

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

Instructions

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

What Is the Purpose of This Form?

Form I-687 was originally used to apply for status as a temporary resident under the 1986 Immigration Reform and Control Act. While the filing period ended in 1988, Form I-687 is now used to apply for benefits under the terms and conditions of certain settlement agreements.

What Are the Eligibility Requirements?

You are eligible for temporary resident status if:

1. You can establish that you entered the United States before January 1, 1982;
2. You can establish that you have resided continuously in the United States in an unlawful status since such date and through the date the application is considered filed under the settlement agreements. (If you entered the United States as a nonimmigrant before January 1, 1982, you must establish that your period of authorized stay as a nonimmigrant expired before such date through the passage of time or your unlawful status was known to the Government as of such date);
3. You can establish that you have been continuously physically present in the United States since November 6, 1986, and through the date the application is considered filed under the settlement agreements;
4. You are admissible to the United States as an immigrant except as otherwise provided under section 245A(d)(2) of the Immigration and Nationality Act (INA);
5. You have not been convicted of any felony or of three or more misdemeanors committed in the United States;
6. You have not assisted in the persecution of any persons or persons on account of race, religion, nationality, membership in a particular social group, or political opinion; and
7. You registered or are registering under the Military Selective Service Act, if required.

Admissibility

You must be admissible under section 212(a) of the INA in order to be eligible for temporary resident status. If you are inadmissible under any section of 212(a) of the INA, then you may file Form I-690, Application for Waiver of Grounds of Inadmissibility, requesting the grounds of inadmissibility be waived by the Secretary of Homeland Security.

Sections 212(a)(6)(A) (entry in the United States without inspection) and 212(a)(7) (documentary requirements) of the INA do not apply.

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

1. Section 212(a)(2)(A)(i)(I) - crimes involving moral turpitude;
2. Section 212(a)(2)(A)(i)(II) - crimes involving controlled substances, except if it relates to a single offense of simple possession of 30 grams or less of marijuana;
3. Section 212(a)(2)(B) - multiple criminal convictions;
4. Section 212(a)(2)(C) - controlled substance traffickers;
5. Section 212(a)(3) - security and related grounds;
6. Section 212(a)(4) - public charge. Except this prohibition does not apply if you are or were an aged, blind, or disabled individual (as defined in section 1614(a)(1) of the Social Security Act). If you demonstrate a history of employment in the United States evidencing self-support without receipt of public cash assistance, then you will be considered admissible.

Documents

Documents to Establish Identity

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

1. Birth certificate, baptismal certificate, or other evidence of birth;

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2. National identification card from your country of origin;
 3. Passport;
 4. Driver's license;
 5. Identification card issued by a school or your State of residence; and
 6. Military identification.

Documents to Establish Residence

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

1. Leases, rent receipts, or deeds or other evidence of a mortgage;
2. Birth certificates of children born in the United States;
3. Employment, union, or other business records;
4. Driver's license receipts or evidence of vehicle registrations;
5. Utility bill receipts;
6. Installment loan records;
7. Church records, medical records; and
8. Affidavits or declarations from credible and verifiable third parties.

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

It is recommended that affidavits or declarations from third parties include the affiant's name, address, and phone number to verify the credibility of the affidavit or declaration.

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

Documents to Establish NWIRP Eligibility

Documents that may be submitted to prove eligibility of your nonimmigrant status prior to January 1, 1982, and that your unlawful status was known to the Government as of such date include but are not limited to:

1. Visitor's visa, student visa, or temporary worker visa;
2. Social Security records;

3. Federal/State tax records;
4. Annual or quarterly address reports;
5. School transcripts;
6. Other Federal Government records;
7. Proof of working without authorization;
8. W-2 forms;
9. Form I-20; and
10. Form I-94, Arrival-Departure Report.

