

I-765 (C)(9) National SOP

Section 1: Mailroom Module

I-765 (c)(9) National SOP Introduction

This Standard Operating Procedure (SOP) has been created for the purpose of standardizing operational policies and procedures between local offices and service centers in the processing of the I-765 (c)(9), Application for Employment Authorization – Adjustment Applicant. This SOP is in response to the processing differences that have developed between local offices and between service centers over time. To support the goal of standardizing procedures, this SOP seeks to improve the production efficiencies through the application of best practices from the local offices and service centers. While it is acknowledged that the facilities may have different demands and physical layouts, a standard process will assist in ensuring that our customers receive consistent processing regardless of jurisdiction.

This SOP has been developed as a modular document. The Mailroom, Data Entry, U.S. CIS Review, File Room, Adjudications, and Post-Adjudications sections are stand-alone documents that can be used individually as training and daily reference documents. Each module describes a stage in the processing of an I-765 (c)(9) application. Below is a brief description of each module:

- **Mailroom (Service Center)**- The process by which a service center receives I-765 (c)(9) applications, reviews them for acceptability and assembles them for data entry.
- **Data Entry (Service Center)**- The process by which fees are receipted and case information is keyed into CLAIMS LAN.
- **U.S. CIS Review (Service Center)**- The process by which U.S. CIS verifies most reasons for rejection cited by the contractor.
- **File Room (Service Center)**- The process by which files are initially sorted and staged, and then further staged, routed or distributed.
- **Adjudications (Service Center)**- The process by which an application is examined for determination of whether the application is approvable or deniable.
- **Post-Adjudications (Service Center)**-The procedure to be followed after an officer makes a determination on an I-765 (c)(9) case.

Recommendations for changes to this document should be sent to the Headquarters Office of Service Center Operations (HQSCO).

Important: This SOP is not intended to be, and should not be taken as, an authoritative statement of the rules of decision for Form I-765 (c)(9) cases. This SOP is a guide for the consistent processing of Form I-765 (c)(9) cases. The Service bases the actual decision in a particular case on the record of that particular case and on the Act, regulations, precedent administrative and judicial decisions, and general statements of Service policy relating to the case. Thus, nothing in this SOP creates any substantive or procedural right or benefit that is legally enforceable by any party against the United States or its agencies or officers or any other person.

I-765 (c)(9) SOP Table of Contents The following is a table of contents, which serves as a guide for all of the modules of the I-765 (c)(9) SOP. Each module contains its own table of contents that will help to guide through the individual sections of the SOP.

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Introduction The Service Center mailroom receives most of its mail from the Post Office. Various Express Mail services also bring correspondence directly to the Center throughout each business day. Regardless of the manner in which mail is received, there are several requirements that must be met for mailroom processing of the I-765 (c)(9) prior to data entry. Those requirements and the standards and suggested approaches to reach the requirements are detailed in this section. Besides preparation for data entry, another result of achieving the requirements in this section is that certain cases that do not meet eligibility criteria will be routed to U.S. CIS Review.

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Part 1: Opening Mail

Description Throughout processing in both the mailroom and data entry sections, submissions are maintained in groups, or batches. These submissions are stored as groups of like applications (i.e., batches), indicating the date U.S. CIS received the forms in the mailroom.

Requirement All submissions must be opened, sorted, date-stamped, and batched according to the date of arrival and form type.

Standards Complete the standards below for all mail arriving in the mailroom to meet the requirement above.

No.	Standard								
1.1	<p>From the submissions, identify the I-765 (c)(9) filings. If the applicant did not enter his or her eligibility category or provided more than one status, annotate the I-765 (c)(9) processing worksheet.</p> <p>Advice: Refer to Block 16 to verify that an entry has been made.</p>								
1.2	<p>Date- and time-stamp the front page of the application legibly using the received date and date stamp number or employee ID number. Do not date-stamp over areas designated for other purposes.</p>								
1.3	<p>Other forms may be concurrently filed with the I-765 (c)(9) (<i>i.e.</i>, I-140, I-485, I-131, etc.). Use the following chart and determine where to place concurrently filed forms:</p> <table border="1" style="margin-left: 40px;"> <thead> <tr> <th>IF the following is submitted...</th> <th>THEN...</th> </tr> </thead> <tbody> <tr> <td>Concurrently filed I-140 and I-485</td> <td>Place the I-140/I-485 Concurrent Filing in an (A-file/T-file) and place the I-765 in a separate receipt folder attached to the I-485.</td> </tr> <tr> <td>I-485</td> <td>Place the I-485 in an A-file/T-file and the I-765 in a Receipt File. The I-765 will ride with the I-485 for processing.</td> </tr> <tr> <td>I-131</td> <td>Place the form in a separate receipt folder according to the local SOP.</td> </tr> </tbody> </table>	IF the following is submitted...	THEN...	Concurrently filed I-140 and I-485	Place the I-140/I-485 Concurrent Filing in an (A-file/T-file) and place the I-765 in a separate receipt folder attached to the I-485.	I-485	Place the I-485 in an A-file/T-file and the I-765 in a Receipt File. The I-765 will ride with the I-485 for processing.	I-131	Place the form in a separate receipt folder according to the local SOP.
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I-131	Place the form in a separate receipt folder according to the local SOP.								

Standards (continued)

No.	Standard
1.4	<p>Ensure that a remittance has been submitted, that it is an acceptable type, and that the payee line is correct. If the remittance is cash or the payee is not either U.S. CIS or DHS or was left blank, take it to your supervisor immediately (using dual custody procedures).</p> <p>Keep in mind the following:</p> <ul style="list-style-type: none"> • Each remittance should be one of the following: personal/business check, bank/cashier's check, treasury check or money order. • Accept remittances with U.S. CIS and/or DOJ as the payee until otherwise notified by HQSCO.

1.5	<p>Endorse each remittance on the back using one of the following methods:</p> <ol style="list-style-type: none"> 1. A computer slip printer at Data Entry. 2. A manually applied U.S. CIS “For Deposit Only” stamp <table border="1" style="margin: 10px auto;"> <thead> <tr> <th style="text-align: center;">IF...</th> <th style="text-align: center;">THEN...</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">The file will be moved for set up</td> <td style="text-align: center;">Return all materials to the envelope, keeping concurrently filed applications/petitions together, and bundle and sort the files.</td> </tr> <tr> <td style="text-align: center;">The same person will be setting up the file</td> <td style="text-align: center;">Continue processing. Advice: Go to Part 2: Assembly.</td> </tr> </tbody> </table> <p>Advice: Bundle by form type, place a batch sheet on top of each bundle, and write the received date, your employee ID number, and total number of each form type included in the batch. Place batches with the same received date into storage containers by form type and label the outside of these containers with the form type, received date, and number of forms included in the container.</p>	IF...	THEN...	The file will be moved for set up	Return all materials to the envelope, keeping concurrently filed applications/petitions together, and bundle and sort the files.	The same person will be setting up the file	Continue processing. Advice: Go to Part 2: Assembly.
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The file will be moved for set up	Return all materials to the envelope, keeping concurrently filed applications/petitions together, and bundle and sort the files.						
The same person will be setting up the file	Continue processing. Advice: Go to Part 2: Assembly.						

Part 2: Assembly

Description	Assembly is the process of reviewing the application for completeness and assembling it into Record of Proceeding (ROP) order. It is suggested that the envelope be slit open on three sides to ensure that all of the contents are located and removed.
Requirement	Review each filing against all required criteria for completeness and assemble it into ROP order. As deficiencies are noted, the reviewer will annotate the processing worksheet and, subsequent to completing the review, forward the deficiencies for resolution.
Standards	Complete the standards below to review each application and assemble it into ROP order.

No.	Standard
2.1	<p>Remove all contents of the envelope. Retain the envelope with the application as a part of the file, if not already retained with a concurrent petition.</p> <p>Advice: If the mailing package is too large, retain the postmark, mailing and return addresses of the mailing package, and the certified or registered mail sticker, if applicable, and hold them for assembly into the packet.</p>

Standards (continued)

No.	Standard								
2.2	<p>Ensure that the remittance meets the requirements specified in the Fee Remittance SOP and check that the remittance guarantee amount is correct.</p> <table border="1" data-bbox="386 470 1203 915"> <thead> <tr> <th data-bbox="386 470 797 506">IF...</th> <th data-bbox="797 470 1203 506">THEN...</th> </tr> </thead> <tbody> <tr> <td data-bbox="386 506 797 709">The fee amount is correct; the case is appropriately Fee Received Elsewhere (FRE) as evidenced by a fee receipt, receipt stamp or register tape; or the fee is not required</td> <td data-bbox="797 506 1203 709">Annotate the processing worksheet and continue processing.</td> </tr> <tr> <td data-bbox="386 709 797 810">There is no remittance, the case is NOT FRE, and the fee is required</td> <td data-bbox="797 709 1203 810">Annotate the processing worksheet and continue processing.</td> </tr> <tr> <td data-bbox="386 810 797 915">The fee amount is incorrect or the written and numerical amounts do not match</td> <td data-bbox="797 810 1203 915">Annotate the processing worksheet and continue processing.</td> </tr> </tbody> </table>	IF...	THEN...	The fee amount is correct; the case is appropriately Fee Received Elsewhere (FRE) as evidenced by a fee receipt, receipt stamp or register tape; or the fee is not required	Annotate the processing worksheet and continue processing.	There is no remittance, the case is NOT FRE, and the fee is required	Annotate the processing worksheet and continue processing.	The fee amount is incorrect or the written and numerical amounts do not match	Annotate the processing worksheet and continue processing.
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The fee amount is incorrect or the written and numerical amounts do not match	Annotate the processing worksheet and continue processing.								
2.3	<p>Review for the presence of the applicant's name and a complete address on the I-765 application. If the address is foreign or missing information, or the name and/or address are blank, annotate the processing worksheet.</p>								
2.4	<p>Verify that the applicant checked only one of the three boxes in the "I am applying for:" section of the application. If the applicant has marked more than one box or no box at all, annotate the processing worksheet.</p>								

Standards (continued)

No.	Standard
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2.5	<p>Review the I-765 application for the applicant’s original signature, verify that the applicant has properly signed the application, and annotate the processing worksheet.</p> <p>Keep in mind the following:</p> <ul style="list-style-type: none"> • The application is not properly signed if the signature is not in the correct block. • All forms of original signature are acceptable, including an “X” or a thumbprint. If the applicant signed with an “X”, then verify that a witness properly signed the application. • A typewritten name is not a signature. • A facsimile signature stamp is not acceptable. • Applicants 14 years of age or older must sign their own applications, but applications submitted for applicants under the age of 14 can be signed by a parent/guardian. 										
2.6	<p>Review the I-765 for your center’s jurisdiction. If the filing is not in your center’s jurisdiction, annotate the processing worksheet.</p> <p>Advice: Look for the applicant’s residence on the application and then consult the Jurisdiction Table below to determine whether or not the filing is acceptable. Refer to local policy for jurisdiction exceptions.</p> <table border="1" data-bbox="386 909 1206 1287"> <thead> <tr> <th data-bbox="386 909 607 982">Service Center</th> <th data-bbox="607 909 1206 982">State</th> </tr> </thead> <tbody> <tr> <td data-bbox="386 982 607 1024">California</td> <td data-bbox="607 982 1206 1024">AZ, CA, Guam, HI, NV</td> </tr> <tr> <td data-bbox="386 1024 607 1136">Nebraska</td> <td data-bbox="607 1024 1206 1136">AK, CO, IA, ID, IL, IN, KS, MI, MN, MO, ND, NE, OH, OR, SD, UT, WA, WI, WY, MT</td> </tr> <tr> <td data-bbox="386 1136 607 1209">Vermont</td> <td data-bbox="607 1136 1206 1209">CT, DC, DE, MA, MD, ME, NH, NJ, NY, PA, PR, RI, VA, VT, WV, VI</td> </tr> <tr> <td data-bbox="386 1209 607 1287">Texas</td> <td data-bbox="607 1209 1206 1287">AL, AR, FL, GA, KY, LA, MS, NM, NC, SC, OK, TN, TX</td> </tr> </tbody> </table>	Service Center	State	California	AZ, CA, Guam, HI, NV	Nebraska	AK, CO, IA, ID, IL, IN, KS, MI, MN, MO, ND, NE, OH, OR, SD, UT, WA, WI, WY, MT	Vermont	CT, DC, DE, MA, MD, ME, NH, NJ, NY, PA, PR, RI, VA, VT, WV, VI	Texas	AL, AR, FL, GA, KY, LA, MS, NM, NC, SC, OK, TN, TX
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Standards (continued)

No.	Standard
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2.7	<p>If a G-28 was submitted, check whether or not it is acceptable and annotate the processing worksheet. The G-28 is only acceptable if the following sections are complete:</p> <ul style="list-style-type: none"> • 2nd Block – Applicant’s name • 3rd Block – Type of Appearance must be checked (Box 1, 2, 3 and 1, 3 and 2, OR 4 must be checked) • 3rd Block – The representative or attorney’s original signature (original facsimile stamp is acceptable) • 3rd Block – The representative or attorney’s complete address • 4th Block – Name and proper signature of person consenting <p>If only one copy of the G-28 has been submitted and you have concurrently filed applications, photocopy the G-28 for each application and initial the copies with your employee number. Follow local procedures for additional requirements.</p>
2.8	<p>Staple the remittance, if present, to the lower, left margin of the acceptable G-28. If an acceptable G-28 was not submitted, staple it to the lower, left margin of the Form I-765.</p>
2.9	<p>Place the two color photographs in a glassine envelope and staple the bag to file jacket or the left-hand side of the first page of the I-765 application, in accordance with local policy. <i>Do not staple through the photos.</i> If the photos were not submitted, circle “N” when annotating the processing worksheet.</p>
2.10	<p>If the application is acceptable, assemble the file in the ROP order below; securely fasten the submitted documents into a blank, standard receipt file folder; and annotate the processing worksheet. Ensure that original documents are securely fastened into the file.</p> <p>Record/Left-Hand Side of File ROP (Top to Bottom)</p> <ul style="list-style-type: none"> A. G-28, if acceptable B. I-765 Application C. Supporting documentation D. Postmark/return address portion of original envelope <p>Non-Record/Right-Hand Side of File ROP (Top to Bottom)</p> <ul style="list-style-type: none"> E. I-765 (c)(9) processing worksheet F. G-28, if unacceptable G. Miscellaneous correspondence

Standards (continued)

No.	Standard
2.11	<p>If an application is to be rejected, arrange the submission in ROP order (above) and annotate the processing worksheet. Do not assemble the application into a receipt file folder. Fasten the documents together (processing worksheet on top) with a staple or other fastener.</p>

2.12	<p>Group the acceptable cases according to the current requirements. If a deficiency was noted or a fee waiver request was submitted, batch the like cases according to the table below. Label all of the batches with a batch sheet.</p> <p>Advice: Label with a batch sheet when you have one of the following:</p> <ul style="list-style-type: none"> • A batch size of no more than 25 • Completed all of the work for a particular received date • Reached the end of your shift <table border="1"> <thead> <tr> <th>IF the I-765 (c)(9)...</th> <th>THEN...</th> </tr> </thead> <tbody> <tr> <td>Is only deficient for reason of incorrect fee amount, unsigned or missing remittance, or unsigned/improperly signed application</td> <td>Refer it for secondary review, batch it with other such cases, and route it for system rejection.</td> </tr> <tr> <td>Includes a fee waiver request</td> <td>Batch it with other such cases and route it to U.S. CIS Review.</td> </tr> <tr> <td>Is deficient for reason(s) other than just fee and/or signature deficiencies</td> <td>Batch it with other such cases and route it to U.S. CIS Review.</td> </tr> </tbody> </table>	IF the I-765 (c)(9)...	THEN...	Is only deficient for reason of incorrect fee amount, unsigned or missing remittance, or unsigned/improperly signed application	Refer it for secondary review, batch it with other such cases, and route it for system rejection.	Includes a fee waiver request	Batch it with other such cases and route it to U.S. CIS Review.	Is deficient for reason(s) other than just fee and/or signature deficiencies	Batch it with other such cases and route it to U.S. CIS Review.
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Part 3: Processing Manual Rejects

Description A **manual reject** is used for applications that will be rejected back to the applicant for reasons other than incorrect fee amount, unsigned or missing remittance, or unsigned application.

Requirements A manual reject notice must be processed for reasons other than the above fee and/or signature deficiencies.

Standards Complete the standards below to process a manual reject.

No.	Standard
3.1	Using the reason(s) indicated on the I-765 (c)(9) processing worksheet , prepare an appropriate manual reject notice.
3.2	If applicable, cancel the bank endorsement stamp on the remittance and return the remittance to the applicant with the application.
3.3	Draw a line through the Mailroom date stamp on the application.
3.4	Remove and discard the processing worksheet and any other internal U.S. CIS documentation (i.e. CIS screen prints, etc.).

3.5	Remove the contents of the file from the folder, if necessary, and staple the manual reject letter to the front of the application.
3.6	Place the file contents with the letter in an envelope. Follow outgoing mail procedures.

Section 2: Data Entry Module

**I-765 (c)(9)
National SOP
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Section 2: Data Entry, **Continued**

Introduction Data Entry is the process by which fees are receipted and case information is reviewed and then keyed into the **Computer Linked Application Information Management System (CLAIMS LAN)**.

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Part 1: Entering Data

Description Acceptable applications and rejects for fee and/or signature must be processed and case information entered in CLAIMS LAN.

Requirements All cases must be reviewed against all required criteria and processed, labels affixed to the file, the fee secured, and the **processing worksheet** completed, as necessary.

If after review, an application would only be rejected for fee and/or signature, the file may be rejected without being sent to U.S. CIS Review. However, prior to rejection, the fee and/or signature deficiency must undergo a secondary review by another individual other than the contract employee originating the rejection. This secondary review may be performed by a supervisor, U.S. CIS employee, contractor personnel, or any individual skilled in checking for fee and signature deficiencies, including the individual preparing the rejection notice (if prepared by a different person).

Standards

Complete the standards below to review and process cases.

Keep in mind the following:

- Until HQ releases the “Standard Data Entry Guide” for implementation, refer to local data entry procedures.
- Use the “Enter” or arrow keys to move from field to field. When the cursor is positioned in a field, press <Insert> to view all available information for that specific field.
- Unless otherwise specified, “**key what you see.**” Thus, if a field is blank on the application, leave it blank on the screen.
- Do not use punctuation, *except* for the ampersand (&) and forward slash (/).
- Receipting the case means entering the fee information into CLAIMS LAN.
- Tab key should be used when entering information into CLAIMS LAN.

Standards (continued)

No.	Standard
1.1	Access the CLAIMS LAN I-765 data entry screen. Advice: Double click on the “Receipt New Application” icon. Enter a receipt or form number. Type “I765” for a new case or wand the bar code for a previously rejected case and press <Enter>.
1.2	Enter the received date (format: mm/dd/yyyy) using the date on the date-stamp on the front of the I-765. If a prior reject, use the most recent Date Stamp. If received from a District Office, use the earliest Date Stamp indicated as appropriate.
1.3	Enter the applicant’s A-number, if provided.
1.4	Enter the letter corresponding to the appropriate “I am applying for:” box. Advice: Enter “A” – Permission to accept employment, “B” – Replacement, or “C” – Renewal of my permission to accept employment.
1.5	Review for the presence of the applicant’s name and a complete address on the I-765 application. If the address is foreign or missing information, or the name and/or address are blank, annotate the processing worksheet and continue the review, but do not receipt the case.

