

TOC- Instructions
Form I-698, Instructions for Application to Adjust Status
From Temporary to Permanent Resident (Under 245A of the INA)
OMB No. 1615-0035
05/02/2014

Reason for Revision: To integrate Human Right Violations (HRV) language into the Form and update sections of the instructions to be clearer. To provide instructions relevant to additional data elements added for USCIS ELIS.

Page and Current Location	Current Text	Proposed Revision
Format	2 column format	[Change to full page format.]
Page 1, What Is the Purpose of This Form?	<p>What Is the Purpose of This Form?</p> <p>Form I-698, Application to Adjust Status From Temporary to Permanent Resident (Under Section 245A of the INA) is used by a person who has been granted temporary residence under section 245A of the Immigration and Nationality Act (INA) to apply to U.S. Citizenship and Immigration Services (USCIS) to adjust to permanent resident status. The application is made under section 245A of the INA, as amended by the Immigration Reform and Control Act of 1986 and section 902 of the U.S. Department of State Authorization Bill of 1987.</p>	<p>What Is the Purpose of This Form?</p> <p>Persons who have been granted temporary residence under section 245A of the Immigration and Nationality Act (INA) can use this application to apply through U.S. Citizenship and Immigration Services (USCIS) to adjust to permanent resident status. Individuals apply under section 245A of the INA, as amended by the Immigration Reform and Control Act of 1986, and section 902 of the U.S. Department of State Authorization Bill of 1987.</p>
Page 1, Who May File this Application?	<p>To be eligible for permanent resident status under section 245A of the INA, you must:</p> <p>1. Apply for adjustment during the 1 year period beginning with the 19th month that begins after....</p> <p>2. Reside continuously... exceeded 30 days, or the total of all absences has not exceeded 90 days).</p> <p>If you are absent from the United</p>	<p>To be eligible for permanent resident status under section 245A of the INA, you must meet all of the following requirements.</p> <p>1. Apply for adjustment during the 1-year period beginning with the 19th month after....</p> <p>2. Reside continuously... exceeded 30 days, or the total of all absences has not exceeded 90 days).</p> <p>If you are absent from the United States for more than 30 days in a</p>