General Instructions

1. Type or print legibly in black ink.
2. If you need more space to complete an answer, use a separate sheet of paper. Write your Alien Registration Number (A-Number), if any, at the top of each sheet of paper and indicate the number of the item to which the answer refers.
3. Answer all questions fully and accurately. If an item is not applicable or the answer is "none," leave the space blank.
4. 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.

Copies

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

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

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

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

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

Foreign Language Documents

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

Interview

You may be required to be present for a personal interview by a USCIS officer. Failure to appear for a scheduled interview will result in your application being denied for abandonment. There is no appeal of an abandonment denial.

Biometrics (Fingerprints, Photograph, and Signature)

If you are between the ages of 14 and 79 years, you must be fingerprinted as part of the USCIS biometrics services requirements. Biometrics services may also include the taking of your photograph and signature. After you have filed this application, USCIS will notify you in writing on Form I-797, Notice of Action, to call our National Customer Service Center at **1-800-375-5283** to schedule your biometrics services appointment at a USCIS Application Support Center in your area. For TDD (hearing impaired) call: **1-800-767-1833**. If you fail to appear for the biometrics services appointment, your application may be denied.

Where to File?

Currently there is no open filing period for submission of this application. USCIS may accept Form I-687 under certain circumstances, and we will provide those applicants with an address when appropriate.

What Is the Filing Fee?

The filing fee for this application is \$1,130.

An additional biometric fee of **\$85** is required when filing this application. After you submit Form I-687, USCIS will notify you about when and where to go for biometrics services.

Use the following guidelines when you prepare your check or money order for the Form I-687 and the biometrics service fee:

1. The check or money order must be drawn on a bank or other financial institution located in the United States and must be payable in U.S. currency; and
2. Make the check or money order payable to **U.S. Department of Homeland Security**.
NOTE: Spell out U.S. Department of Homeland Security; do not use the initials "USDHS" or "DHS."
3. If you live outside the United States, contact the nearest U.S. Embassy or consulate for instructions on the method of payment.

How to Check If the Fees Are Correct

Form I-687 fees and biometrics services fees are current as of edition date in the lower right corner of this page. However, because USCIS fees change periodically, you can verify if the fees are correct by following one of the steps below.

1. Visit our Internet Web site at www.uscis.gov, select "FORMS," and check the appropriate fee;
2. Telephone the USCIS National Customer Service Center at **1-800-375-5283** and ask for fee information. For TTY (deaf or hard of hearing) call: **1-800-767-1833**.

Employment Authorization

Applicants seeking employment authorization must complete and mail Form I-765, Application for Employment Authorization, to the appropriate address noted under the "Where To File?" section of these instructions. Provide the **\$380** fee with Form I-765.

Travel Authorization

Applicants seeking emergent travel authorization must mail Form I-131, Application for Travel Document, to the appropriate address noted in the "Where To File?" section of these instructions. Provide the **\$360** fee with Form I-131.

Address Change

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 or contact the USCIS National Customer Service Center at **1-800-375-5283**. For TTY (deaf or hard of hearing) call: **1-800-767-1833**.

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

USCIS Forms and Information

To ensure you are using the latest version of this form, 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 telephoning our USCIS National Customer Service Center at **1-800-375-5283**. For TTY (deaf or hard of hearing) 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 our Web site.

Use the **InfoPass** appointment scheduler and follow the screen prompts to set up your appointment. **InfoPass** generates an electronic appointment notice that appears on the screen.

Penalties

If you knowingly and willfully falsify or conceal a material fact or submit a false document with your Form I-687, we will deny your Form I-687, and may deny any other immigration benefit. In addition, you will face severe penalties provided by law, and may be subject to criminal prosecution.

Privacy Act Notice

We ask for the information on this form, and associated evidence, to determine if you have established eligibility for the immigration benefit for which you are filing. Our legal right to ask for this information can be found in the Immigration and Nationality Act, as amended. We may provide this information to other government agencies. Failure to provide this information, and any requested evidence, may delay a final decision or result in denial of your Form I-687.

Confidentiality

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