1.6	<p>In the Information About You section of CLAIMS LAN, enter the following:</p> <ul style="list-style-type: none"> • Applicant's name (Last, First, Middle) • c/o, if applicable • Address • Country of Citizenship (COC) and Country of Birth (COB) • Date of Birth (DOB), if blank-do not enter anything and annotate the processing worksheet • Sex • Marital Status, if blank-enter U • Social Security Number • A# and I-94 Number, if provided
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Standards (continued)

No.	Standard
1.6 Cont'd	<p>In the Information About You section of CLAIMS LAN, continue entering the following information:</p> <ul style="list-style-type: none"> • Date of Last Entry, if only the year is given-enter 1/1/year; if only month and year is given-enter month/01/year • Place of Last Entry, if blank-enter UU/UNK • Manner of Last Entry, if blank-enter UU/UNK • Current Immigrant Status, if blank-enter UU/UNK • Eligibility Category • Telephone <p>Keep in mind the following:</p> <ul style="list-style-type: none"> • There must be an entry in first and last name fields. If only one name is provided, enter the name in the Last Name field. In the First Name field, enter "No Name Given". • In entering the name, do not use hyphens; use a space instead. • Symbols or numerals cannot be used in place of a name expressed in alpha characters. If someone gives such a name, use the meaning of the symbol or the spelled out number. • Only enter the "In care of" information if it is different from the applicant's name. • If the applicant provides both a residence address and a C/O address, enter the C/O address. Additionally, if both a PO Box and a physical address are listed, enter the PO Box address. • In entering in the address, type in the address and press <Enter> to move the cursor to the "Zip" field. When you type in the zip code and press <Enter>, the system will populate the "City" and "State" fields. If these fields are not correct and you have verified that the zip code was entered correctly, override the city and state by manually entering the information. • If the I-94# is incomplete, missing or illegible, enter it as a string of zeros. • If multiple statuses are listed, key the first one you see.

Standards (continued)

No.	Standard						
1.7	<p>Determine if the G-28 was properly completed by ensuring that the sections below are complete and refer to the table below to complete the “G-28 attached?” field.</p> <ul style="list-style-type: none"> • 2nd Block – Applicant’s name • 3rd Block – Type of Appearance must be checked (Box 1, 2, 3 and 1, 3 and 2, OR 4 must be checked) • 3rd Block – The representative or attorney’s original signature (original facsimile stamp is acceptable) • 3rd Block – The representative or attorney’s complete address • 4th Block – Name and proper signature of person consenting <table border="1" data-bbox="402 772 1214 982"> <thead> <tr> <th data-bbox="402 772 737 804">IF...</th> <th data-bbox="737 772 1214 804">THEN...</th> </tr> </thead> <tbody> <tr> <td data-bbox="402 804 737 909">No G-28 or an improperly completed G-28 was submitted</td> <td data-bbox="737 804 1214 909">Enter “N” in the field and continue processing, without entering the G-28 data.</td> </tr> <tr> <td data-bbox="402 909 737 982">A properly completed G-28 was submitted</td> <td data-bbox="737 909 1214 982">Enter “Y” in the field and continue processing.</td> </tr> </tbody> </table>	IF...	THEN...	No G-28 or an improperly completed G-28 was submitted	Enter “N” in the field and continue processing, without entering the G-28 data.	A properly completed G-28 was submitted	Enter “Y” in the field and continue processing.
IF...	THEN...						
No G-28 or an improperly completed G-28 was submitted	Enter “N” in the field and continue processing, without entering the G-28 data.						
A properly completed G-28 was submitted	Enter “Y” in the field and continue processing.						
1.8	<p>If a valid G-28 was submitted, complete the following fields in the “Information About the Attorney or Representative” sub-screen, and press <F4> to save the data.</p> <ul style="list-style-type: none"> • Name: Enter the name (Last, First, Middle) from the 4th block of the G-28 with any titles (e.g., ESQ, SR, etc.) included in the last name field (after the last name). • Firm’s name/VOLAG, if applicable: Complete this field only if the entry is different from the attorney’s name. This may be found in the “Complete Address” block of the G-28. • Address: The first “Street” field is to be used for the entry, with any overflow entered in the second one. If both a PO Box and a physical address are listed, enter the PO Box address. • Zip Code: Verify the city and state after you enter the zip code. • Type of Appearance: <ul style="list-style-type: none"> o If block 1 on the G-28 is checked, enter “A” o If block 2 is checked, enter “B” o If block 3 AND 1 or 3 AND 2 or 4 is checked, enter “C” <p>Keep in mind the following: Do not populate the U.S. CIS Attorney #, ATTY State License #, or VOLAG # fields.</p>						

Standards (continued)

No.	Standard
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1.9	Ensure that the remittance meets the requirements specified in the Fee Remittance SOP and check that the remittance guarantee amount is correct.												
	<table border="1"> <thead> <tr> <th data-bbox="357 325 868 367">IF...</th> <th data-bbox="868 325 1240 367">THEN...</th> </tr> </thead> <tbody> <tr> <td data-bbox="357 367 868 430">An acceptable remittance was received</td> <td data-bbox="868 367 1240 430">Receipt the case. Advice: Go to 1.10.</td> </tr> <tr> <td data-bbox="357 430 868 535">The case is appropriately fee received elsewhere (FRE) (e.g., at a district office)</td> <td data-bbox="868 430 1240 535">Receipt the case. Advice: Go to 1.11.</td> </tr> <tr> <td data-bbox="357 535 868 598">The fee was waived or a fee is not required</td> <td data-bbox="868 535 1240 598">Receipt the case. Advice: Go to 1.12.</td> </tr> <tr> <td data-bbox="357 598 868 808">An unsigned remittance was received and the remittance requires a signature (e.g., a money order is acceptable unsigned) OR a remittance was received, but the fee amount is incorrect</td> <td data-bbox="868 598 1240 808">Annotate the processing worksheet and receipt the deficient fee. Advice: Go to 1.10.</td> </tr> <tr> <td data-bbox="357 808 868 1041">The fee is required BUT it does not meet other Fee Remittance SOP acceptability criteria or there is no evidence of a fee payment</td> <td data-bbox="868 808 1240 1041">Annotate the processing worksheet and continue the review, but do not receipt the case. Advice: Go to 1.13.</td> </tr> </tbody> </table>	IF...	THEN...	An acceptable remittance was received	Receipt the case. Advice: Go to 1.10.	The case is appropriately fee received elsewhere (FRE) (e.g., at a district office)	Receipt the case. Advice: Go to 1.11.	The fee was waived or a fee is not required	Receipt the case. Advice: Go to 1.12.	An unsigned remittance was received and the remittance requires a signature (e.g., a money order is acceptable unsigned) OR a remittance was received, but the fee amount is incorrect	Annotate the processing worksheet and receipt the deficient fee. Advice: Go to 1.10.	The fee is required BUT it does not meet other Fee Remittance SOP acceptability criteria or there is no evidence of a fee payment	Annotate the processing worksheet and continue the review, but do not receipt the case. Advice: Go to 1.13.
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Standards (continued)

No.	Standard
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1.10	<p>If a remittance was received, type “A” in the “Fee Info” field in CLAIMS LAN and press <Enter> to bring up the “Remittance Information” sub-screen. Complete the following fields:</p> <ul style="list-style-type: none"> • Signed?: Enter “Y” if the remittance is signed or does not require a signature, otherwise, enter “N.” • Type of remittance: Enter one of these appropriate codes: BC – Bank Check/Cashier’s Check/Draft/Traveler’s Check CMO – Commercial Money Order IMO – International Money Order PC – Personal Check PMO – Postal Money Order TC – Treasury Check • Amount received: Enter the amount of the remittance, unless the amount received was incorrect. In that case, enter \$1.00. If multiple remittances were submitted, enter only the information for one remittance – any others will be entered separately. • Remitter: Enter the name from the remittance (Last, First, Middle). If an individual’s name is not on the remittance or is illegible, enter the applicant’s name from the application. <p>Press <F4> to save the data and then select “Yes.” A summary window will open.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center; padding: 5px;">IF...</th> <th style="text-align: center; padding: 5px;">THEN...</th> </tr> </thead> <tbody> <tr> <td style="text-align: center; padding: 5px;">There is an additional remittance</td> <td style="padding: 5px;">Press <Insert> twice, enter the additional remittance, and press <F4>. When finished, press <Esc> at the summary.</td> </tr> <tr> <td style="text-align: center; padding: 5px;">There is only one remittance</td> <td style="text-align: center; padding: 5px;">Press <Esc>.</td> </tr> </tbody> </table>	IF...	THEN...	There is an additional remittance	Press <Insert> twice, enter the additional remittance, and press <F4>. When finished, press <Esc> at the summary.	There is only one remittance	Press <Esc>.
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There is only one remittance	Press <Esc>.						

Standards (continued)

No.	Standard
1.11	<p>If the case is appropriately fee receipted elsewhere (FRE), in the “Fee Info” field in CLAIMS LAN, type “B” (contact your supervisor for the code) and press <Enter>. Complete the following steps in the “Fee Collected Elsewhere” screen:</p> <ul style="list-style-type: none"> • If there is an original fee receipt number from another office, enter that number and press <F4>. Otherwise, press <F4> to create a new receipt #, while saving the data. • Select “Yes”, press <Enter> and press <Esc>.
1.12	<p>If a remittance is not required or a fee waiver was submitted and approved by the U.S. CIS, then in the “Fee Info” field in CLAIMS LAN, type “D.” At the authorization screen that appears, contact your supervisor for the “release” code and press <Enter>. If the fee was submitted anyway, return it to the applicant.</p>
1.13	<p>Make sure that there is an “N” in the “Concurrent With?” field and press <F4> to save.</p>

1.14	<p>Review the I-765 to verify that the applicant has properly signed the application and complete the “Signature?” field according to the table below.</p> <p>Keep in mind the following:</p> <ul style="list-style-type: none"> • The application is not properly signed if the signature is not in the correct block. • All forms of original signature are acceptable, including an “X” or a thumbprint. If the applicant signed with an “X”, then verify that a witness properly signed the application. • A typewritten name is not a signature. • A facsimile signature stamp is not acceptable. • Applicants 14 years of age or older must sign their own applications, but applications submitted for applicants under the age of 14 can be signed by a parent/guardian. 		
	IF...	THEN...	
	The application is properly signed	Type “Y” over the default “N.”	
	The application is NOT properly signed	Press <Enter> twice or <Tab> once and annotate the processing worksheet to show the deficiency.	

Standards (continued)

No.	Standard
1.15	<p>In the “Biometrics Attached?” field, leave the default field as “Y” and press <F4> to save.</p> <p>Keep in mind the following: CLAIMS LAN will <i>automatically</i> do the following: assign the case a receipt number, RAFACS it to Data Entry and print labels. If the labels were not printed properly and you need to reprint them, press <Ctrl+F4>.</p>
1.16	<p>If no deficiencies were noted during review, remove the remittance(s) from the top page of the ROP and endorse the back of the remittance with the computer slip printer or write the information below on the upper-front portion of each. Then secure the fee.</p> <ul style="list-style-type: none"> • Receipt Number • Date of Receipting (not the Received Date) • Your Employee ID#

1.17	<p>If no deficiencies were noted, affix the labels as follows, and annotate the processing worksheet:</p> <ul style="list-style-type: none"> • Affix a barcode label in the Fee Stamp box on the front of the application. • Affix another barcode label to the back of the file jacket tab. • Affix another barcode label to the Fee Stamp box on the front of the processing worksheet. • Affix a human readable label to the front of the file jacket tab. • Staple the remaining CLAIMS LAN-printed labels inside the file. • Affix an I-765 SWIP FEE or W sticker two inches below the barcode on the back of the file tab. <p>Keep in mind the following:</p> <ul style="list-style-type: none"> • Be careful not to cover any U.S. CIS stamps or notations that may be in the Receipt box area. • Do not staple through barcode labels.
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Standards (continued)

No.	Standard						
1.18	<p>Group the acceptable cases according to the current requirements and continue processing. If a deficiency was noted, batch and route the like cases according to the table below. Label all of the batches with a batch sheet.</p> <p>Advice: Label with a batch sheet when you have one of the following:</p> <ul style="list-style-type: none"> • A batch size of no more than 25 • Completed all of the work for a particular received date • Reached the end of your shift <table border="1" style="width: 100%; margin-top: 10px; border-collapse: collapse;"> <thead> <tr> <th style="width: 50%; padding: 5px;">IF...</th> <th style="width: 50%; padding: 5px;">THEN...</th> </tr> </thead> <tbody> <tr> <td style="padding: 5px;">The file is only deficient for reason of incorrect fee amount, unsigned or missing remittance, or unsigned/improperly signed application</td> <td style="padding: 5px;">Refer it for secondary review, batch the file with other such cases, and process as a system reject.</td> </tr> <tr> <td style="padding: 5px;">The file is deficient for any other reason</td> <td style="padding: 5px;">Batch the file with other deficient files and route them to U.S. CIS Review.</td> </tr> </tbody> </table>	IF...	THEN...	The file is only deficient for reason of incorrect fee amount, unsigned or missing remittance, or unsigned/improperly signed application	Refer it for secondary review, batch the file with other such cases, and process as a system reject.	The file is deficient for any other reason	Batch the file with other deficient files and route them to U.S. CIS Review.
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Part 2: Creating a RAFACS Record

Description Cases at the Service Center are tracked locally in RAFACS. Once a record is created in RAFACS, the record can be queried at any step in the process to determine the location or processing stage of the file.

Requirement If a RAFACS record was not automatically created, it must be manually created for each file. This procedure should be completed after the file has been data entered or scanned, if performed at the same location.

Standards To create a RAFACS record, follow the standards below:

No.	Standard
2.1	Select the RAFACS icon from the Icon Menu and then select "A" for RAFACS Users.
2.2	Enter "DENA" at the Transaction Identifier screen in RAFACS.
2.3	Wand the A/T-file barcode.
2.4	Press <F7>. At this point, if there are any other files, repeat standards 2.3 and 2.4.
2.5	Upon completion, RAFACS the file accordingly and continue processing.

Part 3: Scanning

Description When an applicant applies for Adjustment of Status, he or she becomes eligible for unrestricted employment during the pendency of his or her I-485. The applicant who wishes to obtain employment authorization will file an I-765 concurrently with the I-485 or, in some instances, after the I-485 has been filed. The photograph, signature and fingerprint images will be used to produce an Employment Authorization Document (EAD) for the applicant.

Acceptable Photographs for Scanning Acceptable photographs must be submitted with the I-765 in order to produce an EAD.

Keep in mind the following:

- There are a number of quality assurance issues that must be considered when choosing to scan a photograph:
 - o The photo must be an "ADIT" style photo.
 - o The face of the photo cannot have staple holes, scratches, smudges or spots present.
 - o The image cannot be too light or too dark, have shadows, etc.
- The photograph will need to be placed in one of the three following places in order to be located next to the other images for scanning:
 - o On the signature card
 - o On the I-765 application
 - o On the G-28

Acceptable Signature for Scanning

The best quality signature for scanning can be taken from the signature card, the I-765 application, or the G-28.

Keep in mind the following:

- There are many variables to consider when deciding which signature to use for scanning, including:
 - o Is the signature dark enough?
 - o Is it impeded by other writing on the document?
 - o Is it impeded by preprinted lines on the documents?
 - o Is it the applicant's signature?
 - o Is it printed vs. signed? (A typed signature is not acceptable.)

Acceptable Signature for Scanning, Cont'd.

Continued:

- The signature used must reflect the form consistently used by the applicant. Only one line, either on the top or the bottom of the signature, can show. Any lines to the left or right of the signature must be covered up with tape.
- If you choose to use the signature on the I-765, all other images should be arranged and stapled to the I-765 in order to scan the images just once. The same would hold true if you use the signature on the G-28.

Acceptable Fingerprint for Scanning

The fingerprint is not required in order to produce an EAD based on the (c)(9) category. If the fingerprint is present, it should be used unless its placement on the signature card is too low and lines will show up through the print when scanned, if the fingerprint is smudged, etc. If the fingerprint is not present, it will need to be waived when preparing the document for printing.

Requirements

The applicant's photograph, signature and fingerprint images must be prepared for scanning with each piece of evidence arranged on the I-765, the signature card, or the G-28, if applicable, and then scanned.

Standards

To scan the biometric data, use the following standards.

No.	Standard										
3.1	RAFACS the files to the Scanning Unit, if applicable.										
3.2	<p>Prepare the I-765 for scanning.</p> <p>Advice: The following "Recommended Action" steps (3.1a to 3.1d) are the preferred method.</p> <table border="1"> <thead> <tr> <th>Step</th> <th>Recommended Action</th> </tr> </thead> <tbody> <tr> <td>3.2a</td> <td>Locate the best signature and cover any lines or marks, as necessary.</td> </tr> <tr> <td>3.2b</td> <td>Remove the photos from the glassine envelope and choose the best one.</td> </tr> <tr> <td>3.2c</td> <td>Staple the photo to either side of the best signature as appropriate. Do not staple the photo through the face.</td> </tr> <tr> <td>3.2d</td> <td>Arrange the fingerprint, if provided, on the document (if not the signature card) where the best signature is located.</td> </tr> </tbody> </table>	Step	Recommended Action	3.2a	Locate the best signature and cover any lines or marks, as necessary.	3.2b	Remove the photos from the glassine envelope and choose the best one.	3.2c	Staple the photo to either side of the best signature as appropriate. Do not staple the photo through the face.	3.2d	Arrange the fingerprint, if provided, on the document (if not the signature card) where the best signature is located.
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3.2d	Arrange the fingerprint, if provided, on the document (if not the signature card) where the best signature is located.										

3.3	<p>Access the I-765 data entry screen and populate the case data.</p> <p>Advice: Access the LAN and select the “GUI Receipting” icon from the Icon Menu. Select the “Inquiry/ Modify” option from the toolbar at the top of your screen. Wand the barcode for the receipt number and then populate the fields with data by clicking on the “Search” button.</p>
3.4	<p>Verify the data below on the I-765.</p> <ul style="list-style-type: none"> • A-number, (Block 10) • “I am applying for” box • Full name • Address • Country of birth • Date of birth • Gender – male/female • Marital status • Eligibility code, (Block 16) • G-28 data (click on Cancel or Save)

Standards (continued)

No.	Standard
3.5	Select the “Capture” icon located on the main Data Entry screen.
3.6	<p>Place the biometric data on the scanning bed for scanning.</p> <p>Advice: Fold back the file folder to expose the biometric data arranged for scanning and place it face down on the scanning bed. Align the edge of the folder near the double arrows located outside of the green strip along the front glass of the scanner or as appropriate to local scanning equipment.</p>
3.7	Select the “PreScan” button located on the right bottom side of the screen.
3.8	<p>Select the items to be scanned using following information.</p> <p>Photograph: Photographs are required. If the photo is missing or does not meet ADIT requirements, annotate the processing worksheet.</p> <p>Signature: Scanned signatures are not required for children under the age of 14 or adults over the age of 79 (the signature should always be waived in these cases by entering “W”). If an adult over age 79 has an acceptable signature, it may be used. If there is no signature card present, the applicant’s signature on the application may be used. If the signature on the application is not acceptable for scanning purposes, and there is a valid G-28, the signature on the G-28 may be used as long as it is verified as being that of the applicant.</p> <p>Fingerprint: Fingerprints are not required. If a fingerprint is present on a signature card it should be scanned. If there is no fingerprint present or it does not meet quality requirements, the fingerprint should be waived by entering “W”.</p>

Standards (continued)

No.	Standard										
3.9	<p>Select the red “photograph” checkbox on the right-hand side of the screen and select the photo by placing a red box around the image.</p> <p>Advice: The following “Recommended Action” steps (3.8a to 3.8d) are the preferred method for selecting the photo.</p> <table border="1" data-bbox="386 558 1208 869"> <thead> <tr> <th data-bbox="386 558 477 590">Step</th> <th data-bbox="477 558 1208 590">Recommended Action</th> </tr> </thead> <tbody> <tr> <td data-bbox="386 590 477 659">3.8a</td> <td data-bbox="477 590 1208 659">Move the pointer to the upper left corner of the photo image located on the left side of the screen.</td> </tr> <tr> <td data-bbox="386 659 477 695">3.8b</td> <td data-bbox="477 659 1208 695">Click the left mouse button. A red dot should appear.</td> </tr> <tr> <td data-bbox="386 695 477 800">3.8c</td> <td data-bbox="477 695 1208 800">Drag the dot diagonally to the lower right corner of the photo. A red box will form around the photo’s image on the screen.</td> </tr> <tr> <td data-bbox="386 800 477 869">3.8d</td> <td data-bbox="477 800 1208 869">Release the mouse. The image should appear where you placed it.</td> </tr> </tbody> </table>	Step	Recommended Action	3.8a	Move the pointer to the upper left corner of the photo image located on the left side of the screen.	3.8b	Click the left mouse button. A red dot should appear.	3.8c	Drag the dot diagonally to the lower right corner of the photo. A red box will form around the photo’s image on the screen.	3.8d	Release the mouse. The image should appear where you placed it.
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3.8d	Release the mouse. The image should appear where you placed it.										
3.10	<p>Select the blue “fingerprint” box on the right hand side of the screen OR the “other” box if the fingerprint is taken from a finger other than the right index finger. Then select the fingerprint by placing a blue box around the image.</p> <p>Advice: The following “Recommended Action” steps (3.9a to 3.9d) are the preferred method for selecting the fingerprint.</p> <table border="1" data-bbox="386 1121 1208 1432"> <thead> <tr> <th data-bbox="386 1121 477 1152">Step</th> <th data-bbox="477 1121 1208 1152">Recommended Action</th> </tr> </thead> <tbody> <tr> <td data-bbox="386 1152 477 1222">3.9a</td> <td data-bbox="477 1152 1208 1222">Move the pointer to the upper left corner of the fingerprint image located on the left side of the screen.</td> </tr> <tr> <td data-bbox="386 1222 477 1257">3.9b</td> <td data-bbox="477 1222 1208 1257">Click the left mouse button. A blue dot should appear.</td> </tr> <tr> <td data-bbox="386 1257 477 1362">3.9c</td> <td data-bbox="477 1257 1208 1362">Drag the dot diagonally to the lower right corner of the fingerprint. A blue box will form around the fingerprint’s image on the screen.</td> </tr> <tr> <td data-bbox="386 1362 477 1432">3.9d</td> <td data-bbox="477 1362 1208 1432">Release the mouse. The image should appear where you placed it.</td> </tr> </tbody> </table>	Step	Recommended Action	3.9a	Move the pointer to the upper left corner of the fingerprint image located on the left side of the screen.	3.9b	Click the left mouse button. A blue dot should appear.	3.9c	Drag the dot diagonally to the lower right corner of the fingerprint. A blue box will form around the fingerprint’s image on the screen.	3.9d	Release the mouse. The image should appear where you placed it.
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3.9d	Release the mouse. The image should appear where you placed it.										