	<p>States for more than 30 days or for more than a total of 90 days, during the period....</p> <p>3. Establish admissibility... as a lawful temporary or permanent resident under section 245A of the INA.</p> <p>The following.... Homeland Security:</p> <p>A. Section212(a)(2)(A)(i)(I) (crimes involving moral turpitude);</p> <p>B. Section212(a)(2)(A)(i)(II) (crimes.... marijuana);</p> <p>C. Section212(a)(2)(B) (multiple criminal convictions);</p> <p>D. Section212(a)(2)(C) (controlled substance traffickers);</p> <p>E. Section212(a)(3) (security and related grounds); and</p> <p>F. Section 212(a)(4) (public charge), except this prohibition does not apply to an alien who is or was an aged, blind, or disabled individual (as defined in section 1614 (a)(1) of the Social Security Act). An alien is not ineligible for adjustment of status due to being inadmissible under section 212(a)(4) if the alien demonstrates a history of employment in the United States showing self-support without receipt of public cash assistance. Special adjudication standards regarding public charge contained in any settlement agreements apply.</p> <p>All other grounds of inadmissibility may be waived by the Secretary of Homeland Security. In order...submit a Form I-690, Application for Waiver of Grounds of Inadmissibility.</p>	<p>single absence or for more than a total of 90 days for all occurrences, during the period....</p> <p>3. Establish admissibility... as a lawful temporary resident or lawful permanent resident under section 245A of the INA.</p> <p>The following.... Homeland Security (Secretary):</p> <p>A. Section212(a)(2)(A)(i)(I) (crimes involving moral turpitude);</p> <p>B. Section212(a)(2)(A)(i)(II) (crimes.... marijuana);</p> <p>C. Section212(a)(2)(B) (multiple criminal convictions);</p> <p>D. Section212(a)(2)(C) (controlled substance traffickers);</p> <p>E. Section212(a)(3) (security and related grounds); and</p> <p>F. Section 212(a)(4) (public charge), except for an alien who is or was an aged, blind, or disabled individual (as defined in section 1614 (a)(1) of the Social Security Act). An alien is not ineligible for adjustment of status due to inadmissibility under section 212(a)(4) if the alien demonstrates a history of employment in the United States showing self-support without receipt of public assistance. Special adjudication standards regarding public charge contained in any settlement agreements apply.</p> <p>All other grounds of inadmissibility may be waived by the Secretary. In order submit a Form I-690, Application for Waiver of Grounds of Inadmissibility Under Sections 245A or 210 of the INA.</p> <p>4. Were NOT convicted...</p>
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	<p>4. Have not been convicted...</p> <p>5. Be able to demonstrate that you either:</p> <p>A. Meet the requirements of Section 312 of the INA (relating... States); or</p> <p>B. Are satisfactorily pursuing a course of study recognized by the Secretary of Homeland Security to achieve... of the United States. You may obtain additional information about available courses by contacting your local USCIS Office.</p>	<p>5. Demonstrate that you:</p> <p>A. Meet the requirements of section 312 of the INA (relating... States); or</p> <p>B. Are satisfactorily pursuing a course of study recognized by the Secretary to achieve ... of the United States. Contact your local USCIS office for more information about available courses.</p>
<p>Page 2, General Instructions, Medical Examination</p>	<p>Medical Examination</p> <p>Form I-693, Medical Examination of Aliens Seeking</p>	<p>General Instructions</p> <p>USCIS provides forms free of charge through the USCIS Web site. In order to view, print, or fill out our forms, you should use the latest version of Adobe Reader, which you can download for free at http://get.adobe.com/reader/.</p> <p>Signature. Each application or petition must be properly signed and filed. USCIS will not accept a typewritten name in place of a signature. If you are under 14 years of age, your parent or legal guardian may sign the application on your behalf. A legal guardian also may sign for a mentally incompetent person.</p> <p>Filing Fee. Each application must be accompanied by the appropriate filing fee and biometric services fee. (See the What Is the Filing Fee section of these instructions.)</p> <p>Evidence. At the time of filing, you must submit the evidence and supporting documentation.</p>

		<p>Biometrics Services Appointment. USCIS may require that you appear for an interview or provide fingerprints, photographs, and/or signature at any time to verify your identity, obtain additional information, and conduct background and security checks before making a decision on your application. After USCIS receives your application and ensures it is complete, we will inform you in writing if you need to attend a biometric services appointment. If an appointment is necessary, the notice will provide you the location of the local or designated USCIS Application Support Center (ASC) and the date and time of your appointment. If you fail to attend your biometric services appointment, USCIS may deny your application.</p> <p>Acknowledgement of Required Appointment at USCIS ASC. Review the USCIS ASC Acknowledgement that appears in Part 5. of the application. This acknowledgement is to confirm that you have completed your application, reviewed your responses, and verified that the information are complete, true, and correct. If someone helped you fill out your application, the person should review the acknowledgement with you to make sure you understand it.</p> <p>Name Changes. If your name has changed, you must submit a certified copy of the court decree or marriage certificate, as appropriate. A married person may file their application under either a maiden or current married name.</p>
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		<p>Application, If Other Than the Applicant. If the person who completed this application is someone other than the person named in Part 1., he or she must complete this section of the application, provide his or her name, the name and address of the business or organization (if any), and his or her contact information. If the person completing this application is an attorney or accredited representative, he or she must submit a completed Form G-28, Notice of Entry of Appearance as Attorney or Accredited Representative, along with this application. An attorney and accredited representative, and any other individual who assists in preparing your application also must certify that he or she has read the Acknowledgement of Required Appointment at USCIS ASC to you. Further, the attorney or accredited representative, and anyone who assisted in preparing your application, must sign and date the application. This section of the application MUST contain the original signature of the attorney or accredited representative, and anyone who assisted in preparing your application. A typewritten name in place of a signature is not acceptable.</p>
		<p>Biographic Information [Header]</p> <p>Provide the biometrics information requested in Part 2., Item Numbers 1. – 6. Providing this information as part of your application may reduce the time you spend at your USCIS ASC appointment as described in the Biometrics Services</p>

