

**Instructions for I-694, Notice of Appeal of
Decision Under Section 210 or 245A****Instructions**

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

What Is the Purpose of This Form?

This form is used to notify U.S. Citizenship and Immigration Services (USCIS) that you are appealing the decision to the Director of USCIS of your denied permanent residence, temporary residence, or a waiver of grounds of inadmissibility under the amnesty program provisions of the Immigration Reform and Control Act of 1986, (IRCA).

Briefs

A brief in support of an appeal is not required, but may be desired. If a brief is to be submitted, it may be provided with Form I-694, Notice of Appeal of Decision Under Section 210 or 245A, or received up to 30 calendar days from the date of receipt of Form I-694 at the USCIS Service Center.

Oral Argument

Oral argument before USCIS Director or an officer designated by the Director may be requested by a letter attached to Form I-694. The letter must set forth the reasons oral argument is desired in support of or in place of a brief. Oral argument will be denied in any case where the appeal is found to be frivolous, where oral argument will serve no useful purpose, or where written material or representations will appropriately serve your interests. If oral argument is granted, it must be held in person. The officer to whom the appeal is taken will designate in writing the time, date, and place of the oral argument. Oral argument in any case will be limited to 15 minutes, unless justification and arrangements for additional time are made in advance.

Counsel

In presenting and prosecuting Form I-694, you may be represented at no expense to the U.S. Government by counsel or a duly authorized representative. If you are represented, your counsel or representative must file a Notice of Entry of Appearance as Attorney or Representative (Form G-28) with Form I-694.

Where to File an Appeal?

This form must be mailed to the address given on the "Notice of Denial" and must be received within 30 days of the date noted on the USCIS letter of denial. The 30-day period for submitting an appeal begins 3 days after the notice of denial is mailed. No extensions will be granted. Do not file the appeal at the AAO.

What Is the Filing Fee?

The filing fee for Form I-694 is **\$755**. The fee will not be refunded regardless of the action taken. A separate cashier's check or money order must be submitted for each application. All fees must be submitted in the exact amount. No cash or personal checks will be accepted.

Use the following guidelines when you prepare your check or money order for the Form I-694 fee:

1. The check or money order must be drawn on a bank or other financial institution located in the United States and must be payable in U.S. currency; **and**
2. Make the check or money order payable to **U.S. Department of Homeland Security**.

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

How to Check if the Fee Is Correct

The form and biometrics services fees on this form are current as of the edition date appearing in the lower right corner of this page. However, because USCIS fees change periodically, you can verify if the fees are correct by following one of the steps below:

1. Visit our Web site at www.uscis.gov, select "FORMS," and check the appropriate fee; or
2. Telephone our National Customer Service Center at **1-800-375-5283** and ask for the fee information.

Notice to Those Making Payment by Check

If you send us a check, it will be converted into an electronic funds transfer (EFT). This means we will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will usually take 24 hours, and will be shown on your regular account statement.

You will not receive your original check back. We will destroy your original check, but we will keep a copy of it. If the EFT cannot be processed for technical reasons, you authorize us to process the copy in place of your original check. If the EFT cannot be completed because of insufficient funds, we may try to make the transfer up to two times.

Address Change

If you have changed your address, you must inform USCIS of your new address. For information on filing a change of address go to the USCIS Web site at www.uscis.gov/addresschange or contact the National Customer Service Center at **1-800-375-5283**.

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

Processing Information

Any Form I-694 that is not signed or accompanied by the correct fee will be rejected with a notice that Form I-694 is deficient. You may correct the deficiency and resubmit Form I-694. An application or petition is not considered properly filed until accepted by USCIS with the correct fee.

Initial processing

Once Form I-694 has been accepted, it will be checked for completeness, including submission of the required initial evidence. If you do not completely fill out the form, or file it without required initial evidence, you will not establish a basis for eligibility and we may deny your Form I-694.

Requests for more information or interview

We may request more information or evidence, or we may request that you appear at a USCIS office for an interview. We may also request that you submit the originals of any copy. We will return these originals when they are no longer required, upon the approval of Form G-884, Request for the Return of Original Document(s).

Decision

The decision on Form I-694 involves a determination of whether you have established eligibility for the requested benefit. You will be notified of the decision in writing.

USCIS Forms and Information

You can get USCIS forms and immigration-related information on the USCIS Web site at www.uscis.gov. You may order USCIS forms by calling our toll-free number at 1-800-870-3676. You may also obtain forms and information by telephoning our USCIS National Customer Service Center at 1-800-375-5283.

As an alternative to waiting in line for assistance at your local USCIS office, you can now schedule an appointment through the USCIS Internet-based system, **InfoPass**. To access the system, visit the USCIS Web site. Use the **InfoPass** appointment scheduler and follow the screen prompts to set up your appointment. **InfoPass** generates an electronic appointment notice that appears on the screen.

Penalties

If you knowingly and willfully falsify or conceal a material fact or submit a false document with this request, we will deny the benefit you are filing for, and may deny any other immigration benefit.

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

USCIS Privacy Act Statement

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

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

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

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

Paperwork Reduction Act

An agency may not conduct or sponsor an information collection and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. The public reporting burden for this collection of information is estimated at 30 minutes per response, including the time for reviewing instructions, and completing and submitting the form. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to: U.S. Citizenship and Immigration Services, Regulatory Products Division, Office of the Executive Secretariat, 20 Massachusetts Avenue, N.W., Washington, DC 20529-2020. OMB No. 1615-0034. This form expires September 30, 2012. **Do not mail your application to this address.**