Standards (continued)

No.	Standard		
3.11	<p>Select the purple “signature” box on the right hand side of the screen and then select the signature by placing a purple box around the image.</p> <p>Advice: The following “Recommended Action” steps (3.10a to 3.10d) are the preferred method for selecting the signature.</p> <table border="1" data-bbox="386 1829 1063 1862"> <thead> <tr> <th data-bbox="386 1829 477 1862">Step</th> <th data-bbox="477 1829 1063 1862">Recommended Action</th> </tr> </thead> <tbody> </tbody> </table>	Step	Recommended Action
Step	Recommended Action		

	<table border="1"> <tr> <td>3.10a</td> <td>Move the pointer to the upper left corner of the signature image located on the left side of the screen.</td> </tr> <tr> <td>3.10b</td> <td>Click the left mouse button. A purple dot should appear.</td> </tr> <tr> <td>3.10c</td> <td>Drag the dot diagonally to the lower right corner of the signature. A purple box will form around the signature's image on the screen.</td> </tr> <tr> <td>3.10d</td> <td>Release the mouse. The image should appear where you placed it.</td> </tr> </table>	3.10a	Move the pointer to the upper left corner of the signature image located on the left side of the screen.	3.10b	Click the left mouse button. A purple dot should appear.	3.10c	Drag the dot diagonally to the lower right corner of the signature. A purple box will form around the signature's image on the screen.	3.10d	Release the mouse. The image should appear where you placed it.		
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3.12	<p>Adjust the images appropriately.</p> <table border="1"> <tr> <td>IF you want the image to be...</td> <td></td> </tr> <tr> <td>Centered</td> <td></td> </tr> <tr> <td>Enlarged</td> <td></td> </tr> <tr> <td>Reduced</td> <td></td> </tr> <tr> <td>Lighter/darker</td> <td> <p>And then click on the "COLOR" button. Nine photos will appear. Select the appropriate image by double clicking on the image.</p> <ul style="list-style-type: none"> • Foreground – click on the "+" or "-" arrow side of the full sun button • Background – click on the "+" or "-" arrow side of the half moon button </td> </tr> </table>	IF you want the image to be...		Centered		Enlarged		Reduced		Lighter/darker	<p>And then click on the "COLOR" button. Nine photos will appear. Select the appropriate image by double clicking on the image.</p> <ul style="list-style-type: none"> • Foreground – click on the "+" or "-" arrow side of the full sun button • Background – click on the "+" or "-" arrow side of the half moon button
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Enlarged											
Reduced											
Lighter/darker	<p>And then click on the "COLOR" button. Nine photos will appear. Select the appropriate image by double clicking on the image.</p> <ul style="list-style-type: none"> • Foreground – click on the "+" or "-" arrow side of the full sun button • Background – click on the "+" or "-" arrow side of the half moon button 										

Standards (continued)

No.	Standard
3.13	<p>Accept and save the information.</p> <p>Advice: To accept and save the biometrics, first select "Accept." In the main screen, select "Save" and then select "Yes" at the "Modify?" prompt. When finished you can click on "Cancel," and then "Clear."</p>

3.14	<p>Return to the GUI Application Data screen and review the "Image Data Box" for the following:</p> <ul style="list-style-type: none"> • Verify that there are no "D"s showing in the "Image Data Box". • Verify that the Fingerprint block indicates a "W" if the fingerprint is missing or cannot be used due to quality reasons; or indicates a "Y" for scanned. • Verify that the signature block shows "W" only if the applicant is under 14 or over 79 years of age.
3.15	<p>Annotate the processing worksheet to show that the photo, fingerprint, and signature have been properly scanned and annotate the file jacket to show that scanning has been completed.</p> <p>Advice: Follow local procedures.</p>

Part 4: Processing Manual Rejects

Description A **manual reject** is used for applications that will be rejected back to the applicant for reasons other than incorrect fee amount, unsigned or missing remittance, or unsigned application.

Requirements A manual reject notice must be processed for reasons other than the above fee and/or signature deficiencies.

Standards Complete the standards below to process a manual reject.

No.	Standard
4.1	Using the reason(s) indicated on the I-765 (c)(9) processing worksheet , prepare an appropriate manual reject notice.
4.2	If applicable, cancel the bank endorsement stamp on the remittance and return the remittance to the applicant with the application.
4.3	Draw a line through the Mailroom date stamp on the application.
4.4	Remove and discard the processing worksheet and any other internal U.S. CIS documentation (i.e. CIS screen prints, etc.).
4.5	Remove the contents of the file from the folder, if necessary, and staple the manual reject letter to the front of the application.
4.6	Place the file contents with the letter in an envelope. Follow outgoing mail procedures.

Part 5: Processing System Rejects

Description A **system reject** is an application rejected for incorrect fee, unsigned or missing remittance, or unsigned or improperly signed application. These rejections are processed in CLAIMS LAN.

Requirement Applications to be processed as system rejects must be processed in CLAIMS LAN. This must take place after the reason(s) for rejection is verified by a secondary review. The **processing worksheet** must also be annotated to note that the secondary review was completed.

Standards Complete the standards below to process a system reject.

No.	Standards
5.1	Annotate the processing worksheet that the secondary review has been completed.
5.2	Enter the data into CLAIMS LAN from the I-765 as if it were an I-765 for receipting and press <F4> to save. A prompt stating the deficiency(ies) should appear, as well as a dialog box asking: "Reject this case?" Enter "Y."
5.3	The rejection letter and a barcode label will print, and the following dialog box will appear: "Print an address label?" Enter "Y."
5.4	Affix the barcode label to the application in the Receipt box and notate the receipt label in accordance with local policy. Draw a line through the existing date-stamp on the application and through the fee amount if written on the application.
5.5	If applicable, cancel the bank endorsement stamp on the remittance and return the remittance to the applicant with the application.
5.6	Draw a line through the Mailroom date stamp on the application.
5.7	Remove and discard the processing worksheet and any other internal U.S. CIS documentation (i.e. CIS screen prints, etc.).
5.8	Retrieve the reject letter generated by CLAIMS LAN and verify that it is correct. Remove the contents of the file from the folder, if necessary, and staple the reject letter to the front of the application.
5.9	Place the file contents with the letter in an envelope. Affix one of the previously printed address labels to the envelope and follow outgoing mail procedures.

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Section 3: U.S. CIS Review Module

**I-765 (c)(9)
National SOP
Introduction**

This Standard Operating Procedure (SOP) has been created for the purpose of standardizing operational policies and procedures between local offices and service centers in the processing of the I-765 (c)(9), Application for Employment Authorization – Adjustment Applicant. This SOP is in response to the processing differences that have developed between local offices and between service centers over time. To support the goal of standardizing procedures, this SOP seeks to improve the production efficiencies through the application of best practices from the local offices and service centers. While it is acknowledged that the facilities may have different demands and physical layouts, a standard process will assist in ensuring that our customers receive consistent processing regardless of jurisdiction.

This SOP has been developed as a modular document. The Mailroom, Data Entry, U.S. CIS Review, File Room, Adjudications, and Post-Adjudications sections are stand-alone documents that can be used individually as training and daily reference documents. Each module describes a stage in the processing of an I-765 (c)(9) application. Below is a brief description of each module:

- **Mailroom (Service Center)**- The process by which a service center receives I-765 (c)(9) applications, reviews them for acceptability and assembles them for data entry.
- **Data Entry (Service Center)**- The process by which fees are receipted and case information is keyed into CLAIMS LAN.
- **U.S. CIS Review (Service Center)**- The process by which U.S. CIS verifies most reasons for rejection cited by the contractor.
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- **Adjudications (Service Center)**- The process by which an application is examined for determination of whether the application is approvable or deniable.
- **Post-Adjudications (Service Center)**-The procedure to be followed after an officer makes a determination on an I-765 (c)(9) case.

Recommendations for changes to this document should be sent to the Headquarters Office of Service Center Operations (HQSCO).

Important: This SOP is not intended to be, and should not be taken as, an authoritative statement of the rules of decision for Form I-765 (c)(9) cases. This SOP is a guide for the consistent processing of Form I-765 (c)(9) cases. The Service bases the actual decision in a particular case on the record of that particular case and on the Act, regulations, precedent administrative and judicial decisions, and general statements of Service policy relating to the case. Thus, nothing in this SOP creates any substantive or procedural right or benefit that is legally enforceable by any party against the United States or its agencies or officers or any other person.

**I-765 (c)(9)
SOP Table of
Contents**

The following is a table of contents, which serves as a guide for all of the modules of the I-765 (c)(9) SOP. Each module contains its own table of contents that will help to guide through the individual sections of the SOP.

Note: This SOP establishes the required minimum standard for the operational procedures that all service centers should follow. However, this does not invalidate all local requirements and procedures. Local procedures that do not conflict with this SOP (i.e., procedures that are above and beyond the SOP) may still be required, as determined by management at each office. Additionally, recommendations or advice in this SOP may become requirements at the service center at the discretion of each center's management.

Introduction After the Mailroom or Data Entry personnel have reviewed the I-765 (c)(9) for acceptability, U.S. CIS must verify reasons for rejection cited by the Mailroom or Data Entry personnel for preparation of the reject notice and for review of the fee waiver requests. This stage in the process is referred to as U.S. CIS Review.

U.S. CIS Personnel The selection of the U.S. CIS personnel that will be assigned to U.S. CIS Review will be the responsibility of Management at each service center. Keep in mind that U.S. CIS Review does not necessarily have to be completed by an officer.

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Part 1b: Reviewing for Application Completeness	3-6
Part 1c: U.S. CIS Review Processing	3-9
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Part 1: Review for Reject Criteria

Description After the Mailroom or Data Entry personnel have reviewed the I-765 (c)(9) for acceptability, U.S. CIS must verify those reasons for rejection cited by the Mailroom or Data Entry personnel for preparation of the reject notice, with the exception of reasons involving a remittance that is missing, unsigned, or for the wrong amount, or involving an unsigned or improperly signed application.

Procedure To review the application for reject criteria, perform the following steps.

Step	Action						
1.1	Identify the reason(s) for rejection annotated by the Mailroom or Data Entry personnel on the processing worksheet and verify that the reason(s) is valid: <table border="1" data-bbox="386 1780 1206 1890"> <thead> <tr> <th>IF a reason is based on...</th> <th>THEN...</th> </tr> </thead> <tbody> <tr> <td>Fee Remittance</td> <td>Go to Part 1a.</td> </tr> <tr> <td>Application Completeness</td> <td>Go to Part 1b.</td> </tr> </tbody> </table>	IF a reason is based on...	THEN...	Fee Remittance	Go to Part 1a.	Application Completeness	Go to Part 1b.
IF a reason is based on...	THEN...						
Fee Remittance	Go to Part 1a.						
Application Completeness	Go to Part 1b.						

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- Reminders**
- Check to see if the case requires priority processing or special handling.
 - Cases riding together should remain together.
 - Multiple filings for the same applicant should remain together.

Part 1a: Reviewing for Fee Remittance

Review for Correct Fee In Reviewing for Fee Remittance, you will be checking any remittance rejected for reasons other than missing remittance, unsigned/improperly signed, or for the wrong amount.

Procedure If the Mailroom or Data Entry personnel have identified the application as having the incorrect fee for reasons other than that it is missing, unsigned/improperly signed, or the amount is incorrect, U.S. CIS must review the application to determine whether it should be rejected. Please refer to your Fee Remittance SOP for guidelines.

Step	Action						
1a.1	<p>Ensure that all applicable fees or evidence of the fee payment are present, amount is correct and remittance meets acceptability criteria.</p> <table border="1" style="width: 100%;"> <thead> <tr> <th style="width: 50%;">IF...</th> <th style="width: 50%;"></th> </tr> </thead> <tbody> <tr> <td>A fee waiver was submitted</td> <td></td> </tr> <tr> <td>The remittance does not otherwise meet acceptability criteria as established by the Fee Remittance SOP</td> <td></td> </tr> </tbody> </table>	IF...		A fee waiver was submitted		The remittance does not otherwise meet acceptability criteria as established by the Fee Remittance SOP	
IF...							
A fee waiver was submitted							
The remittance does not otherwise meet acceptability criteria as established by the Fee Remittance SOP							
1a.2	<p>Proceed appropriately.</p> <table border="1" style="width: 100%;"> <thead> <tr> <th style="width: 50%;">IF...</th> <th style="width: 50%;">THEN...</th> </tr> </thead> <tbody> <tr> <td>Refer to the appropriate section of this module to continue the U.S. CIS Review.</td> <td></td> </tr> <tr> <td>Go to Part 1c.</td> <td></td> </tr> </tbody> </table>	IF...	THEN...	Refer to the appropriate section of this module to continue the U.S. CIS Review.		Go to Part 1c.	
IF...	THEN...						
Refer to the appropriate section of this module to continue the U.S. CIS Review.							
Go to Part 1c.							

Part 1b: Reviewing for Application Completeness

Review for Application Completeness In order for the case to be approved, the applicant must provide certain essential information, such as his or her name, complete address, reasons for applying, and eligibility category.

Procedure Review the completeness of the I-765 (c)(9) application by completing the following steps.

Step	Action						
1b.1	Review the I-765 application for the presence of the applicant's name and complete address. <table border="1" style="margin-left: 20px;"> <thead> <tr> <th>IF...</th> <th>THEN...</th> </tr> </thead> <tbody> <tr> <td>The name and/or address are blank or the address is missing information, but this can be determined from additional evidence submitted</td> <td>Accept the filing and annotate the processing worksheet. Notate the application with the correct information. Go to step 1b.2.</td> </tr> <tr> <td>The name and/or address are blank or the address is missing information, this cannot be determined from supporting documentation, and other available means of finding the information have been exhausted</td> <td>Follow the procedures for receipting and holding applications for persons with unknown identity.</td> </tr> </tbody> </table>	IF...	THEN...	The name and/or address are blank or the address is missing information, but this can be determined from additional evidence submitted	Accept the filing and annotate the processing worksheet . Notate the application with the correct information. Go to step 1b.2.	The name and/or address are blank or the address is missing information, this cannot be determined from supporting documentation, and other available means of finding the information have been exhausted	Follow the procedures for receipting and holding applications for persons with unknown identity.
IF...	THEN...						
The name and/or address are blank or the address is missing information, but this can be determined from additional evidence submitted	Accept the filing and annotate the processing worksheet . Notate the application with the correct information. Go to step 1b.2.						
The name and/or address are blank or the address is missing information, this cannot be determined from supporting documentation, and other available means of finding the information have been exhausted	Follow the procedures for receipting and holding applications for persons with unknown identity.						

Procedure (continued)

Step	Action								
1b.2	Review the I-765 application to ensure that the applicant checked only one of the "I am applying for:" boxes. <table border="1" style="margin-left: 20px;"> <thead> <tr> <th>IF...</th> <th>THEN...</th> </tr> </thead> <tbody> <tr> <td>Only one box is checked</td> <td>Accept the filing. Go to step 1b.3.</td> </tr> <tr> <td>More than one box is checked or no box is checked, but the correct box can be determined from additional evidence submitted</td> <td>Accept the filing and annotate the processing worksheet. Notate the application with the correct information. Go to step 1b.3.</td> </tr> <tr> <td>More than one box is checked or no box is checked AND this cannot be determined from supporting documentation, and other available means of finding the information have been exhausted</td> <td>Default to "A" (Permission to Accept Employment) and annotate the processing worksheet. Go to step 1b.3.</td> </tr> </tbody> </table>	IF...	THEN...	Only one box is checked	Accept the filing. Go to step 1b.3.	More than one box is checked or no box is checked, but the correct box can be determined from additional evidence submitted	Accept the filing and annotate the processing worksheet . Notate the application with the correct information. Go to step 1b.3.	More than one box is checked or no box is checked AND this cannot be determined from supporting documentation, and other available means of finding the information have been exhausted	Default to "A" (Permission to Accept Employment) and annotate the processing worksheet . Go to step 1b.3.
IF...	THEN...								
Only one box is checked	Accept the filing. Go to step 1b.3.								
More than one box is checked or no box is checked, but the correct box can be determined from additional evidence submitted	Accept the filing and annotate the processing worksheet . Notate the application with the correct information. Go to step 1b.3.								
More than one box is checked or no box is checked AND this cannot be determined from supporting documentation, and other available means of finding the information have been exhausted	Default to "A" (Permission to Accept Employment) and annotate the processing worksheet . Go to step 1b.3.								