		<p>Appointment section of these instructions.</p> <p>Item Numbers 1. – 2. Ethnicity and Race. Select the boxes that best describe your race and ethnicity.</p> <p>Categories and Definitions for Ethnicity and Race</p> <p>1. Hispanic or Latino. A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race. (NOTE: This category is only included under Ethnicity in Item Number 1.)</p> <p>2. White. A person having origins in any of the original peoples of Europe, the Middle East, or North Africa.</p> <p>3. Asian. A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.</p> <p>4. Black or African American. A person having origins in any of the black racial groups of Africa.</p> <p>5. American Indian or Alaska Native. A person having origins in any of the original peoples of North and South America (including Central America), and who maintains tribal affiliation or community attachment.</p> <p>6. Native Hawaiian or Other Pacific Islander. A person having origins in any of the</p>
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		<p>original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.</p> <p>Item Number 3. Height. Select the values that best match your height in feet and inches. For example, if you are five feet and nine inches, select “5” for feet and “09” for inches. Do not enter your height in meters or centimeters.</p> <p>Item Number 4. Weight. Enter your weight in pounds. If you do not know your weight, or need to enter a weight under 30 pounds or over 699 pounds, enter “000.” Do not enter your weight in kilograms.</p> <p>Item Number 5. Eye Color. Check the box that best describes the color of your eyes.</p> <p>Item Number 6. Hair Color. Check the box that best describes the color of your hair.</p>
Page 2, Address Change	<p>Address Changes</p> <p>If you have changed....</p>	<p>[Move Address Change section after the Photographs section.]</p> <p>What Is the Filing Fee?</p> <p>The fee to file Form I-698 is \$1,020, regardless of when it is filed. A biometric services fee of \$85 is also required for applicants between 14 and 79 years of age.</p> <p>NOTE: The filing fee and biometric services fee are not refundable, regardless of any action USCIS takes on this application. DO NOT MAIL CASH. You must submit all fees in the exact amount.</p> <p>Use the following guidelines</p>

		<p>when you prepare your checks or money orders for the Form I-698 filing fees:</p> <p>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</p> <p>2. Make the check or money order payable to U.S. Department of Homeland Security.</p> <p>NOTE: Spell out U.S. Department of Homeland Security; do not use the initials “USDHS” or “DHS.”</p> <p>Notice to Those Making Payment by Check. If you send us a check, USCIS will convert it 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 your bank will show it on your regular account statement.</p> <p>You will not receive your original check back. We will destroy your original check, but 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 USCIS cannot complete the EFT because of insufficient funds, we may try to make the transfer up to two times.</p> <p>How To Check If The Fees Are Correct. Form I-698 filing fee and biometric services fee are current as of edition date in the</p>
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		<p>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"> 1. Visit the USCIS Web site at www.uscis.gov, select “FORMS,” and check the appropriate fee; or 2. Call the USCIS National Customer Service Center at 1-800-375-5283 and ask for fee information. For TDD (deaf or hard of hearing) call: 1-800-767-1833. 3. If you live outside the United States, contact the nearest U.S. Embassy or U.S. Consulate for instructions on the method of payment. <p>NOTE: If your Form I-698 requires payment of a biometric services fee for USCIS to take your signature, fingerprints, and/or photographs, you can use the same procedure to obtain the correct biometric services fee.</p>
NEW		<p>Where To File?</p> <p>Please see our Web site at www.uscis.gov/I-698 or call our National Customer Service Center at 1-800-375-5283 for the most current information about where to file this application. For TDD (deaf or hard of hearing) call: 1-800-767-1833.</p>
Page 2, Photographs	<p>Photographs</p> <p>You must submit two identical color photographs of yourself taken within 30 days of filing this application. The photos must have a white to off-white background, be printed on thin</p>	<p>Photographs</p> <p>You must submit two identical color photographs of yourself taken within 30 days of filing this application. The photos must have a white to off-white background, be printed on thin</p>

