citizenship and Immigration Services 20 Massachusetts Avenue, N.W., MS2090 Washington, DC 20529-2090</b></p> <p>If you change your address after you file a <b>motion</b>, where you send your notice depends on where your motion is pending. If your motion has been forwarded to the AAO, send a written notice of your change of address to the above address. If your motion has remained with the office where you submitted it, send the notice to that office. Include the type of case that was denied and any available tracking number (receipt number and/or A-Number).</p>	<p>impaired) call <b>1-800-767-1833</b>.</p> <p><b>NOTE:</b> Do not submit a change of address request to the <b>USCIS Lockbox</b> facilities because the <b>USCIS Lockbox</b> facilities do not process change of address requests.</p> <p>If you change your address while your <b>appeal</b> is pending, you should also send a written notice of your change of address to the AAO to ensure that you receive the decision. Include the type of case that was denied and any available tracking number (receipt number and/or A-Number). Mail the notice to:</p> <p><b>USCIS Administrative Appeals Office U.S. Citizenship and Immigration Services 20 Massachusetts Avenue, N.W., MS2090 Washington, DC 20529-2090</b></p> <p>If you change your address after you file a <b>motion</b>, the address where you should send your notice depends on where your motion is pending. If your motion has been forwarded to the AAO, send a written notice of your change of address to the address above. If your motion has remained with the office where you submitted it, send the notice to that office. Include the type of case that was denied and any available tracking number (receipt number and/or A-Number).</p> <p>To find out where your case is currently located, call the USCIS National Customer Service Center number at <b>1-800-375-5283</b>. For TDD (hearing impaired) call <b>1-800-767-1833</b>.</p> <p>To find out the status of your case, visit the USCIS Web site at <a href="https://egov.uscis.gov/cris/Dashboard/Casestatus.do">https://egov.uscis.gov/cris/Dashboard/Casestatus.do</a></p>
<b>Page 4, Processing Information</b>	<p>An appeal or motion that is not signed or is</p>	<p><b>Page 7, Processing Information</b></p> <p>An appeal or motion that is not signed or is</p>



	<p>not accompanied by the proper fee <b>will be dismissed or rejected</b> with a notice that the appeal is deficient. If completed timely, you may correct the deficiency and resubmit the appeal. However, an appeal or motion is not considered properly filed until it is accepted by USCIS.</p> <p>Once the appeal or motion is accepted, it will be reviewed. If you do not have any standing to file the appeal or motion, or the decision is not appealable or filed timely, the appeal or motion will be dismissed or rejected without further review.</p> <p><b>Decision.</b> You will be notified in writing of any action taken on your appeal or motion.</p>	<p>not accompanied by the proper fee <b>will be dismissed or rejected</b> with a notice that the appeal is deficient. If time permits, you may correct the deficiency and resubmit the appeal or motion.</p> <p>Once the appeal or motion is accepted, it will be reviewed. If you do not have any standing to file the appeal or motion, or if the decision is not appealable, the appeal or motion will be dismissed or rejected without further review. Further, late filed appeals that do not meet the requirements of a motion to reopen or reconsider will be rejected. Late filed motions may be dismissed.</p> <p><b>Decision.</b> You will be notified in writing of any action taken on your appeal or motion.</p>
<p><b>Page 5, USCIS Forms and Information</b></p>	<p>You can get USCIS forms and immigration-related information on the USCIS Internet Web site at <a href="http://www.uscis.gov">www.uscis.gov</a>. You may also obtain forms and information by telephoning our National Customer Service Center at <b>1-800-375-5283</b>.</p> <p>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, <b>InfoPass</b>. To access the system, visit our Web site. Use the <b>InfoPass</b> appointment scheduler and follow the screen prompts to set up your appointment. <b>InfoPass</b> generates an electronic appointment notice that appears on the screen.</p>	<p><b>Page 7, USCIS Forms and Information</b></p> <p>To ensure you are using the latest version of this form, visit the USCIS Web site at <a href="http://www.uscis.gov">www.uscis.gov</a> where you can obtain the latest USCIS forms and immigration-related information. <b>If you do not have internet access, you may order USCIS forms by calling</b> our toll-free number at <b>1-800-870-3676</b>. You may also obtain forms and information by calling our USCIS National customer Service Center at <b>1-800-375-5283</b>. For TDD (hearing impaired) call <b>1-800-767-1833</b>.</p> <p>As an alternative to waiting in line for assistance at your local USCIS office, you can now schedule an appointment through <b>USCIS'</b> Internet-based system, <b>InfoPass</b>. To access the system, visit the USCIS Web site. Use the <b>InfoPass</b> appointment scheduler and follow the screen prompts to set up your appointment. <b>InfoPass</b> generates an electronic appointment notice that appears on the screen.</p>

<p><b>Page 5, Penalties</b></p>	<p><b>Penalties</b></p> <p>If you knowingly and willfully falsify or conceal a material fact or submit a false document with Form I-290B, we will deny the Form I-290B and may deny any other immigration benefit.</p> <p>In addition, you will face severe penalties provided by law and may be subject to criminal prosecution.</p>	<p><b>Page 7, Penalties</b></p> <p>If you knowingly and willfully falsify or conceal a material fact or submit a false document with this request, it will result in the denial of all immigration benefits.</p> <p>In addition, you will face severe penalties provided by law, and may be subject to criminal prosecution.</p>
<p><b>Page 5, Privacy Act Notice</b></p>	<p>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-290B.</p>	<p><b>Page 8,</b></p> <p><b>USCIS Privacy Act Statement</b></p> <p><b>AUTHORITIES:</b> The information requested on this form, and the associated evidence, is collected under the Immigration and Nationality Act, section 101, <i>et. seq.</i></p> <p><b>PURPOSE:</b> 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.</p> <p><b>DISCLOSURE:</b> 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.</p> <p><b>ROUTINE USES:</b> 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 <a href="http://www.dhs.gov/privacy">www.dhs.gov/privacy</a>]. The information may also be made available, as appropriate, for law enforcement purposes or in the interest of national security.</p>

<p><b>Page 5, Paperwork Reduction Act</b></p>	<p>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 90 minutes per response, including the time for reviewing instructions and completing and submitting the form. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to: U.S. Citizenship and Immigration Services, Regulatory Products Division, Office of the Executive Secretariat, 20 Massachusetts Ave., N.W., Washington, DC 20529-2020; OMB No. 1615-0009. This form expires May 31, 2012. <b>Do not mail your application to this address.</b></p>	<p><b>Page 8,</b></p> <p><b>Paperwork Reduction Act</b></p> <p>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 90 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 Coordination Division, Office of Policy and Strategy, 20 Massachusetts Ave., N.W., Washington, DC 20529-2020; OMB No. 1615-0095. <b>Do not mail your completed Form I-290B to this address.</b></p>
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