Procedure (continued)

Step	Action								
1b.3	<p>Review the I-765 application to verify that the applicant provided one eligibility category on the application.</p> <table border="1" data-bbox="386 401 1156 877"> <thead> <tr> <th data-bbox="386 401 834 430">IF...</th> <th data-bbox="834 401 1156 430"></th> </tr> </thead> <tbody> <tr> <td data-bbox="386 436 834 466">Only one status is entered</td> <td data-bbox="834 436 1156 466"></td> </tr> <tr> <td data-bbox="386 472 834 638">This field is blank or more than one status is provided, but the correct eligibility category can be determined from additional evidence submitted</td> <td data-bbox="834 472 1156 638"></td> </tr> <tr> <td data-bbox="386 644 834 877">This field is blank or more than one status is provided AND this cannot be determined from supporting documentation, and other available means of finding the information have been exhausted</td> <td data-bbox="834 644 1156 877"></td> </tr> </tbody> </table>	IF...		Only one status is entered		This field is blank or more than one status is provided, but the correct eligibility category can be determined from additional evidence submitted		This field is blank or more than one status is provided AND this cannot be determined from supporting documentation, and other available means of finding the information have been exhausted	
IF...									
Only one status is entered									
This field is blank or more than one status is provided, but the correct eligibility category can be determined from additional evidence submitted									
This field is blank or more than one status is provided AND this cannot be determined from supporting documentation, and other available means of finding the information have been exhausted									
1b.4	<p>Proceed appropriately.</p> <table border="1" data-bbox="386 961 1156 1241"> <thead> <tr> <th data-bbox="386 961 834 991">IF...</th> <th data-bbox="834 961 1156 991">THEN...</th> </tr> </thead> <tbody> <tr> <td data-bbox="386 997 834 1131">Another reject criterion was identified or a fee waiver request was submitted</td> <td data-bbox="834 997 1156 1131">Refer to the appropriate section of this module to continue the U.S. CIS Review.</td> </tr> <tr> <td data-bbox="386 1138 834 1241">You have finished reviewing for reject criteria and a fee waiver request was not submitted</td> <td data-bbox="834 1138 1156 1241">Go to Part 1c.</td> </tr> </tbody> </table>	IF...	THEN...	Another reject criterion was identified or a fee waiver request was submitted	Refer to the appropriate section of this module to continue the U.S. CIS Review.	You have finished reviewing for reject criteria and a fee waiver request was not submitted	Go to Part 1c.		
IF...	THEN...								
Another reject criterion was identified or a fee waiver request was submitted	Refer to the appropriate section of this module to continue the U.S. CIS Review.								
You have finished reviewing for reject criteria and a fee waiver request was not submitted	Go to Part 1c.								

Part 1c: U.S. CIS Review Processing

Description After the reasons for rejection have been reviewed and verified, annotate the **processing worksheet** and route the case appropriately.

Procedure To process the U.S. CIS Review determination, follow the steps below.

Step	Action				
1c.1	<p>Annotate the processing worksheet according to the table below.</p> <table border="1" data-bbox="386 1745 1205 1875"> <thead> <tr> <th data-bbox="386 1745 799 1774">IF...</th> <th data-bbox="799 1745 1205 1774">THEN...</th> </tr> </thead> <tbody> <tr> <td data-bbox="386 1780 799 1875">The Mailroom or Data Entry personnel correctly identified a reject criterion</td> <td data-bbox="799 1780 1205 1875">Initial and date the notation on the processing worksheet.</td> </tr> </tbody> </table>	IF...	THEN...	The Mailroom or Data Entry personnel correctly identified a reject criterion	Initial and date the notation on the processing worksheet .
IF...	THEN...				
The Mailroom or Data Entry personnel correctly identified a reject criterion	Initial and date the notation on the processing worksheet .				

	<table border="1"> <tr> <td>The Mailroom or Data Entry personnel incorrectly identified a reject criterion and the case is acceptable</td> <td>Modify, initial, and date the notation on the processing worksheet.</td> </tr> <tr> <td>The Mailroom or Data Entry personnel incorrectly identified a reject criterion, but other reject criteria are correctly identified</td> <td>Modify, initial, and date the notation for the incorrect criterion on the processing worksheet, and then initial and date the correct criteria.</td> </tr> </table>	The Mailroom or Data Entry personnel incorrectly identified a reject criterion and the case is acceptable	Modify, initial, and date the notation on the processing worksheet .	The Mailroom or Data Entry personnel incorrectly identified a reject criterion, but other reject criteria are correctly identified	Modify, initial, and date the notation for the incorrect criterion on the processing worksheet , and then initial and date the correct criteria.		
The Mailroom or Data Entry personnel incorrectly identified a reject criterion and the case is acceptable	Modify, initial, and date the notation on the processing worksheet .						
The Mailroom or Data Entry personnel incorrectly identified a reject criterion, but other reject criteria are correctly identified	Modify, initial, and date the notation for the incorrect criterion on the processing worksheet , and then initial and date the correct criteria.						
1c.2	Route the file appropriately. <table border="1"> <thead> <tr> <th>IF...</th> <th>THEN...</th> </tr> </thead> <tbody> <tr> <td>The case is acceptable</td> <td>Return the file for continued processing.</td> </tr> <tr> <td>The case is unacceptable</td> <td>Route the file for production of a reject notice.</td> </tr> </tbody> </table>	IF...	THEN...	The case is acceptable	Return the file for continued processing.	The case is unacceptable	Route the file for production of a reject notice.
IF...	THEN...						
The case is acceptable	Return the file for continued processing.						
The case is unacceptable	Route the file for production of a reject notice.						

Part 2: Reviewing the Fee Waiver Request

Description Some applicants may submit a fee waiver request with their I-765 applications. To request a fee waiver, an applicant must file his or her affidavit, or unsworn declaration, made pursuant to 28 U.S.C. 1746, asking for permission to prosecute without payment of fee of the application, and stating his or her belief that he or she is entitled to or deserving of the benefit requested and the reasons for his or her inability to pay [8 CFR 103.7(c)(1)]. When a fee waiver request is received in the Mailroom, the file will be forwarded to U.S. CIS Review to review the request for acceptability.

Procedure Follow the steps below to review a fee waiver request.

Step	Action				
2.1	Review the applicant's affidavit or unsworn declaration as per Headquarters' directives.				
2.2	Review any additional evidence that the applicant may have submitted for consideration, such as financial evidence.				
2.3	Determine whether or not the fee waiver request is valid. <table border="1"> <thead> <tr> <th>IF the request is...</th> <th>THEN...</th> </tr> </thead> <tbody> <tr> <td>Valid</td> <td>Annotate the request at the top to indicate that it was approved. Issue a fee waiver approval notice and place a copy in the file.</td> </tr> </tbody> </table>	IF the request is...	THEN...	Valid	Annotate the request at the top to indicate that it was approved. Issue a fee waiver approval notice and place a copy in the file.
IF the request is...	THEN...				
Valid	Annotate the request at the top to indicate that it was approved. Issue a fee waiver approval notice and place a copy in the file.				

	Invalid	Notate the application at the top to indicate fee waiver denied, send a letter to the applicant to let him or her know that the fee waiver request was denied (to include the reasons for denial and a note to resubmit with the correct fee) and place a copy in the file.
2.4	Annotate the processing worksheet to show whether the fee waiver request was or was not approved.	
2.5	Collect the fee waiver request data for the monthly "Fee Waiver Report" to Headquarters.	
2.6	If the request is valid, annotate the processing worksheet and return the file for continued processing. If the request is invalid, annotate the processing worksheet and return the file to be rejected for fee deficiency reject	

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Section 4: File Room Module

**I-765 (c)(9)
National SOP
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Introduction Two processes may take place in the File Room*. **File maintenance** is the process by which files are staged and sorted by date received and classification. **Workload distribution** is the process of staging, routing, updating, and distributing files. During workload distribution, files may be staged in one of several ways:

- Ready for Adjudication
- Awaiting a Response from a Request for Evidence
- Awaiting Relocation
- Approved
- Denied

***Note:** The *File Room* function is referred to by different names depending on the service center:

- CSC- Just in Time (JIT 1/ JIT 2)
- VSC- File Coordination Unit (FCU) and File Maintenance Unit (FMU)
- TSC- Work Distribution Unit (WDU) and File Maintenance Unit (FMU)
- NSC- Work Distribution Unit (WDU)

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Part 1: File Maintenance

Description File maintenance involves the staging and sorting of files.

Requirement Files must be staged and sorted by received date.

Standards Complete the standards below for file maintenance.

No.	Standard
1.1	Receive cases and RAFACS them to the File Room.
1.2	Sort cases by date received.
1.3	Route cases appropriately. Advice: Route cases for workload distribution

Part 2: Workload Distribution

Description Workload distribution is the process of staging, updating, routing, and distributing files.

Part 2a: Staging and Distributing Files Awaiting Adjudication

Requirements Files ready for adjudication are staged by received date and updated in RAFACS to the designated responsible party location. Any time a file is moved, it MUST be updated in RAFACS to the designated responsible party code.

U.S. CIS supervisors regularly advise both the adjudicators and CPAU staff of current operating priorities. When U.S. CIS personnel make a request for work, File Room personnel fill and distribute the request based upon priorities and the amount of work requested.

Standards Complete the standards below to stage and distribute files awaiting adjudication.

No.	Standard
2a.1	Stage files awaiting adjudication by received date, making sure to update the file in RAFACS to the designated responsible party location.
2a.2	Once work requests are received, fill them and update RAFACS with the appropriate responsible party code.
2a.3	Route to requester.

Part 2b: Staging and Distributing Requests for Evidence

Description Files awaiting a response for a Request for Evidence (RFE) are shelved under a separate RAFACS code. An applicant has 87 days (12 weeks plus 3 days to account for mailing) to respond to a RFE.

Requirement When evidence is received, file room staff shall update CLAIMS LAN, retrieve files, connect responses with the file, and route the file to the adjudicator who initiated the RFE. If the applicant does not respond within 87 days, the application is considered “abandoned” and should be routed to the appropriate adjudicator for a determination of whether or not to proceed with abandonment processing.

Standards Follow the standards below when staging and distributing files awaiting a response to a request for evidence.

2b.1	Stage files, for which an RFE has been issued, on the RFE Hold Shelf by Call-up date. The call-up date is the date noted on the call-up sticker, cover sheet or is determined by the issue date of the RFE. If the call-up sticker or cover sheet method is used in your process and the call-up sticker or cover sheet is not present, return the file to Adjudications.						
2b.2	<p style="text-align: center;">Determine the next appropriate action:</p> <table border="1" data-bbox="386 940 1214 1318"> <thead> <tr> <th data-bbox="386 940 620 1012">IF a response...</th> <th data-bbox="620 940 1214 1012">THEN...</th> </tr> </thead> <tbody> <tr> <td data-bbox="386 1012 620 1150">Is received</td> <td data-bbox="620 1012 1214 1150">Date-stamp the response, update it in CLAIMS LAN, write the file location on the submission, match it to the file and route it to the appropriate adjudicator.</td> </tr> <tr> <td data-bbox="386 1150 620 1318">Is not received by the call-up date</td> <td data-bbox="620 1150 1214 1318">Verify that all mail for that call-up date has been processed and that file connections for responses to RFEs are current. Then pull the file and route it to the appropriate adjudicator for abandonment processing.</td> </tr> </tbody> </table>	IF a response...	THEN...	Is received	Date-stamp the response, update it in CLAIMS LAN, write the file location on the submission, match it to the file and route it to the appropriate adjudicator.	Is not received by the call-up date	Verify that all mail for that call-up date has been processed and that file connections for responses to RFEs are current. Then pull the file and route it to the appropriate adjudicator for abandonment processing.
IF a response...	THEN...						
Is received	Date-stamp the response, update it in CLAIMS LAN, write the file location on the submission, match it to the file and route it to the appropriate adjudicator.						
Is not received by the call-up date	Verify that all mail for that call-up date has been processed and that file connections for responses to RFEs are current. Then pull the file and route it to the appropriate adjudicator for abandonment processing.						

Part 2c: Staging and Relocating Files

Description File room personnel stage files that are to be relocated to another office. These files are shelved under a separate RAFACS code.

Requirements After appropriate RAFACS updating, files will be relocated to the necessary district office or service center.

Standards Follow the standards below when staging cases to be relocated.

No.	Standard
-----	----------

2c.1	Stage files that are to be relocated to another office on a hold shelf by call-up date. The call-up date is the date noted on the call-up sticker or coversheet, if one is provided.
2c.2	Distribute the file to the appropriate district office or service center after appropriate RAFACS updating.

Part 2d: Staging and Distributing Approved Cases

Description File room personnel stage files that have been approved pending an inquiry into the case. These files are shelved under a separate RAFACS code.

Requirements If there is no inquiry into an approved case that is being staged at the service center, the file should be sent to Harrisonburg for storage. If an inquiry into an approved case is made prior to the file being sent for storage, the file should be routed appropriately based on the request.

Standards Follow the standards below when staging and distributing approved cases.

No.	Standard						
2d.1	Stage files that have been approved on a hold shelf by call-up date. The call-up date is the date noted on the call-up sticker or coversheet, if one is provided.						
2d.2	<p style="text-align: center;">Determine the next appropriate action:</p> <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th style="text-align: center;">IF an inquiry into the case is...</th> <th style="text-align: center;">THEN...</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">Made</td> <td>Distribute the file to the appropriate individual according to the nature of the inquiry that was made.</td> </tr> <tr> <td style="text-align: center;">Not made by the call-up date</td> <td>Verify that all mail for that call-up date has been processed and that file connections for inquiries are current. Forward the file to Harrisonburg for storage.</td> </tr> </tbody> </table>	IF an inquiry into the case is...	THEN...	Made	Distribute the file to the appropriate individual according to the nature of the inquiry that was made.	Not made by the call-up date	Verify that all mail for that call-up date has been processed and that file connections for inquiries are current. Forward the file to Harrisonburg for storage.
IF an inquiry into the case is...	THEN...						
Made	Distribute the file to the appropriate individual according to the nature of the inquiry that was made.						
Not made by the call-up date	Verify that all mail for that call-up date has been processed and that file connections for inquiries are current. Forward the file to Harrisonburg for storage.						

Part 2e: Staging and Distributing Denied Cases

Description File room personnel stage files that have been denied pending receipt of a motion under a separate RAFACS code. An applicant has 33 days (30 days plus 3 days to account for mailing) to file a motion.

Requirements If the applicant files a motion, the motion should be matched to the file and forwarded to the adjudicator that originally denied the application. If a motion is not received within 33 days, the file may be held for an additional amount of time in accordance with local policy prior to shipment to Harrisonburg for storage.

Standards Follow the standards below when staging and distributing denied cases.

No.	Standard								
2e.1	Stage files that have been denied on a denial hold shelf by call-up date for 33 days pending receipt of a motion.								
2e.2	<p style="text-align: center;">Determine the next appropriate action:</p> <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th data-bbox="386 642 667 672">IF a motion is...</th> <th data-bbox="675 642 1213 672">THEN...</th> </tr> </thead> <tbody> <tr> <td data-bbox="386 682 667 814">Received</td> <td data-bbox="675 682 1213 814">Date-stamp and data enter the motion, write the file location on the submission, match it to the file and route it to the appropriate adjudicator.</td> </tr> <tr> <td data-bbox="386 825 667 957">Not received within 33 days AND the case does not have an A-file</td> <td data-bbox="675 825 1213 957">Verify that all mail for that call-up date has been processed and that file connections are current. Forward the file to Harrisonburg for storage.</td> </tr> <tr> <td data-bbox="386 968 667 1100">Not received within 33 days AND the case has an A-file</td> <td data-bbox="675 968 1213 1100">Verify that all mail for that call-up date has been processed and that file connections are current. Pull the file and route it to the National Records Center (NRC).</td> </tr> </tbody> </table>	IF a motion is...	THEN...	Received	Date-stamp and data enter the motion, write the file location on the submission, match it to the file and route it to the appropriate adjudicator.	Not received within 33 days AND the case does not have an A-file	Verify that all mail for that call-up date has been processed and that file connections are current. Forward the file to Harrisonburg for storage.	Not received within 33 days AND the case has an A-file	Verify that all mail for that call-up date has been processed and that file connections are current. Pull the file and route it to the National Records Center (NRC).
IF a motion is...	THEN...								
Received	Date-stamp and data enter the motion, write the file location on the submission, match it to the file and route it to the appropriate adjudicator.								
Not received within 33 days AND the case does not have an A-file	Verify that all mail for that call-up date has been processed and that file connections are current. Forward the file to Harrisonburg for storage.								
Not received within 33 days AND the case has an A-file	Verify that all mail for that call-up date has been processed and that file connections are current. Pull the file and route it to the National Records Center (NRC).								

Section 5: Adjudications Module

**I-765 (c)(9)
National SOP
Introduction**

This Standard Operating Procedure (SOP) has been created for the purpose of standardizing operational policies and procedures between local offices and service centers in the processing of the I-765 (c)(9), Application for Employment Authorization – Adjustment Applicant. This SOP is in response to the processing differences that have developed between local offices and between service centers over time. To support the goal of standardizing procedures, this SOP seeks to improve the production efficiencies through the application of best practices from the local offices and service centers. While it is acknowledged that the facilities may have different demands and physical layouts, a standard process will assist in ensuring that our customers receive consistent processing regardless of jurisdiction.

This SOP has been developed as a modular document. The Mailroom, Data Entry, U.S. CIS Review, File Room, Adjudications, and Post-Adjudications sections are stand-alone documents that can be used individually as training and daily reference documents. Each module describes a stage in the processing of an I-765 (c)(9) application. Below is a brief description of each module:

- **Mailroom (Service Center)**- The process by which a service center receives I-765 (c)(9) applications, reviews them for acceptability and assembles them for data entry.
- **Data Entry (Service Center)**- The process by which fees are receipted and case information is keyed into CLAIMS LAN.
- **U.S. CIS Review (Service Center)**- The process by which U.S. CIS verifies most reasons for rejection cited by the contractor.
- **File Room (Service Center)**- The process by which files are initially sorted and staged, and then further staged, routed or distributed.
- **Adjudications (Service Center)**- The process by which an application is examined for determination of whether the application is approvable or deniable.
- **Post-Adjudications (Service Center)**-The procedure to be followed after an officer makes a determination on an I-765 (c)(9) case.

Recommendations for changes to this document should be sent to the Headquarters Office of Service Center Operations (HQSCO).

Important: This SOP is not intended to be, and should not be taken as, an authoritative statement of the rules of decision for Form I-765 (c)(9) cases. This SOP is a guide for the consistent processing of Form I-765 (c)(9) cases. The Service bases the actual decision in a particular case on the record of that particular case and on the Act, regulations, precedent administrative and judicial decisions, and general statements of Service policy relating to the case. Thus, nothing in this SOP creates any substantive or procedural right or benefit that is legally enforceable by any party against the United States or its agencies or officers or any other person.

**I-765 (c)(9)
SOP Table of
Contents**

The following is a table of contents, which serves as a guide for all of the modules of the I-765 (c)(9) SOP. Each module contains its own table of contents that will help to guide through the individual sections of the SOP.

Note: This SOP establishes the required minimum standard for the operational

procedures that all service centers should follow. However, this does not invalidate all local requirements and procedures. Local procedures that do not conflict with this SOP (i.e., procedures that are above and beyond the SOP) may still be required, as determined by management at each office. Additionally, recommendations or advice in this SOP may become requirements at the service center at the discretion of each center’s management.

Introduction “Adjudications” is the process by which an I-765 (c)(9) application is examined for determination of whether it requires additional information, is to be relocated, is approvable, or is deniable.

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Part 1: Overview

Basis in Law Pursuant to sections 101(a)(1) and 101(a)(3) of the INA, the Secretary of Homeland Security is charged with the administration and enforcement of the laws relating to the immigration and naturalization of aliens, including performing acts as he deems necessary for carrying out his authority under the INA. Under the definition of "unauthorized alien" in section 274A(h) of the INA, the Secretary of Homeland Security is referenced as having the authority to authorize employment. The regulations at 8 C.F.R. 274a exercise the Secretary of Homeland Security’s authority by setting forth the categories of aliens that are eligible for employment authorization. Aliens who are applicants for adjustment are specified as one such category.

Employment Requiring an EAD 8 CFR 274a.12(c) describes classes of aliens who are not authorized to work unless they are specifically granted employment authorization on the basis of a Form I-765 employment authorization application. This is unlike the other categories of employment authorized aliens listed in 8 CFR 274a.12(a) and (b), where employment authorization is incident to immigration status.

8 CFR 274a.12 (c) (9) states in part, an alien who has filed a Form I-485, Application for Adjustment of Status to Lawful Permanent Resident is entitled to work authorization during which time the Form I-485 is pending. It is noted this also includes any period when an administrative appeal or judicial review is pending. The validity period will normally be one year.

I-485 Basis for Filings

Most I-765 applications are based upon I-485s filed by aliens who have been petitioned by a relative or employer; however, there are other bases for an alien to file an I-485. These other bases not only impact the applicant's eligibility category, but also assist the adjudicator in deciding which form to search for to verify that the I-485 is still pending. Some examples are outlined below:

- Asylee/Refugee filings
- HRIFA: Employment authorization may not be issued until the I-485 has been pending for 180 days unless the exception is met in 245.15(h)(2).
- NACARA: Employment authorization may not be issued until the I-485 has been pending for 180 days unless the exception applies in 245.13(j)(2).