	<p>paper with a glossy finish, and be unmounted and unretouched.</p> <p>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 Registration Number (A-Number) on the back of the photo.</p>	<p>paper with a glossy finish, and be unmounted and unretouched.</p> <p>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 headwear as required by a religious denomination of which you are a member. Using a pencil or felt pen, lightly print your name and A-Number (if any) on the back of each photo.</p>
Page 2-3, General Information	<p>General Information</p> <p>.....</p>	<p>Address Changes</p> <p>You must inform USCIS if you change your address. For information on filing a change of address, go to the USCIS Web site at www.uscis.gov/addresschange or contact the USCIS National Customer Service Center at 1-800-375-5283. For TDD (deaf or hard of hearing) call: 1-800-767-1833.</p> <p>NOTE: Do not submit a change of address request to USCIS Lockbox facilities because USCIS Lockbox facilities do not process change of address requests.</p>
Page 3, Processing Information	<p>Where to File?</p> <p>....</p>	<p>[Move Where to File? section after the What is the Filing Fee? section.]</p> <p>Processing Information</p> <p>If your Form I-698 is not signed or accompanied by the correct fees, it will be rejected</p>

		<p>with a notice that your Form I-698 is deficient. You may correct the deficiency and resubmit Form I-698. An application is not considered properly filed until accepted by USCIS.</p> <p>Initial Processing. Once USCIS accepts your application, we will check it for completeness. If you do not completely fill out the application, you will not establish a basis for eligibility, and USCIS may deny your application.</p> <p>Requests for More Information. We may request more information or evidence to support your application. We may also request that you provide the originals of any copies you submit. We will return any originals when they are no longer needed.</p> <p>Requests for Interview at a USCIS ASC. We may request that you appear at a USCIS office for an interview based on your application. At the time of any interview or other appearance at a USCIS office, we may require that you provide your fingerprints, photographs, and/or signature to verify your identity and/or update background and security checks.</p> <p>Decision. The decision on Form I-698 involves a determination of whether you have established eligibility for the immigration benefit you are seeking. USCIS will notify you of the decision in writing.</p>
Page 4, USCIS Forms and Information	<p>What is the Filing Fee?</p> <p>....</p>	<p>[Move What is the Filing Fee? section after the General Instructions section.]</p>

		<p>Accommodations for Individuals With Disabilities and Impairments</p> <p>USCIS is committed to providing reasonable accommodations for qualified individuals with disabilities and/or impairments that will help you fully participate in USCIS programs and benefits.</p> <p>Reasonable accommodations vary with each disability and/or impairment. They may involve modifications to practices or procedures. There are various types of reasonable accommodations that may be offered. Examples include:</p> <ol style="list-style-type: none"> 1. If you are deaf or hard of hearing, USCIS may provide you with a sign-language interpreter at an interview or other application related appointment; 2. If you are blind or have low vision, USCIS may permit you to take a test orally rather than in writing; or 3. If you are unable to travel to a designated USCIS location for an interview, USCIS may visit you at your home or a hospital. <p>If you believe that you need USCIS to accommodate your disabilities and/or impairments, select the “Yes” box and then select any applicable box in Item Number 1. of Part 4. that describes the nature of your disabilities and/or impairments. Also, describe the types of accommodations you are requesting on the lines provided. If you are requesting a sign-language interpreter, indicate for which language. If you need</p>
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		<p>extra space to complete this section, attach a separate sheet of paper or use the space provided in Part 8., Additional Information; type or print your name and Alien Registration Number (A-Number) (if any) at the top of each sheet; indicate the Page Number, Part Number, and Item Number to which your answer refers; and sign and date each sheet.</p> <p>NOTE: All domestic USCIS facilities meet the Accessibility Guidelines of the Americans with Disabilities Act, so you do not need to contact USCIS to request an accommodation for physical access to a domestic USCIS office. However, on Part 4. of the application, you can indicate whether you use a wheelchair. This will allow USCIS to better prepare for your visit and have a wheelchair accessible interview room available for you once you enter the facility.</p> <p>USCIS considers requests for reasonable accommodations on a case-by-case basis and we will make our best efforts to reasonably accommodate your disabilities and/or impairments. USCIS will not exclude you from participating in USCIS programs or deny your application solely because of your disabilities or impairments. Requesting and/or receiving an accommodation will not affect your eligibility for an immigration benefit.</p>
Page 4, Processing Information	Processing Information 	<p>[Move Processing Information section after the Address Change section.]</p> <p>USCIS Forms and Information</p> <p>To ensure you are using the latest</p>

