U.S. Department of Homeland Security
U.S. Citizenship and Immigration Services
Office of the Director
Camp Springs, MD 20588-0009

U.S. Citizenship and Immigration Services

November 20, 2026 PA-2026-18

Policy Alert

SUBJECT: Special Immigrant Juvenile Adjustment of Status

Purpose

U.S. Citizenship and Immigration Services (USCIS) is updating policy guidance in the USCIS Policy Manual to address policy changes to Special Immigrant Juvenile (SIJ) based adjustment of status adjudications. The updates aim to ensure that all applicants who adjust status as an SIJ merit a favorable exercise of discretion, in addition to meeting all other eligibility requirements.

Background

Lawful permanent resident (LPR) status confers several significant privileges, rights, and responsibilities[1] that invoke a commitment to greater assimilation in the United States and offers a pathway to U.S. citizenship. Aliens who are present in the United States and who are beneficiaries of approved immigrant petitions may generally file an application with USCIS to adjust their status to that of an LPR. SIJ petitioners may adjust status when they meet all eligibility requirements and merit a favorable exercise of discretion.

On July 24, 2025, USCIS published a report "Criminality, Gangs, and Program Integrity Concerns in Special Immigrant Juvenile Petitions," which identified significant national security and benefit integrity vulnerabilities in the SIJ program. As provided in the report, these vulnerabilities provided criminal aliens, gang members, and known or suspected terrorists a path to lawful permanent residency.

As a result, USCIS must ensure that the underlying basis for adjustment, the Petition for Amerasian, Widow(er), or Special Immigrant (Form I-360), is adjudicated without error prior to the SIJ's adjustment to that of an LPR. USCIS is updating relevant adjustment of status policy to ensure all SIJ-based applicants are eligible under the Immigration and Nationality Act (INA), including meriting a favorable exercise of discretion.

This guidance, contained in Volume 7 of the Policy Manual, is effective immediately and applies to requests pending or filed on or after the publication date. The guidance contained in the Policy Manual is controlling and supersedes any related prior guidance.

[1] See the Rights and Responsibilities of a Green Card Holder (Permanent Resident) webpage and Your Rights and Responsibilities as a Permanent Resident, Welcome to the United States: A Guide for New Immigrants, pages 14-15.

Policy Highlights

- Reiterates that SIJ-based adjustment applicants must also merit a favorable exercise of discretion, in addition to all other adjustment eligibility requirements.

- Clarifies that USCIS may revoke the underlying approved SIJ petition for good and sufficient cause, if, upon review, there is evidence the petition was not bona fide, there was fraud or willful misrepresentation, or there was a clear error in the previous adjudication (including where DHS consent was granted in error).

- Confirms USCIS may issue an SIJ-based adjustment applicant a Notice to Appear after the adjustment application is denied or the underlying petition's approval is revoked.

- Explains that USCIS has the authority to require biometrics on an ad hoc or non-routine basis through individual notice for any benefit request.

- Clarifies that though SIJ-based adjustment applicants have age-out protections, they must still have filed their underlying Petition for Amerasian, Widow(er), or Special Immigrant (Form I-360), while under the age of 21.[2]

- Removes language that threshold eligibility is a positive discretionary factor in a discretionary analysis.

Summary of Changes

Affected Section: Volume 1 > Part E > Chapter 8 > Section B > Overview of Discretion > Subsection 4, Discretion

- Revises paragraph under italicized subheading, "Lack of Negative Factors."

Affected Section: Volume 7 > Part F > Chapter 7, Special Immigrant Juveniles

- Revises content in Section A (Purpose and Background).

- Revises Section C (Eligibility Requirements) throughout and adds new Subsection 6 (Exercise of Discretion).

- Makes minor revisions in Section D (Documentation and Evidence) including adding a final bullet to the bulleted list of documentation.

- In Section E (Adjudication), adds new Subsection 2 (Biometric Submission) and redesignates subsequent Subsections.

[2] USCIS considers the SIJ to have properly filed the Form I-360 petition prior to attaining 21 years of age under the policy in effect at the time of filing. See Definition of Day for Purposes of Filing Deadlines, PA-2026-15, issued September 23, 2026.See 8 CFR 204.11(b)(1) (requiring the alien petitioning for SIJ classification to be "under 21 years of age at the time of filing the petition").

USCIS may also make other minor technical, stylistic, and conforming changes consistent with this update.

Citation

Volume 1: General Policies and Procedures, Part E, Adjudications, Chapter 8, Discretionary Analysis [1 USCIS-PM E.8].

Volume 7: Adjustment of Status, Part F, Special Immigrant-Based Adjustment, Chapter 7, Special Immigrant Juveniles [7 USCIS-PM F.7].

Additional Considerations

USCIS is reiterating guidance that SIJ petitioners who request adjustment of status to that of an LPR must merit a favorable exercise of discretion and confirm their petition was approved without error or fraud.[3] The statutory requirements under INA section 245(a) have always included discretion and eligibility to receive a visa. The policy update ensures that adjudicators follow these statutory requirements. Ensuring that the underlying SIJ petition was bona fide and devoid of error or fraud is necessary to ensure compliance with the statutory requirements that the alien be eligible for an immigrant visa.

USCIS has considered potential reliance interests and determined that SIJ-based adjustment of status applicants do not have reliance interests in the prior adjudicative guidance. This policy does not alter the statutory or regulatory requirements for adjustment of status. This policy update only reiterates the requisite discretionary analysis to ensure all applications by aliens who are eligible to adjust status to that of an LPR due to SIJ classification are properly adjudicated.

Regarding SIJ petitioners who have not yet adjusted status, USCIS has determined that an SIJ petitioner who has not submitted Form I-485 will not have taken any action or incurred any costs in reliance on being reviewed under an updated policy emphasizing the discretionary nature of the adjudication that is consistent with the statute. SIJ petitioners who have submitted adjustment applications under the previous procedures may have incurred legal fees, gathered affidavits and taken other steps based on the expectation that their application would be approved. However, all SIJ petitioners submitting benefit requests should reasonably expect to have his or her case independently reviewed for eligibility including that his or her underlying petition was bona fide. This update does not change that presumption.

As explained above, this policy change applies to adjustment applications pending or filed on or after the publication date. Any application that is approved before the effective date will be subject to the prior policy. As a result, SIJ petitioners granted adjustment of status before this updated policy takes effect do not have a cognizable reliance interest that will be affected.

[3] See INA 245(a).

To the extent aliens have reliance interests not identified in this alert, such interests are outweighed by the clear statutory authority and policy objectives highlighted in the INA, and by the need to address loopholes identified in the USCIS report, "Criminality, Gangs, and Program Integrity Concerns in Special Immigrant Juvenile Petitions."

USCIS was unable to identify any alternatives to this policy update that would ensure the integrity of legal immigration, national security, and public safety. Any other change in policy or maintaining the prior policy would be antithetical to the spirit of the law and congressional intent of the adjustment statute.