Renewal Applications Filed too Early

Pursuant to 8 CFR 274a.13(d), the U.S. CIS has 90 days from the date the U.S. CIS receives the I-765 within which to complete adjudication of the application. Therefore, in order for an EAD to be renewed before its expiration, applications for renewal should be received by the Service 90 days prior to expiration. An I-765 (c)(9) application filed within 120 days of the expiration of the previous EAD can be accepted and adjudicated. If an application is filed more than 120 days before the previous EAD expires, you can send a RFE for the reasons why the applicant is seeking a new EAD.

- If the applicant responds that he/she is seeking a renewal, we will hold the case until it is within 120 days of the previous card's expiration, and then adjudicate the I-765.
- If the applicant responds indicating the application was a duplicate, and he/she no longer wishes to pursue this application because an EAD has been issued, issue an order of withdrawal.
- If the applicant fails to respond, hold the case until the previous EAD is due to expire within 120 days, and then adjudicate that case.
- If the applicant indicates that he or she is actually seeking a replacement, issue a replacement card or issue an extension if the expiration of the lost card is close enough.

Record of Proceedings (ROP)

When the file arrives for adjudication, it should be arranged in the following order:

Record/Left-Hand Side of File ROP (Top to Bottom)

- A. G-28, if acceptable
- B. I-765 Application
- C. Supporting documentation
- D. Postmark/return address portion of original envelope

Non-Record/Right-Hand Side of File ROP (Top to Bottom)

- E. I-765 (c)(9) **processing worksheet**
- F. G-28, if unacceptable
- G. Miscellaneous correspondence

As additional documents are created and added to the file, they should be placed in the appropriate ROP order as advised in the step.

Part 2: General Requirements

Introduction Form I-765 (c)(9) is for qualified I-485 applicants that seek authorization to work in the U.S. while their I-485, Application to Register Permanent Residence or Adjust Status, is pending. The adjudicator must verify that the applicant has a pending I-485 at a service center to adjudicate or, if at a district office, to relocate; however, this process is discretionary to the service. A copy of a receipt notice for filing an I-485 application, an I-765 stamped "Concurrent I-485 Filing", or electronic records will help to verify that an I-485 has been filed. It is important to remember that by approving or denying the I-765 (c)(9), you are not granting or denying the alien any immigration status. The approval or denial of the I-765 (c)(9) only relates to the authorization of employment to the alien.

IBIS Checks A check of the IBIS must be completed according to current requirements for all I-765 (c)(9) applicants before a final decision is rendered on the application. If a check results in a positive hit, this must be resolved before the case can be adjudicated. Additionally, if an applicant's name or date of birth is changed in CLAIMS LAN at any time, a new IBIS check must be performed. Refer to the IBIS SOP.

NSEERS Certain temporary foreign visitors have a new requirement to register with U.S. CIS. This registration is part of the National Security Entry-Exit Registration System (NSEERS), being implemented by the U.S. CIS to implement a comprehensive entry-exit program. Under this program, temporary foreign visitors (non-immigrant aliens) coming from certain countries or who meet a combination of intelligence-based criteria are identified as presenting elevated national security concerns. As a result, they are required to be registered under NSEERS, providing detailed information about their background and the purpose of their visit to the United States. Such individuals are also required to verify periodically their location and activities, as well as to confirm their departure from the United States. Refer to Headquarters directives for guidance and appropriate procedures to follow.

Procedure The adjudicator must access CLAIMS LAN and verify that the I-765 (c)(9) was properly filed and that the I-485 is pending. Follow the procedure as outlined below.

Step	Action				
2.1	Receive the file in RAFACS.				
2.2	Double click on the Adjudicate the Case icon on the computer's desktop.				
2.3	Enter the applicant's A-number into CLAIMS LAN*. If the A-number is not provided, use the table below to determine the proper action.				
	<table border="1"> <thead> <tr> <th>If the record contains...</th> <th>Then...</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> </tr> </tbody> </table>	If the record contains...	Then...		
If the record contains...	Then...				

A previously issued Form I-797, a previously issued Form I-512, OR other documentation which includes the applicant's A-number	Make necessary corrections on the application and enter the applicant's A-number in CLAIMS LAN. Go to Step 2.4.
No evidence of the applicant's A-number or a pending I-485	Complete a name and DOB search in CIS and CLAIMS LAN. Make necessary corrections on the application, enter the applicant's A-number in CLAIMS LAN, and go to Step 2.4. If you are unable to locate the A-number, RFE for evidence of a pending I-485.

* On occasion, after entering an A-number into CLAIMS LAN, you may encounter Form I-181. If so, additional instructions are provided within this module in Part 5: References.

Procedure (continued)

Step	Action														
2.4	<p data-bbox="391 947 1208 1014">Determine the status of the underlying visa petition or check for evidence of an I-485 special program (NACARA, HRIFA, etc.).</p> <table border="1" data-bbox="386 1045 1208 1734"> <thead> <tr> <th data-bbox="386 1045 776 1081">IF...</th> <th data-bbox="776 1045 1208 1081">THEN...</th> </tr> </thead> <tbody> <tr> <td data-bbox="386 1081 776 1150">There is not a decision on the I-140 (received only)</td> <td data-bbox="776 1081 1208 1150">Route the I-765 to the I-485 for attachment.</td> </tr> <tr> <td data-bbox="386 1150 776 1287">The I-140 is updated as "Initial Evidence Requested"</td> <td data-bbox="776 1150 1208 1287">Place a processing hold on the I-765 and route it to the I-485. Go to Step 3e.1 for instructions on placing a processing hold.</td> </tr> <tr> <td data-bbox="386 1287 776 1388">The I-140, I-360, or I-526 is updated as "Additional Evidence Requested"</td> <td data-bbox="776 1287 1208 1388">Continue processing. Go to Step 2.5.</td> </tr> <tr> <td data-bbox="386 1388 776 1491">Prima facia review has been met</td> <td data-bbox="776 1388 1208 1491">This step has already been completed. Continue processing. Go to Step 2.5.</td> </tr> <tr> <td data-bbox="386 1491 776 1593">The underlying visa petition, including the I-140, has been approved</td> <td data-bbox="776 1491 1208 1593">Continue processing. Go to Step 2.5.</td> </tr> <tr> <td data-bbox="386 1593 776 1734">There is evidence that I-765 is based on another I-485 basis for filing</td> <td data-bbox="776 1593 1208 1734">Use local procedures to verify that the I-485 is still pending and continue processing with Step 2.6.</td> </tr> </tbody> </table>	IF...	THEN...	There is not a decision on the I-140 (received only)	Route the I-765 to the I-485 for attachment.	The I-140 is updated as "Initial Evidence Requested"	Place a processing hold on the I-765 and route it to the I-485. Go to Step 3e.1 for instructions on placing a processing hold.	The I-140, I-360, or I-526 is updated as "Additional Evidence Requested"	Continue processing. Go to Step 2.5.	Prima facia review has been met	This step has already been completed. Continue processing. Go to Step 2.5.	The underlying visa petition, including the I-140, has been approved	Continue processing. Go to Step 2.5.	There is evidence that I-765 is based on another I-485 basis for filing	Use local procedures to verify that the I-485 is still pending and continue processing with Step 2.6.
IF...	THEN...														
There is not a decision on the I-140 (received only)	Route the I-765 to the I-485 for attachment.														
The I-140 is updated as "Initial Evidence Requested"	Place a processing hold on the I-765 and route it to the I-485. Go to Step 3e.1 for instructions on placing a processing hold.														
The I-140, I-360, or I-526 is updated as "Additional Evidence Requested"	Continue processing. Go to Step 2.5.														
Prima facia review has been met	This step has already been completed. Continue processing. Go to Step 2.5.														
The underlying visa petition, including the I-140, has been approved	Continue processing. Go to Step 2.5.														
There is evidence that I-765 is based on another I-485 basis for filing	Use local procedures to verify that the I-485 is still pending and continue processing with Step 2.6.														

Procedure (continued)

Step	Action								
2.5	<p>Verify that the applicant filed an I-485 and that it is still pending. Review the file for evidence of a pending I-485 (such as a filing receipt, district office verification, or concurrently filed I-485) and check CLAIMS LAN by selecting I-485 in CLAIMS LAN and pressing <F2> twice to determine if a final action has been taken on the I-485. If the I-485 is located at NRC, HBG, or cannot be located, use the available tools (CLAIMS, email, fax, telephone, etc.) in the most efficient way possible to determine whether the I-485 is still pending.</p> <table border="1" data-bbox="386 562 1084 804"> <thead> <tr> <th data-bbox="386 562 678 594">If a final action...</th> <th data-bbox="678 562 1084 594"></th> </tr> </thead> <tbody> <tr> <td data-bbox="386 594 678 636">Has been taken</td> <td data-bbox="678 594 1084 636"></td> </tr> <tr> <td data-bbox="386 636 678 678">Has not been taken*</td> <td data-bbox="678 636 1084 678"></td> </tr> <tr> <td data-bbox="386 678 678 804">Cannot be determined or the I-485 cannot be located</td> <td data-bbox="678 678 1084 804"></td> </tr> </tbody> </table> <p>*Cases where an intent to deny the I-485 has been done are still considered pending.</p>	If a final action...		Has been taken		Has not been taken*		Cannot be determined or the I-485 cannot be located	
If a final action...									
Has been taken									
Has not been taken*									
Cannot be determined or the I-485 cannot be located									
2.6	<p>Check CLAIMS LAN and RAFACS to verify that the I-485 is located at your service center. If the I-485 is located at another office, relocate the case.</p> <table border="1" data-bbox="386 978 1084 1283"> <thead> <tr> <th data-bbox="386 978 678 1010">IF the I-485 is at...</th> <th data-bbox="678 978 1084 1010">THEN...</th> </tr> </thead> <tbody> <tr> <td data-bbox="386 1010 678 1209">Another U.S. CIS service center or district office*</td> <td data-bbox="678 1010 1084 1209">Continue processing. Relocate the case to the appropriate service center or district office after completing step 2.13 (Go to Post-Decision Processing).</td> </tr> <tr> <td data-bbox="386 1209 678 1283">Your service center</td> <td data-bbox="678 1209 1084 1283">Continue processing. Go to Step 2.7.</td> </tr> </tbody> </table> <p>*Do not relocate to non-adjudicating offices, such as the NRC, HBG, LSC, or an asylum office. If necessary, refer to the I-485 SOP for more information.</p>	IF the I-485 is at...	THEN...	Another U.S. CIS service center or district office*	Continue processing. Relocate the case to the appropriate service center or district office after completing step 2.13 (Go to Post-Decision Processing).	Your service center	Continue processing. Go to Step 2.7.		
IF the I-485 is at...	THEN...								
Another U.S. CIS service center or district office*	Continue processing. Relocate the case to the appropriate service center or district office after completing step 2.13 (Go to Post-Decision Processing).								
Your service center	Continue processing. Go to Step 2.7.								
2.7	<p>Verify that the data on the I-485 matches the I-765. Ensure that the name and address on the I-485 is the same in CLAIMS LAN for the I-765 and on the I-765 application.</p>								

Procedure (continued)

Step	Action
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2.8	<p>A Form G-28 will usually accompany the application if the applicant is represented by an attorney or another qualified representative. The Form G-28 must be properly filled out and signed by both the applicant and the attorney or qualified representative in order for it to be recognized by the Service. Check to see if a G-28 was submitted. If so, review it to ensure that the following sections are complete:</p> <ul style="list-style-type: none"> • 2nd Block – Applicant’s name • 3rd Block – Type of Appearance must be checked (Box 1, 2, 3 and 1, 3 and 2, OR 4 must be checked) • 3rd Block – The representative or attorney’s original signature (original facsimile stamp is acceptable) • 3rd Block – The representative or attorney’s complete address • 4th Block – Name and proper signature of person consenting <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr> <th style="text-align: center; padding: 5px;">IF...</th> <th style="text-align: center; padding: 5px;">THEN...</th> </tr> </thead> <tbody> <tr> <td style="padding: 5px;">A G-28 was submitted and meets the above requirements</td> <td style="padding: 5px;">The G-28 is acceptable. Go to Step 2.9.</td> </tr> <tr> <td style="padding: 5px;">A G-28 is present but lacks any of the above information OR the G-28 was not submitted by a qualified representative</td> <td style="padding: 5px;">The G-28 is unacceptable. Delete the G-28 from CLAIMS LAN and follow local procedures for invalidating the G-28. Go to Step 2.9.</td> </tr> <tr> <td style="padding: 5px;">A G-28 was not submitted</td> <td style="padding: 5px;">Go to Step 2.9.</td> </tr> </tbody> </table>	IF...	THEN...	A G-28 was submitted and meets the above requirements	The G-28 is acceptable. Go to Step 2.9.	A G-28 is present but lacks any of the above information OR the G-28 was not submitted by a qualified representative	The G-28 is unacceptable. Delete the G-28 from CLAIMS LAN and follow local procedures for invalidating the G-28. Go to Step 2.9.	A G-28 was not submitted	Go to Step 2.9.
IF...	THEN...								
A G-28 was submitted and meets the above requirements	The G-28 is acceptable. Go to Step 2.9.								
A G-28 is present but lacks any of the above information OR the G-28 was not submitted by a qualified representative	The G-28 is unacceptable. Delete the G-28 from CLAIMS LAN and follow local procedures for invalidating the G-28. Go to Step 2.9.								
A G-28 was not submitted	Go to Step 2.9.								

Procedure (continued)

Step	Action
2.9	<p>Verify the following information in CLAIMS LAN with the I-765 application:</p> <ul style="list-style-type: none"> • "I am applying for:" block • Name • Address • COC/COB • DOB • Sex • A number or I-94 number • Eligibility Category <p>Keep in mind the following: CLAIMS LAN may need to be updated to reflect the changes.</p>

2.10	<p>Access CIS “9101” by entering the applicant’s A-number and verify the applicant has not adjusted to Lawful Permanent Resident (LPR) status by comparing the COA in CIS against a list of codes for LPRs. If the applicant is a LPR, deny the I-765 (c)(9) filing.</p> <p>Keep in mind the following: Additional instructions on accessing a table of LPR codes are provided within this module in Part 5: References.</p>
2.11	<p>Verify the following information in “9101” against the I-765 application and CLAIMS LAN and make a screen print. Place the screen prints on the non-record side (right-side) under the processing worksheet.</p> <ul style="list-style-type: none"> • Name (Last, First and Middle) • DOB • Sex • A-Number • COB <p>Keep in mind the following: Proper documentation is required to make any changes to the CIS record for the applicant; therefore, it may be necessary to obtain the A-file and review the information. If CIS needs to be updated, follow the appropriate procedures and make a note in red on the I-765 application that a CIS change was submitted.</p>

Procedure (continued)

Step	Action
2.12	Check the “Other Information” field in “9101” for any violations, such as DACS, FBI #, Finger CD #, VIOL-X, NAILS-X. If any are present, refer the file for case resolution according to local policy.
2.13	Check the “Other Information” field in “9101” for an EADS-X code, or any other evidence, to verify that a card has not recently been issued to the applicant. If necessary, press <F9> and enter the Employment Authorization Document (EAD) data screen to view and make a screen-print of the applicant’s previous EAD history.
	IF...
	An interim card was issued for less than a year
	A card was issued for a full year

2.14	Verify that the applicant has properly signed the application. Keep in mind the following: <ul style="list-style-type: none"> • The application is not properly signed if the signature is not in the correct block. • All forms of original signature are acceptable, including an “X” or a thumbprint. If the applicant signed with an “X”, then verify that a witness properly signed the application. • A typewritten name is not a signature. • A facsimile signature stamp is not acceptable. • The signature may be waived when it cannot be obtained (e.g., due to physical disability, etc.) or if the applicant is under 14 years of age. • Applicants 14 years of age or older must sign their own applications and applications submitted for applicants under the age of 14 can be signed by a legal parent/guardian. 		
	IF the signature is...	THEN...	
	Complete and correct	Continue processing. Go to Step 2.15.	
	Improper or missing	Note the deficiency and continue the review (go to Step 2.15). Following the review, RFE for the signature.	

Procedure (continued)

Step	Action	
2.15	Ensure that the photos meet the required specifications (see standards below).	
	IF...	THEN...
	The photos are acceptable	Continue the review. Go to Step 2.16.
	The photos are unacceptable	Note the deficiency and continue the review (go to Step 2.16). Following the review, RFE for the photos.

ADIT PHOTO STANDARDS

In order to be acceptable, photos must meet the following ADIT standards: <ul style="list-style-type: none"> • The photos must have a white or off-white background, and must be in color, be a glossy or matte finish, un-retouched, and not mounted. • The overall size of the picture, including the background, should be a minimum of 1-3/8 inches (35 mm) wide and 1-9/16 inches (40 mm) high. (When measuring the photos for proper size, do not include the

- borders of the photographs.)
- The dimensions of the facial image should be 1-3/16 inches (30 mm) from the hair to the neck, just below the chin, and 1 inch (26 mm) from the right ear to the left cheek. The image cannot 1-1/4 (32 mm) by 1-1/16 (28 mm). Facial features must be identifiable.
 - Photos must show the entire face of the person in a 3/4 view showing the right ear and left eye, which must be open.
 - The photos must also be free from shadows and contain no marks, splotches, or discoloration.
 - Photos must have been taken within the last thirty days of filing.

Procedure (continued)

Step	Action
2.16	Check GUI to ensure that the correct biometrics (fingerprint, signature, photograph) were scanned. If not properly scanned, send the file to the appropriate location to be scanned.
2.17	<p>Verify that the applicant's photo ID accompanies his/her I-765 application. Acceptable photo IDs may consist of, but are not limited to, the photo identity page from a passport, state drivers license, or identification card. If a photo ID was not submitted, use the procedures below to verify the applicant's identity.</p> <ul style="list-style-type: none"> • Check local GUI for previous applications requiring a photo. • Check National CUI/ISRS for previous applications requiring a photo. • Obtain the A file to determine if a photo ID is in the file. • Create a RFE for the photo ID.
2.18	<p>If the applicant is seeking "Replacement (of lost employment authorization document)" (second box under the "I am applying for:" box is checked), make sure the following was submitted:</p> <ul style="list-style-type: none"> • Applicant needs to provide evidence that the EAD was lost or stolen or mutilated. This may be a letter saying it was destroyed in a fire, or stolen and may include police record, or pieces of the mutilated card.
2.19	<p>If the applicant is seeking "Renewal of my permission to accept employment (attach copy of previous employment authorization document)" (third box under the "I am applying for:" box is checked), make sure the following was submitted:</p> <ul style="list-style-type: none"> • Applicant should provide copies of previous EAD's.