		<p>version of this application, visit the USCIS Web site at www.uscis.gov where you can obtain the latest USCIS forms and immigration-related information. If you do not have internet access, you may order USCIS forms by calling our toll-free number at 1-800-870-3676. You may also obtain forms and information by calling the USCIS National Customer Service Center at 1-800-375-5283. For TDD (deaf or hard of hearing) call: 1-800-767-1833.</p> <p>Instead of waiting in line for assistance at your local USCIS office, you can now schedule an appointment through the USCIS Internet-based system, InfoPass, at infopass.uscis.gov. 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.</p>
Page 4, USCIS Forms and Information	USCIS Forms and Information	<p>[Move USCIS Forms and Information section after the Accommodations for Individuals With Disabilities and/or Impairments section.]</p> <p>Penalties</p> <p>If you knowingly and willfully falsify or conceal a material fact or submit a false document with your Form I-698, we will deny your Form I-698, and may deny any other immigration benefit. In addition, you will face severe penalties provided by law, and may be subject to criminal prosecution.</p>
Page 4, Privacy Act Notice	Accommodations for Individuals With Disabilities and/or	[Move this section after the Processing Information section.]

	<p>Impairments</p>	<p>USCIS Privacy Act Statement</p> <p>AUTHORITIES: The information requested on this application, and the associated evidence, is collected under the Immigration and Nationality Act, section 101 and 245A, et seq.</p> <p>PURPOSE: The primary purpose for providing the requested information on this application is to determine if you have established eligibility for the immigration benefit for which you are filing. DHS will use the information you provide to grant or deny the benefit sought.</p> <p>DISCLOSURE: The information you provide is voluntary. However, failure to provide the requested information, and any requested evidence, may delay a final decision in your case or result in denial of your application.</p> <p>ROUTINE USES: DHS may share the information you provide on this application 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 FileTracking System of Records, which can be found at www.dhs.gov/privacy]. DHS may also make the information available, as appropriate, for law enforcement purposes or in the interest of national security.</p>
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Page 4, Penalties	Penalties ...	<p>[Move Penalties after the USCIS Forms and Information.]</p> <p>USCIS Compliance Review and Monitoring</p> <p>By signing this application, you have stated under penalty of perjury (28 U.S.C. 1746) that all information and documentation submitted with this application is true and correct. You have also authorized the release of any information from your records that USCIS may need to determine eligibility for the immigration benefit you are seeking and consented to USCIS' verification of such information.</p> <p>DHS has the authority to verify any information you submit to establish eligibility for the immigration benefit you are seeking at any time. USCIS' legal right to verify this information is in 8 U.S.C. sections 1103, 1155, 1184, and 8 CFR Parts 103, 204, 205, and 214. To ensure compliance with applicable laws and authorities, USCIS may verify information before or after your case is decided.</p> <p>Agency verification methods may include, but are not limited to: review of public records and information; contact via written correspondence, the Internet, facsimile, or other electronic transmission, or telephone; unannounced physical site inspections of residences and locations of employment; and interviews. Information obtained through verification to assess your compliance with the laws and to determine your eligibility for the benefit.</p>
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		Subject to the restrictions under 8 CFR Part 103.2(b)(16), USCIS will provide you with an opportunity to address any adverse or derogatory information that may result from a USCIS compliance review, verification, or site visit after a formal decision is made on your case or after the agency has initiated an adverse action which may result in revocation or termination of an approval.
Page 4, Privacy Act Notice	Privacy Act Notice	[Move this section after the Penalties section.]
Page 4, Paperwork Reduction Act	<p>Paperwork Reduction Act</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 1 hour 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. 1615-0035; This form expires January 31, 2013. Do not mail your application to this address.</p>	<p>Paperwork Reduction Act</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 1 hour per response, including the time for reviewing instructions and completing and submitting the application. 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 NW, Washington, DC 20529-2140; OMB No 1615-0035. Do not mail your completed Form I-698 to this address.</p>