Part 3: Post-Decision Processing

Processing Procedure

After review of the case, determine whether it is approvable, deniable, requires additional information or an investigation, needs to be relocated to another office, or needs to be put on a processing hold and process the case according to the table below. Use this section when:

- Requesting additional documentation as required
- Granting a benefit to eligible applicants
- Denying a benefit to ineligible applicants
- Relocating a case to another office
- Placing a processing hold on the application

Step	Action												
3.1	Continue as appropriate depending on the determination.												
	<table border="1"> <thead> <tr> <th>IF...</th> <th>THEN...</th> </tr> </thead> <tbody> <tr> <td>Additional evidence is required to make an adjudicative decision</td> <td>Go to Step 3a.1 and follow instructions for processing Requests for Evidence.</td> </tr> <tr> <td>The applicant qualifies for the request</td> <td>Go to Step 3b.1 and follow instructions for processing Approvals.</td> </tr> <tr> <td>The applicant does not qualify for the request and has been afforded an opportunity to submit additional evidence</td> <td>Go to Step 3c.1 and follow instructions for processing Denials.</td> </tr> <tr> <td>The case needs to be relocated (transferred out) to another office</td> <td>Go to Step 3d.1 and follow instructions for relocating a case.</td> </tr> <tr> <td>The application must be placed on processing hold</td> <td>Go to Step 3e.1 and follow instructions for placing a processing hold on the case.</td> </tr> </tbody> </table>	IF...	THEN...	Additional evidence is required to make an adjudicative decision	Go to Step 3a.1 and follow instructions for processing Requests for Evidence.	The applicant qualifies for the request	Go to Step 3b.1 and follow instructions for processing Approvals.	The applicant does not qualify for the request and has been afforded an opportunity to submit additional evidence	Go to Step 3c.1 and follow instructions for processing Denials.	The case needs to be relocated (transferred out) to another office	Go to Step 3d.1 and follow instructions for relocating a case.	The application must be placed on processing hold	Go to Step 3e.1 and follow instructions for placing a processing hold on the case.
IF...	THEN...												
Additional evidence is required to make an adjudicative decision	Go to Step 3a.1 and follow instructions for processing Requests for Evidence.												
The applicant qualifies for the request	Go to Step 3b.1 and follow instructions for processing Approvals.												
The applicant does not qualify for the request and has been afforded an opportunity to submit additional evidence	Go to Step 3c.1 and follow instructions for processing Denials.												
The case needs to be relocated (transferred out) to another office	Go to Step 3d.1 and follow instructions for relocating a case.												
The application must be placed on processing hold	Go to Step 3e.1 and follow instructions for placing a processing hold on the case.												

Part 3a: Processing Requests for Evidence

Procedure Follow the steps below to process a Request for Evidence (RFE).

Keep in mind the following: If the RFE is for a signature, make a photocopy of the application and send the photocopy back to the applicant for original signature.

Step	Action
3a.1	Prepare the appropriate RFE notice citing all noted deficiencies.
3a.2	Place copy of the RFE on top of the record side (left-hand side) of the file on top of the Record of Proceedings (ROP). The original notice should be sent to the applicant.
3a.3	Follow post-adjudication procedures.

Response to Requests for Evidence	Once a response to a RFE is received, the response and the appropriate file(s) should be forwarded to the officer for adjudications processing. Evidence should be reviewed to determine eligibility.
No Response to Requests for Evidence	If no response to a RFE is received, consider abandoning the Form I-765 after officer review. Follow local procedures.
Response Received after Call-Up Expiration	If a response to a RFE is received after the call-up date expired and if no decision on the I-765 was made, then consider the evidence and make a decision. If a decision on the I-765 was made, then the officer may review for Service Motion (See Adjudications, Part 4: Service Motion to Reopen).

Part 3b: Processing Approvals

Validity Dates

Validity Dates for Initial Filings

Approvals of initial requests are valid for one year. Initial (c)(9) EADs are valid for 12 months from the date of issuance (date of adjudication). The “valid from” date is the date of approval notated on the application running 12 months, less a day, in the “valid to” field (e.g. 9-15-02 to 9-14-03).

Validity Dates for Renewals

Approvals of renewal requests are valid for one year. Check CIS, FARES, or CLAIMS LAN to determine the validity dates, even if a copy of any previous EAD was submitted. If the applicant’s previous card’s expiration date is prior to the date of adjudication, the EAD card will be valid from the date of adjudication for one year minus one day. The “valid from” date is the date of approval notated on the application running 12 months, less a day, in the “valid to” field (e.g. 9-15-02 to 9-14-03). However, if the applicant’s previous card’s expiration date is after the date of adjudication, the EAD card will be valid for one year minus one day commencing on the day after the applicant’s current EAD card expires. It is important to keep the period of employment on the EAD continuous for these applicants.

Validity Dates for Replacements

For EAD replacements where the EAD card has not yet expired, the validity dates will be exactly the same as the previously issued EAD. If the EAD card has expired, do not issue a replacement EAD card, but process this request as a renewal. If you determine that the applicant has filed another I-765 c9 application for a renewal in addition to the application for a replacement EAD, you can deny the replacement EAD application.

Keep in mind the following: Do not backdate any EADs other than replacements. EAD cards should not be issued with an expiration date that predates the date of adjudication.

Procedure

Follow the steps below to process an approval.

Step	Action
------	--------

3b.1	<p>In the “Do Not Write in This Block” on the I-765 application, complete the following in ink:</p> <ul style="list-style-type: none"> • Write “Photo ID reviewed/verified” in the Remarks box on the application. • Write the applicant’s A-number in the A# block • Write (c)(9) in the “Applicant is filing under...” block • Check the box for “Application Approved” • Circle either “Authorized” or “Extended” for Employment* • Write the validity dates (Check the validity dates on the previous card.) <p>* Use “Authorized” when this is the applicant’s first card or they are getting another card but have a different classification. Use “Extended” when the applicant is getting another card of the same classification for another year.</p>
3b.2	Stamp the Action block on the I-765 application with the approval stamp, and sign it in ink.
3b.3	Follow post-adjudication procedures.

Part 3c: Processing Denials

Procedures Follow the steps below to process a denial.

Step	Action
3c.1	Prepare the appropriate adjudication worksheet or denial letter indicating the reason(s) for the denial of the application. Place copy of the notice on top of the record side (left-hand side) of the file on top of the Record of Proceedings (ROP). The original notice should be sent to the applicant.
3c.2	<p>In the “Do Not Write in This Block” on the I-765 application, complete the following in ink:</p> <ul style="list-style-type: none"> • Check the box for “Application Denied” • Check the appropriate box as to why the application is being denied
3c.3	Annotate the Action Block on the I-765 application by notating “Denied,” the date, the officer number, and signature in ink.
3c.4	Follow post-adjudication procedures.

Part 3d: Relocating Files

Procedures Follow the steps below to relocate a case to the appropriate district office or service center.

Step	Action
3d.1	<p>Prepare the standard relocation memo. Place the standard relocation memo on the non-record side (right-hand side) of the file and place a copy of the memo on top of the file.</p> <p>Note: A copy of the standard relocation memo is included within this module in Part 5: References.</p>

3d.2	Attach a routing slip to the outside of the file with instructions as to which district office or service center the file should be transferred to.
3d.3	Follow post-adjudication procedures.

Part 3e: Placing/Removing Processing Holds

Processing Holds

A processing hold will be used in the following instances:

- If a petition does not meet all of the criteria for Prima Facie review (I-140 is still pending), a RFE will be issued and an adjudicative processing hold will be placed on the I-765, in addition to the I-485 and I-131. Once the evidence is received, the processing hold can be removed and the I-765 can be adjudicated if I-140 prima facie criteria have been met.
- If the subsequently filed I-485 is submitted without the fingerprint fee at the time of filing and the fee is required, an adjudicative processing hold will be placed on the I-765, in addition to the I-485 and I-131. Once the fee is submitted, the processing hold can be removed and the I-765 can be adjudicated if I-140 prima facie criteria have been met.
- An I-765 can also be placed on a processing hold because of investigatory reasons.

Procedures – Placing a Processing Hold

Follow the steps below to place a processing hold on an I-765 (c)(9) application.

Step	Action
3e.1A	Press <F10> and Select “Case Review”.
3e.2A	Select “Place in suspense”.
3e.3A	Select “Processing Hold Placed”.

Procedures – Removing a Processing Hold

Follow the steps below to remove a processing hold on an I-765 (c)(9) application.

Step	Action
3e.1B	Press <F10> and Select “Case Review”.
3e.2B	Select “Lift Suspense”.
3e.3B	Select “Processing Hold Lifted”.

Part 4: Service Motion to Reopen

Introduction

Occasionally, following the processing of a case, it comes to the Service’s attention that the case was approved or denied in error, or the Service discovers evidence that reverses the decision. When this happens, the case can be opened and either denied or approved on a Service Motion. Examples of reasons to open a case on a Service Motion to Reopen include: a case was approved in error and the notice has gone out, derogatory information was received, an erroneous abandonment denial was processed, etc.

Keep in mind the following: There is no appeal for a 765 (c)(9) denial. However, the denial does not necessarily stop the alien from applying for another qualifying category.

Procedure

Follow the steps below to process a Service Motion to Reopen.

Step	Action
4.1	Open a case on a Service Motion to Reopen by entering the applicant’s A-number. Advice: Log into CLAIMS LAN. Select “Adjudicate a Case” and press <Enter>. At the “Enter a receipt or A-number” prompt, enter the applicant’s A-number. Enter a leading zero if the A-number contains seven digits. If you cannot access the record, wand the case’s barcode. This may be an indication that an incorrect A# was entered.

Procedure (continued)

Step	Action				
4.2	Make a decision on the underlying I-765 (c)(9) application. <table border="1"><thead><tr><th>IF...</th><th>THEN...</th></tr></thead><tbody><tr><td>The related I-765 (c)(9) application will now be approved</td><td>Complete the appropriate blocks in the “Do Not Write in This Block” section on the I-765 application, as outlined in step 3b.1. Stamp the Action block on the I-765 application with the approval stamp over the previous denial notation, sign it in ink, and annotate it in ink as “Approved on Service Motion” with the date.</td></tr></tbody></table>	IF...	THEN...	The related I-765 (c)(9) application will now be approved	Complete the appropriate blocks in the “Do Not Write in This Block” section on the I-765 application, as outlined in step 3b.1. Stamp the Action block on the I-765 application with the approval stamp over the previous denial notation, sign it in ink, and annotate it in ink as “Approved on Service Motion” with the date.
IF...	THEN...				
The related I-765 (c)(9) application will now be approved	Complete the appropriate blocks in the “Do Not Write in This Block” section on the I-765 application, as outlined in step 3b.1. Stamp the Action block on the I-765 application with the approval stamp over the previous denial notation, sign it in ink, and annotate it in ink as “Approved on Service Motion” with the date.				

4.3	<table border="1"> <tr> <td data-bbox="378 186 548 695">The related I-765 (c)(9) application will now be denied</td> <td data-bbox="548 186 1229 695">The applicant must be afforded 33 days in which to submit a brief in support of the application. If the evidence does not establish eligibility or the applicant does not respond, prepare the appropriate adjudication worksheet or denial letter indicating the reason(s) for the denial of the application. Place copy of the notice on top of the record side (left-hand side) of the file on top of the Record of Proceedings (ROP). The original notice should be sent to the applicant. Complete the appropriate blocks in the "Do Not Write in This Block" section on the I-765 application, as outlined in step 3c.2. Annotate the Action Block on the I-765 application by notating "Denied," the date, the officer number, and signature in ink.</td> </tr> <tr> <td colspan="2" data-bbox="354 695 1229 766">Follow post-adjudication procedures.</td> </tr> </table>	The related I-765 (c)(9) application will now be denied	The applicant must be afforded 33 days in which to submit a brief in support of the application. If the evidence does not establish eligibility or the applicant does not respond, prepare the appropriate adjudication worksheet or denial letter indicating the reason(s) for the denial of the application. Place copy of the notice on top of the record side (left-hand side) of the file on top of the Record of Proceedings (ROP). The original notice should be sent to the applicant. Complete the appropriate blocks in the "Do Not Write in This Block" section on the I-765 application, as outlined in step 3c.2. Annotate the Action Block on the I-765 application by notating "Denied," the date, the officer number, and signature in ink.	Follow post-adjudication procedures.	
The related I-765 (c)(9) application will now be denied	The applicant must be afforded 33 days in which to submit a brief in support of the application. If the evidence does not establish eligibility or the applicant does not respond, prepare the appropriate adjudication worksheet or denial letter indicating the reason(s) for the denial of the application. Place copy of the notice on top of the record side (left-hand side) of the file on top of the Record of Proceedings (ROP). The original notice should be sent to the applicant. Complete the appropriate blocks in the "Do Not Write in This Block" section on the I-765 application, as outlined in step 3c.2. Annotate the Action Block on the I-765 application by notating "Denied," the date, the officer number, and signature in ink.				
Follow post-adjudication procedures.					

Part 5: Motions to Reopen or Reconsider

Introduction

Appeals may not be filed for denials of Form I-765. Rather, an applicant may file a Motion to Reopen or Reconsider pursuant to 8 CFR 103.5 to ask the Service to review a denied application in the hopes that a new, more favorable decision might be reached. A Motion to Reopen or Reconsider is made to the authority that rendered the most recent decision on an application. The motion allows the applicant to submit new evidence that he or she wants to have considered on a previously denied application or to show how the decision was a misinterpretation of the law. If an applicant merely disagrees with a decision but provides no new evidence or clarification, the motion can be dismissed. If the applicant provides any new evidence or clarification, and the other requirements are met, the motion must be granted. When a motion is filed, Mailroom personnel are instructed to forward the file to the officer that originally adjudicated the case. However, if that is not possible, another officer may decide the motion.

Motion to Reopen

A Motion to Reopen must state the new facts to be provided in the reopened proceeding and be supported by affidavits or other documentary evidence. A Motion to Reopen introduces to the record new evidence to which the officer did not have access when the original denial was issued. [Refer to 8 CFR 103.5(a)(2).]

Motion to Reopen an Application Denied Due to Abandonment

According to 8 CFR 103.2(b)(13), if all requested initial evidence and requested additional evidence is not submitted by the required date, an I-765 application shall be considered abandoned and, accordingly, shall be denied. A motion to reopen an application denied due to abandonment must be filed with evidence that the decision was in error because:

- A. The requested evidence was not material to the issue of eligibility;
- B. The required initial evidence was submitted with the application, or the request for initial evidence or additional information or appearance was complied with during the allotted period; or
- C. The request for additional information or appearance was sent to an address other than that on the application or notice of representation, or that the applicant advised the Service, in writing, of a change of address or change of representation subsequent to filing and before the Service's request was sent, and the request did not go to the new address.

Motion to Reopen an Application Denied Due to Abandonment, Cont'd.

If a motion filed on an abandonment denial does not meet any of the three scenarios listed above, or if it is filed late, the motion *can* be dismissed. Keep in mind that merely submitting the requested evidence at this time does not overcome the grounds for denial due to abandonment.

Motion to Reconsider

A Motion to Reconsider is a request by the denied party to the adjudicating office to consider again, with a view to changing or reversing the prior decision, based upon a change in the law, regulations or new board or court precedent. A Motion to Reconsider must state the reasons for reconsideration and be supported by any pertinent precedent decisions to establish that the decision was based on an incorrect application of law or Service policy. A motion to reconsider a decision on an application must, when filed, also establish that the decision was incorrect based on the evidence of record at the time of the initial decision. [Refer to 8 CFR 103.5(a)(3).]

Proper Filing

The following criteria should be met for the proper filing of a motion:

- A Motion to Reopen/Reconsider must be filed by the "affected party," as defined in 8 CFR 103.3(a)(1)(iii)(B), and must be submitted with the required fee. The motion must also be signed by the applicant or recognized representative/attorney.
- A Motion to Reconsider must be filed within 33 days from the date of the denial. If it is not filed within 33 days, the motion may be dismissed.
- A Motion to Reopen must be filed within 33 days of the denial, except that failure to file before this period expires, may be excused in the discretion of the Service where it is demonstrated that the delay was reasonable and was beyond the control of the applicant (8 CFR 103.5(a)(1)(i)). For cases that were denied due to abandonment, the applicant is allowed limited motion rights.

Note: Prior to dismissing for untimely filing, consider local mailroom processing times.

Procedure for a Motion to Reopen or Reconsider Follow the steps below to process a Motion to Reopen or Reconsider. Refer to 8 CFR 103.5(a)(4) for guidance on dismissing motions.

Note: When preparing a motion letter, it should state the decision that the new material has been reviewed and how this material influenced the decision on the motion.

Step	Action						
5.1	Verify that the motion is filed timely, that it is signed by the appropriate person (i.e., the “affected party”), and that the fee is submitted, if required (See the requirements in 8 CFR 103.5(a)(1) or (2)).						
5.2	<p>Review the submission and determine whether or not the individual has overcome the original reason for denial. The applicant should provide new evidence that overcomes the prior grounds for denial or provide clarification that the law/regulations/precedent decisions were misinterpreted or misapplied.</p> <p>To overcome a denial due to <i>abandonment</i> the motion must include evidence that the decision was in error based on one of the reasons above (see “Motion to Reopen an Application Denied Due to Abandonment”).</p> <p>Note: If an officer determines there is validity in the applicant’s motion but finds no precedent for taking favorable action, Counsel input may be required. On a case-by-case basis, such motions/underlying cases may be referred to Regional Counsel for review and input.</p>						
5.3	<p>Grant or dismiss the motion.</p> <table border="1" style="margin-left: 20px;"> <thead> <tr> <th>IF...</th> <th>THEN...</th> </tr> </thead> <tbody> <tr> <td>The proper filing requirements have been met</td> <td>Prepare a letter to grant the motion (i.e., a notice of reopening or reconsideration). Place a copy of the notice in the ROP and continue processing.</td> </tr> <tr> <td>The proper filing requirements have not been met</td> <td>Prepare a letter to dismiss the motion advising the applicant as to all grounds for dismissal. Place a copy of the letter in the ROP and follow post-adjudication procedures.</td> </tr> </tbody> </table>	IF...	THEN...	The proper filing requirements have been met	Prepare a letter to grant the motion (i.e., a notice of reopening or reconsideration). Place a copy of the notice in the ROP and continue processing.	The proper filing requirements have not been met	Prepare a letter to dismiss the motion advising the applicant as to all grounds for dismissal. Place a copy of the letter in the ROP and follow post-adjudication procedures.
IF...	THEN...						
The proper filing requirements have been met	Prepare a letter to grant the motion (i.e., a notice of reopening or reconsideration). Place a copy of the notice in the ROP and continue processing.						
The proper filing requirements have not been met	Prepare a letter to dismiss the motion advising the applicant as to all grounds for dismissal. Place a copy of the letter in the ROP and follow post-adjudication procedures.						

5.4	<p>Reopen and adjudicate the underlying I-765 application.</p> <table border="1" style="margin-left: 20px;"> <thead> <tr> <th>IF...</th> <th>THEN...</th> </tr> </thead> <tbody> <tr> <td>Additional evidence is required for the related I-765</td> <td>Compose a RFE letter, citing all noted deficiencies. Place copy of the RFE on top of the Record (left) side of the file and send the original to the applicant.</td> </tr> </tbody> </table>	IF...	THEN...	Additional evidence is required for the related I-765	Compose a RFE letter, citing all noted deficiencies. Place copy of the RFE on top of the Record (left) side of the file and send the original to the applicant.
IF...	THEN...				
Additional evidence is required for the related I-765	Compose a RFE letter, citing all noted deficiencies. Place copy of the RFE on top of the Record (left) side of the file and send the original to the applicant.				

	The related I765 application will be approved	The reopening notice can include this information. Annotate the necessary information on the Form I-765. Stamp the Action block with the approval stamp over the previous denial notation, sign it, and annotate it as "Approved on Motion" with the date.
	The denial on the I-765 application will not be reversed	The applicant must be afforded 33 days in which to submit a brief. Prepare a decision notice stating that the case was reopened or reconsidered but the original decision will stand. Place a copy of the notice in the ROP.
5.5	Follow post-adjudication procedures.	

Part 6: References

I-181 Additional Information

On occasion, after entering an A-Number into CLAIMS LAN or FARES you may encounter a form type I-181 (Memorandum of Creation of Record of Lawful Permanent Residence). The districts are instructed to send copy #2 of any I-181 they issue to the appropriate Service Center for entry into the GUI/ICPS system. This copy #2 is not related in any way to an approval of an applicant's adjustment of status. It is simply a master copy, which is sent here without the file, for initial entry into the GUI/ICPS system.

Once the I-181 is keyed into the GUI/ICPS I-181 screen, you can view it in FARES by keying the corresponding A-Number. If the underlying I-485 has been approved, the "ADM/ADJ DATE" field will contain a date. Further, by hitting the "PF11" key on your keypad, you can check case history to determine if the I-181 has been updated as approved. If the history indicates that the case has been approved, then you will deny the I-765.

If CLAIMS LAN does not establish that the file has been approved, you will need to access CIS and relocate the I-765 to the appropriate office using the **standard relocation memo**.

Accessing Lists of LPR Codes

To obtain an updated list of LPR codes, press <Clear> from CIS, type "TABLES" and press <Enter>. Then type "VADAD" and <Tab> to the next line for "Table ID." From there enter the desired table.

Standard Relocation Memo

Refer to memo that follows.



U.S. Department of Justice
Immigration and Naturalization

Service

Office of Center Director
Service Center

Service Center
Street Address
City, State Zip Code

Date: _____

MEMORANDUM FOR: _____
Director at _____

FROM: _____
Director at _____

SUBJECT: Relocation of File, A/T, Receipt Number _____

The attached file(s) is/are being relocated to your office for the indicated reason(s):

The case falls within the jurisdiction of your office.

The associated Form I-485 was originally filed with your office or was transferred to your office for adjudication and/or interview scheduling. Therefore, your office has jurisdiction on the Form I-765.

Review of the file and/or electronic records do not establish that the individual is eligible for the benefit.

We have been unsuccessful in obtaining the applicant's A-file. CIS shows the A-file is at your office.

The case does not meet interview waiver criteria because...

The applicant is not currently working for the petitioner of the I-140.

The applicant has an approved family based visa petition.

The applicant appears likely to become a public charge.

The applicant is a dependent of a principal applicant whose file has been previously forwarded to your office. Principal's A-number is

_____.

Other, see explanation below.

The applicant's fingerprints were...

rejected twice as unclassifiable.

identified as a positive hit (IDENT) and/or applicant has a criminal record (info in the file).

___ The individual appears to have been denied asylum or referred as ineligible; further action by your office or the Immigration Judge is required.

___ The applicant has _____ A-numbers _____. Please consolidate the files.

___ Other:

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**I-765 (c)(9)
National SOP
Introduction**

This Standard Operating Procedure (SOP) has been created for the purpose of standardizing operational policies and procedures between local offices and service centers in the processing of the I-765 (c)(9), Application for Employment Authorization – Adjustment Applicant. This SOP is in response to the processing differences that have developed between local offices and between service centers over time. To support the goal of standardizing procedures, this SOP seeks to improve the production efficiencies through the application of best practices from the local offices and service centers. While it is acknowledged that the facilities may have different demands and physical layouts, a standard process will assist in ensuring that our customers receive consistent processing regardless of jurisdiction.

This SOP has been developed as a modular document. The Mailroom, Data Entry, U.S. CIS Review, File Room, Adjudications, and Post-Adjudications sections are stand-alone documents that can be used individually as training and daily reference documents. Each module describes a stage in the processing of an I-765 (c)(9) application. Below is a brief description of each module:

- **Mailroom (Service Center)**- The process by which a service center receives I-765 (c)(9) applications, reviews them for acceptability and assembles them for data entry.
- **Data Entry (Service Center)**- The process by which fees are receipted and case information is keyed into CLAIMS LAN.
- **U.S. CIS Review (Service Center)**- The process by which U.S. CIS verifies most reasons for rejection cited by the contractor.
- **File Room (Service Center)**- The process by which files are initially sorted and staged, and then further staged, routed or distributed.
- **Adjudications (Service Center)**- The process by which an application is examined for determination of whether the application is approvable or deniable.
- **Post-Adjudications (Service Center)**-The procedure to be followed after an officer makes a determination on an I-765 (c)(9) case.

Recommendations for changes to this document should be sent to the Headquarters Office of Service Center Operations (HQSCO).

Important: This SOP is not intended to be, and should not be taken as, an authoritative statement of the rules of decision for Form I-765 (c)(9) cases. This SOP is a guide for the consistent processing of Form I-765 (c)(9) cases. The Service bases the actual decision in a particular case on the record of that particular case and on the Act, regulations, precedent administrative and judicial decisions, and general statements of Service policy relating to the case. Thus, nothing in this SOP creates any substantive or procedural right or benefit that is legally enforceable by any party against the United States or its agencies or officers or any other person.

**I-765 (c)(9)
SOP Table of
Contents**

The following is a table of contents, which serves as a guide for all of the modules of the I-765 (c)(9) SOP. Each module contains its own table of contents that will help to guide through the individual sections of the SOP.

Note: This SOP establishes the required minimum standard for the operational

procedures that all service centers should follow. However, this does not invalidate all local requirements and procedures. Local procedures that do not conflict with this SOP (i.e., procedures that are above and beyond the SOP) may still be required, as determined by management at each office. Additionally, recommendations or advice in this SOP may become requirements at the service center at the discretion of each center's management.

Introduction This section outlines the procedure to be followed after an officer makes a determination on an I-765 (c)(9) case. The determination as to who (officer, clerk or contractor) will perform these functions is left to local management discretion.

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Part 1: Updating CLAIMS LAN

Description CLAIMS LAN must be updated for all adjudicative decisions, including the processing of:

- Approvals
- Requests for Evidence
- Relocations
- Denials

Requirements Review the CLAIMS LAN data pertaining to the case and edit or enter any data that may be incorrect or missing as compared to the application, including entering changes notated by the officer. If any changes are made in CLAIMS LAN, press <F4> to save. Additionally, update cases to reflect the action or decision taken in the case.

Keep in mind the following: When moving between the fields in the CLAIMS LAN screen, <Tab> or use the down arrow to get to the appropriate field. You can then enter the correct data in the field.

Standards Complete the standards below to review CLAIMS LAN and update case data.

No.	Standard
1.1	If the file has been moved since the adjudicative decision was made, receive the file in RAFACS.

1.2	<p>Access the applicant's case in CLAIMS LAN by entering the applicant's A-number.</p> <p>Advice:</p> <ul style="list-style-type: none"> • Log into CLAIMS LAN. • Select "Adjudicate a Case" and press <Enter>. • At the "Enter a receipt or A-number" prompt, enter the applicant's A-number. Enter a leading zero if the A-number contains seven digits. If you cannot access the record, wand the case's barcode. This may be an indication that an incorrect A# was entered.
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No.	Standard
1.3	<p>Review all of the data on the I-765 application against the information in CLAIMS LAN to verify its accuracy and annotate the processing worksheet. Make and save any changes, if necessary.</p> <p>Keep in mind the following:</p> <ul style="list-style-type: none"> • If the application and CIS indicate different SSNs, retain the SSN in CIS and ensure that it is entered into CLAIMS LAN.
1.4	<p>If there is a valid G-28, review the attorney/representative data for accuracy and annotate the processing worksheet. Make and save the changes if necessary and exit the form.</p> <p>Advice: If there is a "Y" in the G-28 field, press <Enter>, review for accuracy, and make changes if necessary. If there is an "N" in the field, type "Y" and enter the G-28 information. If changes were made, press <F4> twice and save the updates. Refer to the "G-28 Data Entry Guidelines" below.</p>

G-28 Data Entry Guidelines

In the "Information About the Attorney or Representative" sub-screen that appears, fill in the following information and press <F4> to save the data:

- **Name:** Enter the name (Last, First, Middle) from the 4th block of the G-28 with any titles (e.g., ESQ, SR, etc.) included in the last name field (after the last name).
- **Firm name/VOLAG:** Complete this field only if the entry is different from the attorney's name. This may be found in the "Complete Address" block of the G-28.
- **Address:** The first "Street" field is to be used for the entry, with any overflow entered in the second one. If both a PO Box and a physical address are listed, enter the PO Box address.
- **Zip Code:** Verify the city and state after you enter the zip code.
- **Type of Appearance:**
 - o If block 1 on the G-28 is checked, enter "A"
 - o If block 2 is checked, enter "B"
 - o If block 3 AND 1 or 3 AND 2 or 4 is checked, enter "C"

Keep in mind the following: Do not populate the U.S. CIS Attorney #, ATTY State License #, or VOLAG # fields.

No.	Standard
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1.5	<p style="text-align: center;">Determine the action or decision taken in the case and proceed appropriately.</p> <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th style="text-align: center;">IF processing...</th> <th style="text-align: center;">THEN...</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">A Request for Evidence (RFE)</td> <td style="text-align: center;">Go to Part 1a.</td> </tr> <tr> <td style="text-align: center;">An Approval</td> <td style="text-align: center;">Go to Part 1b.</td> </tr> <tr> <td style="text-align: center;">A Relocation</td> <td style="text-align: center;">Go to Part 1c.</td> </tr> <tr> <td style="text-align: center;">A Denial</td> <td style="text-align: center;">Go to Part 1d.</td> </tr> <tr> <td style="text-align: center;">A Service Motion to Reopen</td> <td style="text-align: center;">Go to Part 1e.</td> </tr> <tr> <td style="text-align: center;">A Motion to Reopen or Reconsider</td> <td style="text-align: center;">Go to Part 1f.</td> </tr> </tbody> </table>	IF processing...	THEN...	A Request for Evidence (RFE)	Go to Part 1a.	An Approval	Go to Part 1b.	A Relocation	Go to Part 1c.	A Denial	Go to Part 1d.	A Service Motion to Reopen	Go to Part 1e.	A Motion to Reopen or Reconsider	Go to Part 1f.
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A Relocation	Go to Part 1c.														
A Denial	Go to Part 1d.														
A Service Motion to Reopen	Go to Part 1e.														
A Motion to Reopen or Reconsider	Go to Part 1f.														

Part 1a: Processing RFEs

Standards Complete the standards below to process a Request for Evidence (RFE).

No.	Standard
1a.1	<p>Prepare the appropriate notice, if not already completed, and place copy of the RFE on top of the record side (left-hand side) of the file on top of the Record of Proceedings (ROP). The original notice should be sent to the applicant. Annotate the processing worksheet and complete the following steps to process a RFE or in accordance with local procedures.</p>
1a.2	<p>Access the applicant's case in CLAIMS LAN by entering the applicant's A-number. Advice:</p> <ul style="list-style-type: none"> • Log into CLAIMS LAN. • Select "Adjudicate a Case" and press <Enter>. • At the "Enter a receipt or A-number" prompt, enter the applicant's A-number. Enter a leading zero if the A-number contains seven digits. If you cannot access the record, wand the case's barcode. This may be an indication that an incorrect A# was entered.
1a.3	<p>Update the case to show that the RFE has been ordered.</p> <ul style="list-style-type: none"> • Select "Case Review" and press <Enter>. • Select "Place in Suspense" and press <Enter>. • Select "Order Initial Evidence Request Notice" and press <Enter>.

Step	Action
1a.4	<p>At the "Change Case Status?" prompt, select "Yes" and press <Esc>. At the "Exit Form?" prompt, select "Yes" to exit the application.</p>

1a.5	<p>Once the RFE correspondence has been produced, update the case to reflect that the “Initial Evidence Request Notice” has been sent and then annotate the processing worksheet.</p> <ul style="list-style-type: none"> • Access the “Batch Status Update” screen using the “Case Status Update” or “Batch Status Update” icon, or the CLAIMS LAN menu. • Select “Batch Off-System Notice Sent Update” and press <Enter>. • Select “Initial Evidence Request Notice Sent” and press <Enter>. • Wand the receipt number of the case(s) that is being updated and press <Esc> to return to main screen.
1a.6	Proceed to Section 4: File Room Module, Part 2b: Staging and Distributing Requests for Evidence.

Part 1b: Processing Approvals

Standards Complete the standards below to process an approval.

Keep in mind the following: It is important that the CLAIMS LAN data (i.e. A-number, name, DOB, etc.) and the information in CIS match. It is difficult, if not impossible, to stop a card production once the order has been sent. From approval of the I-765 c9, you only have 24 hours to stop card production. If you approve a card production in error, notify your supervisor immediately.

No.	Standard
1b.1	<p>Access the applicant’s case in CLAIMS LAN by entering the applicant’s A-number.</p> <p>Advice:</p> <ul style="list-style-type: none"> • Log into CLAIMS LAN. • Select “Adjudicate a Case” and press <Enter>. • At the “Enter a receipt or A-number” prompt, enter the applicant’s A-number. Enter a leading zero if the A-number contains seven digits. If you cannot access the record, wand the case’s barcode. This may be an indication that an incorrect A# was entered.
1b.2	Verify that the appropriate “I am applying for:” box is entered in CLAIMS LAN. Make and save any changes, if necessary.
1b.3	<p>Verify that the correct address, eligibility category, and sex are entered in CLAIMS LAN. Make and save any changes, if necessary.</p> <p>Note: Do not change the classification (eligibility category) in this screen. If necessary, it will be completed in step 1b.7.</p>

Step	Action
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1b.4	<p>Follow the steps below to review the I-765(c)(9) data entered against the CIS data to help eliminate incorrect A-numbers or data: Perform the following steps:</p> <ul style="list-style-type: none"> • Press <F10>, select “Case Review” and press <Enter>. • Select “Review CI Data and Processing Screens” and press <Enter>. • Review the CIS screen prints for evidence of the applicant’s name in CIS and compare that to CLAIMS LAN. • Select either “No” or “Yes” depending on whether or not you want to view the data. (Pressing <Esc> at this point will also show the data screen.) • If the check does not confirm that the data is identical, review CIS, the CLAIMS LAN screen, the I-765 application data and the evidence submitted to determine where the inconsistencies lie. Coordinate as appropriate to make changes to CIS and/or edit the data in CLAIMS LAN, as necessary.
1b.5	<p>Update the case to show that the approval notice has been ordered and then annotate the processing worksheet to show that the card has been sent to the applicant.</p> <ul style="list-style-type: none"> • Press <F10>. • Select “Approve the Case” and press <Enter>. • Select “Approve - Order Notice” and press <Enter>. • Select “Approval - Card Sent to Applicant” and press <Enter>.

Step	Action	
1b.6	<p>Verify that the signature, photo, and fingerprint have been scanned or waived (“Y” or “W” for all three Image Capture Status’) in CLAIMS LAN.</p>	
	IF...	THEN...
	The fingerprint and photo and/or signature show “N”	File needs to be returned to the contractor for scanning by following local procedures.
	The fingerprint is the only thing missing	<p>A correction needs to be made in GUI. Follow the steps below or in accordance with local procedures:</p> <ul style="list-style-type: none"> • Open local GUI by entering the receipt or A-number and access the biometrics edit screen. • Place a checkmark in the appropriate box and save the data. • Return to the main screen and save the data.

1b.7	Verify the Class and enter the validity dates into CLAIMS LAN as notated in the “Do Not Write in This Block” on the application. If the classification has been entered incorrectly, make and save the change. Leave POE/PFI as is and ensure that “Send to Clerical?” defaults to “Y”.
1b.8	Press <F4> and at the “Save changes?” prompt, select “Yes” and press <Enter>.
1b.9	At the “Change Case Status?” prompt, select “Yes” and press <Enter>. Press <Esc>. At the “Exit Form?” prompt, select “Yes” to exit the application and press <Enter>.
1b.10	Remove the top, colored portion of the SWIP label to expose the transparent label below.
1b.11	Proceed to Section 4: File Room Module, Part 2d: Staging and Distributing Approved Cases.

Part 1c: Relocating Applications

Standards Complete the standards below to relocate an application to either a district office or to another service center.

No.	Standard
1c.1	Access the applicant’s case in CLAIMS LAN by entering the applicant’s A-number. Advice: <ul style="list-style-type: none"> • Log into CLAIMS LAN. • Select “Adjudicate a Case” and press <Enter>. • At the “Enter a receipt or A-number” prompt, enter the applicant’s A-number. Enter a leading zero if the A-number contains seven digits. If you cannot access the record, wand the case’s barcode. This may be an indication that an incorrect A# was entered.
1c.2	Update the case to reflect that the case has been relocated and then annotate the processing worksheet . <ul style="list-style-type: none"> • Select “Case Movement – Relocate Out” and press <Enter>. • Select “Otherwise Transfer Case to Another Office” and press <Enter>.
1c.3	Ensure that the three-letter office code is correct. If unsure of the codes, press <Insert> twice to bring up the code list.
1c.4	At the “Change Case Status?” prompt, select “Yes” and press <Esc>. At the “Exit Form?” prompt, select “Yes” to exit the application and press <Enter>.
1c.5	Proceed to Section 4: File Room Module, Part 2c: Staging and Relocating Files.

Part 1d: Processing Denials

Standards Complete the standards below to process a denial.

No.	Standard										
1d.1	Prepare the appropriate adjudication worksheet or denial letter indicating the reason(s) for the denial of the application, if not already completed. Place copy of the notice on top of the record side (left-hand side) of the file on top of the Record of Proceedings (ROP). The original notice should be sent to the applicant.										
1d.2	Ensure that the phrase "Denied", the date, and the officer's number are notated in the Action block of the I-765. If the Action block is left blank, write "Denied" with the officer's initials.										
1d.3	Access the applicant's case in CLAIMS LAN by entering the applicant's A-number. Advice: <ul style="list-style-type: none"> • Log into CLAIMS LAN. • Select "Adjudicate a Case" and press <Enter>. • At the "Enter a receipt or A-number" prompt, enter the applicant's A-number. Enter a leading zero if the A-number contains seven digits. If you cannot access the record, and the case's barcode. This may be an indication that an incorrect A# was entered. 										
1d.4	Press <F10> and update the case to show that it has been denied by selecting "Deny the Case" and pressing <Enter>.										
1d.5	Select the appropriate action phrase from the table below and then press <Enter>. <table border="1" data-bbox="386 982 1206 1262"> <thead> <tr> <th>IF processing a...</th> <th>THEN select the phrase...</th> </tr> </thead> <tbody> <tr> <td>Regular denial</td> <td>"Order Denial Notice".</td> </tr> <tr> <td>Denial based on fraud</td> <td>"Order Denial Notice with Finding of Fraud".</td> </tr> <tr> <td>Abandonment denial</td> <td>"Order Abandonment Denial Notice".</td> </tr> <tr> <td>Withdrawn case</td> <td>"Order Withdrawal Acknowledgement".</td> </tr> </tbody> </table>	IF processing a...	THEN select the phrase...	Regular denial	"Order Denial Notice".	Denial based on fraud	"Order Denial Notice with Finding of Fraud".	Abandonment denial	"Order Abandonment Denial Notice".	Withdrawn case	"Order Withdrawal Acknowledgement".
IF processing a...	THEN select the phrase...										
Regular denial	"Order Denial Notice".										
Denial based on fraud	"Order Denial Notice with Finding of Fraud".										
Abandonment denial	"Order Abandonment Denial Notice".										
Withdrawn case	"Order Withdrawal Acknowledgement".										

No.	Standard
1d.6	At the "Change Case Status?" prompt, select "Yes" and press <Enter>.
1d.7	Remove the supervisory hold. Advice: <ul style="list-style-type: none"> • Press <Alt+F8>. • Type your user ID and password. • Press <F4>. • Select "Action Confirmed". • Press <Enter>.

1d.8	Update the case to reflect that the denial notice has been sent by following the steps below or in accordance with local procedures and annotate the processing worksheet . <ul style="list-style-type: none"> • Access the “Batch Status Update” screen using the “Case Status Update” or “Batch Status Update” icon, or the CLAIMS LAN menu. • Select “Batch-Off System Notice Sent Update” and press <Enter>. • Select “Denial Notice-Sent”. • Wand the receipt number of the case(s) that is being updated.
1d.9	Remove the top, colored portion of the SWIP label to expose the transparent label below.
1d.10	Proceed to Section 4: File Room Module, Part 2e: Staging and Distributing Denied Cases.

Part 1e: Processing Service Motions to Reopen

Description Occasionally, U.S. CIS may need to open a case on a Service Motion and reverse a previous decision on an I-765 (c)(9) application. Examples of reasons to open a case on a Service motion include, but are not limited to, the following:

- A case was approved in error and the notice has gone out;
- Derogatory information was received;
- An erroneous abandonment denial was processed.

Requirement After the adjudicator opens a Service Motion and reverses the previous decision, the Service Motion and subsequent decision on the I-765 application must be updated in CLAIMS LAN.

Standards – Service Motion to Reopen Follow the steps below to update a Service Motion to Reopen, and the subsequent approval or denial of the related I-765 (c)(9) application.
Note: Service Motions do not have separate receipt numbers.

No.	Standard
1e.1	Access the applicant’s case in CLAIMS LAN by entering the applicant’s A-number. Advice: <ul style="list-style-type: none"> • Log into CLAIMS LAN. • Select “Adjudicate a Case” and press <Enter>. • At the “Enter a receipt or A-number” prompt, enter the applicant’s A-number. Enter a leading zero if the A-number contains seven digits. If you cannot access the record, wand the case’s barcode. This may be an indication that an incorrect A# was entered.

Step	Action
1e.2	Press <F10>, select “Appeal and Motion Decisions” and press <Enter>.

1e.3	Select “Reopen or Reconsider on Service Motion – No Appeal” and press <Enter>.						
1e.4	Choose “Y” at the “Change Status?” prompt and press <Enter>.						
1e.5	Depending on the decision on the related I-765 application, follow the table below to proceed appropriately. <table border="1" data-bbox="386 365 1206 541"> <thead> <tr> <th>IF...</th> <th>THEN go to...</th> </tr> </thead> <tbody> <tr> <td>The related I-765 will be approved</td> <td>“Part 1b: Processing Approvals” (above).</td> </tr> <tr> <td>The related I-765 will be denied</td> <td>“Part 1d: Processing Denials” (above).</td> </tr> </tbody> </table>	IF...	THEN go to...	The related I-765 will be approved	“Part 1b: Processing Approvals” (above).	The related I-765 will be denied	“Part 1d: Processing Denials” (above).
IF...	THEN go to...						
The related I-765 will be approved	“Part 1b: Processing Approvals” (above).						
The related I-765 will be denied	“Part 1d: Processing Denials” (above).						

Part 1f: Processing Motions to Reopen or Reconsider

Introduction An applicant may file a Motion to Reopen or Reconsider pursuant to 8 CFR 103.5 within 33 days after a decision has been rendered on his or her case. The motion allows the applicant to submit new evidence that he or she wants to have considered on a previously denied application or to show how the decision was a misinterpretation of the law.

Requirement Decisions on motions must be updated in CLAIMS. This must take place after the adjudicator determines whether or not a motion will be granted and if so, whether the case requires additional evidence or will be denied or approved.

Standards – Motion Granted Follow the standards below to update a case in which the Motion to Reopen or Reconsider has been granted, and one of the following scenarios applies:

- The Service requires additional evidence for the related I-765 application (i.e., new photo);
- The related I-765 has been approved; or
- The case has been denied again (i.e., new evidence submitted does not overcome grounds for denial).

No.	Standard
1f.1A	Access the I-765 and select the MOTIC related to the case. Advice: Enter or wand the applicant’s A-number (enter a leading zero if the A-number contains seven digits). If this does not bring up the I-765 and related motion, wand the barcode of the I-765. If this still does not bring up the I-765 and MOTIC, you may need to wand in the barcode of the motion.
1f.2A	Update the MOTIC as granted in CLAIMS.
1f.3A	Update the I-765 to show that the motion was granted and the case will be reopened. Advice: Select the I-765 receipt number. Press <F10>. Select “Appeal and Motion Decisions.” Select “Reopen or Reconsider on U.S. CIS Motion with Appeal.” Select “Yes” to change the case status.

1f.4A	<p>Update the I-765 to reflect the RFE, approval, relocation, or denial decision on the related I-765 application.</p> <p>Advice: Follow the table below to proceed appropriately:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">IF the related I-765...</th> <th style="text-align: left;">THEN follow...</th> </tr> </thead> <tbody> <tr> <td>Requires additional evidence</td> <td>The RFE standards; go to Part 1a.</td> </tr> <tr> <td>Will be approved</td> <td>The approval standards; go to Part 1b.</td> </tr> <tr> <td>Will be relocated</td> <td>The relocation standards; go to Part 1c.</td> </tr> <tr> <td>Will be denied</td> <td>The denial standards; go to Part 1d.</td> </tr> </tbody> </table>	IF the related I-765...	THEN follow...	Requires additional evidence	The RFE standards; go to Part 1a.	Will be approved	The approval standards; go to Part 1b.	Will be relocated	The relocation standards; go to Part 1c.	Will be denied	The denial standards; go to Part 1d.
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Will be approved	The approval standards; go to Part 1b.										
Will be relocated	The relocation standards; go to Part 1c.										
Will be denied	The denial standards; go to Part 1d.										

Standards – Motion Dismissed – Follow the standards below if a Motion to Reopen or Reconsider will be dismissed. This may occur, for example, if the signature is incorrect or the motion was not filed timely. (The latter is for a motion on an abandoned application only.) For a dismissed motion, no action will be necessary with regards to the related I-765.

No.	Standard
1f.1B	<p>Access the I-765 and select the MOTIC related to the case.</p> <p>Advice: Enter or wand the applicant’s A-number (enter a leading zero if the A-number contains seven digits). If this does not bring up the I-765 and related motion, wand the barcode of the I-765. If this still does not bring up the I-765 and MOTIC, you may need to wand in the barcode of the motion.</p>
1f.2B	<p>Update the MOTIC to reflect that the “Denial of Motion Notice” has been ordered.</p> <p>Advice: Press <F10> and select “Appeal and motion decisions.” Select “Order Denial of Motion Notice.” Select “Yes” to change the case status.</p>
1f.3B	<p>Release the supervisory hold.</p> <p>Advice: Press <Alt+F8>, type your user ID and password and press <F4>.</p>

1f.4B	<p>Once the dismissal letter has been issued, update the motion receipt number as “Denial Notice Sent” (there is no phrase for “dismissal”).</p> <p>Advice: Access the “Batch Status Update” screen using the “Case Status Update” or “Batch Status Update” icon, or the CLAIMS menu. Select “Batch Off-System Notice Sent Update” and press <Enter>. Select “Denial Notice—Sent.” Wand the receipt number of the motion that is being updated.</p>
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Section 7: Supplements Module

**I-765 (c)(9)
National SOP
Introduction**

This Standard Operating Procedure (SOP) has been created for the purpose of standardizing operational policies and procedures between local offices and service centers in the processing of the I-765 (c)(9), Application for Employment Authorization – Adjustment Applicant. This SOP is in response to the processing differences that have developed between local offices and between service centers over time. To support the goal of standardizing procedures, this SOP seeks to improve the production efficiencies through the application of best practices from the local offices and service centers. While it is acknowledged that the facilities may have different demands and physical layouts, a standard process will assist in ensuring that our customers receive consistent processing regardless of jurisdiction.

This SOP has been developed as a modular document. The Mailroom, Data Entry, U.S. CIS Review, File Room, Adjudications, and Post-Adjudications sections are stand-alone documents that can be used individually as training and daily reference documents. Each module describes a stage in the processing of an I-765 (c)(9) application. Below is a brief description of each module:

- **Mailroom (Service Center)**- The process by which a service center receives I-765 (c)(9) applications, reviews them for acceptability and assembles them for data entry.
- **Data Entry (Service Center)**- The process by which fees are receipted and case information is keyed into CLAIMS LAN.
- **U.S. CIS Review (Service Center)**- The process by which U.S. CIS verifies most reasons for rejection cited by the contractor.
- **File Room (Service Center)**- The process by which files are initially sorted and staged, and then further staged, routed or distributed.
- **Adjudications (Service Center)**- The process by which an application is examined for determination of whether the application is approvable or deniable.
- **Post-Adjudications (Service Center)**-The procedure to be followed after an officer makes a determination on an I-765 (c)(9) case.

Recommendations for changes to this document should be sent to the Headquarters Office of Service Center Operations (HQSCO).

Important: This SOP is not intended to be, and should not be taken as, an authoritative statement of the rules of decision for Form I-765 (c)(9) cases. This SOP is a guide for the consistent processing of Form I-765 (c)(9) cases. The Service bases the actual decision in a particular case on the record of that particular case and on the Act, regulations, precedent administrative and judicial decisions, and general statements of Service policy relating to the case. Thus, nothing in this SOP creates any substantive or procedural right or benefit that is legally enforceable by any party against the United States or its agencies or officers or any other person.

**I-765 (c)(9)
SOP Table of
Contents**

The following is a table of contents, which serves as a guide for all of the modules of the I-765 (c)(9) SOP. Each module contains its own table of contents that will help to guide through the individual sections of the SOP.

Note: This SOP establishes the required minimum standard for the operational

procedures that all service centers should follow. However, this does not invalidate all local requirements and procedures. Local procedures that do not conflict with this SOP (i.e., procedures that are above and beyond the SOP) may still be required, as determined by management at each office. Additionally, recommendations or advice in this SOP may become requirements at the service center at the discretion of each center’s management.

Description This section contains a glossary of terms and acronyms that may be encountered during the processing of an I-765 (c)(9) application, as well as a list of forms referenced in the SOP.

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Part 1: Glossary

Introduction The following terms and acronyms are either included in the I-765 (c)(9) SOP or are relevant in the processing of I-765 (c)(9) applications:

Term	Definition/Description
A-file	A series of records, regardless of medium, consisting of numbered files prefixed with an ‘A’ that are used to document the process of history of an applicant for immigration, an immigrant or a person who broke immigration law. These files are identified by an eight-digit A-number. All aliens with green cards have A-files, but nonimmigrant aliens usually do not.
ADIT	Alien Documentation, Identification and Telecommunication System
Adjustment of Status	The procedure allowing certain aliens already in the U.S. to apply for lawful permanent resident status.
AILA	American Immigration Lawyers Association
Alien	Any person who is not a citizen or national of the United States.
AMC	Alternate Mailing Code, U.S. CIS Port of Entry office for Commuters
AOS	See “Adjustment of Status”
Application	A form filed by the person(s) receiving the immigration benefit sought.
Application Support Center	The office responsible for fingerprinting applicants.
ASC	See “Application Support Center”
CAO	Center Adjudications Officer
CFR	Code of Federal Regulations. U.S. CIS rules and regulations describing how the agency will implement the laws passed by Congress are published in Title 8 of the CFR.
CG	Consulate General

CIA	Central Intelligence Agency
CIS	Central Index System. The national computer system containing information relating to A-files.
Term	Definition/Description
CLAIMS LAN	Computer Linked Application Information Management System. Case processing system in which applications are data-entered, received, and electronically updated.
COA	Class of Admission. Classification code given to an alien upon admission to the U.S. or adjustment as an immigrant.
COB	Country of Birth. The country in which a person is born.
COC	Country of Citizenship. The country in which a person is born (and has not renounced or lost citizenship) or naturalized and to which that person owes allegiance and by which he or she is entitled to be protected.
Commuter	An alien admitted to the U.S. for lawful permanent residence but permitted to reside in Canada or Mexico while commuting daily or seasonally to work in the U.S.
Conditional Permanent Resident	An alien may be granted permanent resident status that is conditional based upon either a qualifying marriage of less than two years or a qualifying investment. Within the 90-day period prior to the two-year anniversary date of the alien's admission to the United States as a conditional resident or adjustment of status to that of a conditional resident, the alien must file a petition to remove the conditions on his/her permanent residence.
COTR	Contracting Officer Technical Representative. A U.S. CIS representative that functions as a liaison between the contractor and U.S. CIS.
CPAU	Contract Performance Analysis Unit
CPR	See "Conditional Permanent Resident"
CRU	Case Resolution Unit
CSC	California Service Center
DACS	Deportable Aliens Control System
DOE	Date of Entry (into the U.S.). The date on which the alien was granted immigrant status, either upon admission at a port or through adjustment of status.
DOS	Department of State
Term	Definition/Description
DV	Diversity Visa Lottery Program
EAC	Eastern Adjudications Center. The three-letter code that identifies Vermont as the service center that received a given file. Vermont also uses FCO in CIS.
EAD	Employment Authorization Document. The card that allows aliens to legally work in the U.S.

EWI	Entry without Inspection. The terms used to refer to aliens who enter the U.S. surreptitiously across land borders (EWI).
FAM	Foreign Affairs Manual
FBI	Federal Bureau of Investigation
FCO	File Control Office. An Immigration and Naturalization Service field office – either a district (including U.S. CIS overseas offices) or a sub-office of that district – where alien case files are maintained and controlled.
FCU	File Coordination Unit
Fee Waiver Request	A written request submitted by the applicant or attorney to be exempt from paying the filing fee. A decision on the request must be made by U.S. CIS staff prior to receipting the application.
File Maintenance	File maintenance is the process by which files from Data Entry are sorted and staged before the process of workload distribution.
FMU	File Maintenance Unit. Unit at NSC and TSC responsible for staging, routing and distributing files.
FRE	Fee Received Elsewhere. Signifies that the fee was accepted at another U.S. CIS location.
HBG	Harrisonburg. The location that houses all adjudicated files from all service centers.
HHS	Health & Human Services
HQSCO	Headquarters Office of Service Center Operations
Term	Definition/Description
I-765 (c)(9) Processing Worksheet	A worksheet placed inside each I-765 (c)(9) file on the non-record side during file setup at the service center. The worksheet is filled in at each stage by the U.S. CIS employees and contract personnel that process the case and is also used to route deficient applications to U.S. CIS Review.
IBIS	Interagency Border Inspection System
ID #	Unique number assigned to service center employees for accountability (such as a contract employee's two-digit, four-number identifier).
IIRIRA	Illegal Immigration Reform and Immigrant Responsibility Act
Immediate Relative	Certain immigrants who because of their close relationship to U.S. citizens are exempt from the numerical limitations imposed on immigration to the United States. Immediate relatives are: spouses of citizens, children (under 21 years of age and unmarried) of citizens, and parents of citizens 21 years of age or older. Orphans duly adopted by citizens qualify as immediate relatives.
Immigrant	Every alien except an alien who is within one of the nonimmigrant classes
INA	Immigration & Nationality Act. The Act, which along with other immigration laws, treaties, and conventions of the U.S., relates to the immigration, temporary admission, naturalization, and removal of aliens (INA).
IR	See "Immediate Relative"
IRT	Image Retrieval Terminal

ISRS	Image Storage & Retrieval System
IV	Immigrant Visa
JIT	Just in Time. Unit at CSC responsible for staging, routing and distributing files.
Lawful Permanent Resident	An alien who has been granted the status of having been lawfully accorded the privilege of residing permanently in the United States as an immigrant in accordance with the immigration laws, such status not having changed.
Term	Definition/Description
LIN	Lincoln. The three-letter code that identifies Nebraska as the service center that receipted a given file.
LOC	Location Code
LPR	See "Legal Permanent Resident"
Manual Reject	An application rejected for reasons other than incorrect fee amount, unsigned or missing remittance, or unsigned application.
MFAS	Marriage Fraud Amendment System
NSEERS	National Security Entry-Exit Registration Systems
NAILS	National Automated Immigration Lookout System
National Records Center	National Records Center (NRC) houses inactive A-files from all service centers and district offices.
NATO	North Atlantic Treaty Organization
NIIS	Nonimmigrant Information System. NIIS is an U.S. CIS database that tracks the admissions of nonimmigrant aliens into the U.S.
Nonimmigrant	An alien who seeks temporary entry to the U.S. for a specific purpose.
NRC	See "National Records Center."
NSC	Nebraska Service Center
NVC	National Visa Center
Petitioner	The person or company submitting a business or relative petition to the U.S. CIS, who/which is seeking a benefit to be conferred upon another individual (the beneficiary).
PL	Public Law
POC	Point of Contact
Term	Definition/Description
POE	Port of Entry. A designated location to enter the U.S., such as an airport, ship port or border crossing.
PRC	Permanent Resident Card (a.k.a. Green Card, Alien Registration Card or Lawful Permanent Resident Card), Form I-551

Preference Relative	Relatives whose preference in the adjudications process is based on their relationship to a USC or lawful permanent resident other than as an immediate relative. Preference Relatives must adhere to the numerical limitations imposed on immigration to the U.S. and require a visa.
Properly Filed Application	Refers to an I-765 (c)(9) that is filed with the correct fee and properly signed. If the applicant is under 14 years of age, the parent or guardian may sign the application.
RAFACS	Receipt and A-File Accountability and Control System. The system that reports a file's location and maintains a history of file movement.
Receipt Date	The date that the application information is data-entered into CLAIMS LAN (see definition). This date is NOT the filing date and is NOT used in determining the application's processing order.
Received Date	The date that the application is physically received by the Service. For properly filed applications, this is the date that is used to determine the processing order, processing times, etc. For all legal purposes and statistics, this is the Service's date of record. The received date may also be referred to as the filing date.
Representative	A person authorized to appear before the Service on behalf of someone else. The Service will not recognize the person unless the person has filed a form G-28 signed by the client.
RFE	Request for Evidence
ROIQ	Record of IBIS Query
ROP	Record of Proceeding. The order in which documents in a file are assembled for legal purposes.
SAW	See "Special Agricultural Worker"
Term	Definition/Description
Secondary Review	A review done if a case only has a simple fee and/or signature deficiency. The review, which may be done by any other individual who is a supervisor, U.S. CIS employee, contractor personnel, or another skilled individual, helps to eliminate the number of items being referred to U.S. CIS Review.
SOP	Standard Operating Procedure
Special Agricultural Worker	Aliens who performed labor in perishable agricultural commodities for a specified period of time and were admitted for temporary and then permanent residence under a provision of the Immigration Reform and Control Act of 1986. Up to 350,000 aliens who worked at least 90 man-days in each of the 3 years preceding May 1, 1986 were eligible for Group I temporary resident status. Eligible aliens who qualified under this requirement but applied after the 350,000 limit was met and aliens who performed labor in perishable agricultural commodities for at least 90 man-days during the year ending May 1, 1986 were eligible for Group II temporary resident status. Adjustment to permanent resident status is essentially automatic for both groups; however, aliens in Group I were eligible on December 1, 1989 and those in Group II were eligible one year later on December 1, 1990.

SRC	Southern Regional Center. The three-letter code that identifies Texas as the service center that receipted a given file.
Staging	The process by which files are organized and prepared during workload distribution.
Status	A classification assigned to a person who has entered the U.S.
System Reject	An electronic rejection for incorrect, unsigned or missing remittance, and/or unsigned application.
T-file	Temporary file. A temporary file is created when an applicant's A-file cannot be found after, at minimum, a diligent 90-day search of all U.S. CIS locations. A T-file is used if the permanent file is missing or temporarily if the A-file is located at another U.S. CIS service location.
TSC	Texas Service Center
USC	United States Citizen
Term	Definition/Description
Visa	The official arrival records of immigrants admitted for permanent residence, which should be contained in the A-file. The Immigrant Visa (IV) packet is used to enter a Form OS155A into CLAIMS LAN to initiate card production of the alien's first I-551.
VSC	Vermont Service Center
WAC	Western Adjudications Center. The three-letter code that identifies California as the service center that receipted a given file.
WDU	Workload Distribution Unit
Workload Distribution	Workload distribution is the process of staging, routing and distributing files.

Part 2: Forms List

Introduction The following form types were cited in the I-765 (c)(9) SOP:

Form	Title/Purpose
FD-258	Fingerprint Card
G-28	Notice of Entry of Appearance as Attorney or Representative
I-89	Data Collection Form
I-89A	Instruction sheet for the completion of the Form I-89
I-90	Application to Replace Permanent Resident Card
I-94	Arrival/Departure Record
I-131	Application for Travel Document
I-140	Immigrant Petition for Alien Worker
I-151	Permanent Resident Card (previous version); Other previous versions: AR-3 and AR-103

I-181	Memorandum of Creation of Record of Lawful Permanent Residence
I-213	Record of Deportable Alien
I-360	Petition for Amerasian, Widow(er), or Special Immigrant
I-407	Abandonment of Status
I-485	Application to Register Permanent Residence or Adjust Status
I-526	Immigrant Petition by Alien Entrepreneur
I-551	Permanent Resident Card (Green Card)
I-687	Application for Status as a Temporary Resident
I-698	Application to Adjust Status from Temporary to Permanent Resident
I-700	Application for Temporary Resident Status as a Special Agricultural Worker
I-751	Petition to Remove the Conditions of Residence
I-765	Application for Employment Authorization
I-824	Application for Action on an Approved Application or Petition
I-829	Petition by Entrepreneur to Remove Conditions
M-226	Manual for Data Collection