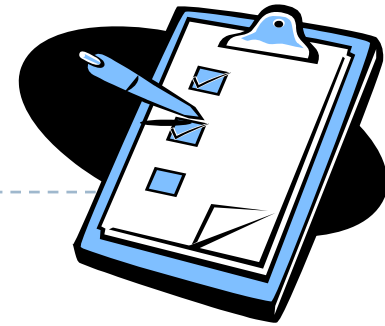


Overview of Permanent Residence Process for Spouses and Fiancées

Presented by Fermilab's Visa Office
Hosted by the Users Executive Committee

Agenda



- ▶ Agencies
- ▶ Definitions
- ▶ Overview of the Process
- ▶ Family-Based Preference Categories
- ▶ Priority Dates and Backlogs
- ▶ More about the Permanent Residence Process
- ▶ Step-By-Step Through the Process
- ▶ Comparing the Options
- ▶ Monitoring the Status of your Paperwork
- ▶ The Affidavit of Support
- ▶ Medical Examinations
- ▶ Forms
- ▶ Documentation
- ▶ Putting Everything Together
- ▶ Sources of Further Information

Agencies

Agencies

USCIS

- **U.S. Citizenship and Immigration Services**
- **A Bureau within the Department of Homeland Security (DHS)**
- **Decides permanent residence petitions**

**The Immigration and Naturalization Service (INS) ceased to exist in 2003.
It was replaced by the DHS.*

DOS

- **Department of State**
- **Operates Embassies and Consulates**
- **Calculates “Visa Priority Dates”**

Definitions

Non-US citizens in the U.S.

- ▶ Are either “nonimmigrants” or “immigrants”
 - ▶ But there are weird exceptions...
 - ▶ K-1
 - ▶ K-2
 - ▶ K-3
 - ▶ K-4

You will find out more about these later in this presentation!



Nonimmigrants

- ▶ Nonimmigrants
 - ▶ Usually may stay in the U.S. only **temporarily**.
 - ▶ The nature of anything **temporary** is that it is supposed to end at some point.
 - ▶ Usually may engage only in certain activities.
 - ▶ Examples:
 - ▶ Visa Waiver
 - ▶ B-1 Business Visitors
 - ▶ B-2 Tourists
 - ▶ F-1 students
 - ▶ J-1 Researchers
 - ▶ H-1B workers



Immigrants



- ▶ **Lawful Permanent Resident**
 - ▶ = “Immigrant” or “greencard holder.”
 - ▶ Holds a “greencard”
 - ▶ Also called a:
 - Permanent Resident card,
 - Alien Registration card,
 - Form I-551 card.
 - ▶ May participate in “general labor market.”
 - ▶ May work anywhere.
 - ▶ Must pay taxes on same basis as US citizen on worldwide income.
 - ▶ Males between 18 and 45 must enroll in Selective Service (US armed forces draft).

Status *versus* Visa

▶ Status

- ▶ = the rights the person has while in the U.S.
 - ▶ H-1B = right to work
 - ▶ F-1 = right to attend school
 - ▶ J-1 = right to perform research
 - ▶ Lawful Permanent Resident
- ▶ A person may have only 1 status at a time.
- ▶ Shown on the I-94 Card.

Departure Number: 631373802 18-
857186417921

OMB No. 1651-0111

I-94 Departure Record

1 Family Name: Smith
2 First (Given) Name: Pat
3 Country of Citizenship: INDIA

4 Birth Date (Day/Mo/Yr): 31.07.76

5 ADMITTED
6 1 8 2009
7

8 CBP Form I-94 (10-04)
STAPLE HERE

9 See Other Side

○ Visa

- = a “ticket” into the U.S.
- Suggests the status you want once admitted to the U.S.
- There are “immigrant” visas, as well as “nonimmigrant” visas.
- Does not guarantee admission.
- A person may have more than 1 unexpired “nonimmigrant” visa at a time.

VISA

Issuing Post Name: FLORENCE
Surname: FLORENCE
Control Number: 2010019894005

Given Name: [REDACTED]
Passport Number: [REDACTED]
Sex: F
Birth Date: 10MAY1977
Nationality: ITALY

Entries: M
Issue Date: 21JAN2010
Expiration Date: 31JAN2012
Visa Type/Class: R J1
0101

Annotation: N0006801176 P-3-11659
BEARER IS SUBJECT TO SECTION 212(b)(5)(A)(i)
TWO YEAR RULE DOES APPLY.
FERMI RESEARCH ALLIANCE, LLC, BATAVIA, IL

**

VNUS: [REDACTED]
AA25484256ITA7705108F1201310J1FLR016MK542120

Authorized Stay

- ▶ Only applies to Nonimmigrants
- ▶ = The **period of time** during which you are permitted to be in the U.S. and engaged in the activities permitted by your “status”.
- ▶ Indicated on the I-94 Card issued during admission to the U.S. (usually at the airport)

Número de salida
902250297 09

Servicio de Inmigración y Naturalización
I-94
Registro de salida

U.S. IMMIGRATION AND NATURALIZATION SERVICE
ADMITTED
JUL 17 2002

CLASS UNTIL

14. Apellido
[REDACTED]

15. Primer nombre
[REDACTED]

16. Fecha de nac. (día/mes/año)
18 08 76

17. Ciudadanía
E.C.U.A.D.O.R.L.A.N.

Departure Number
~~631373802 18~~
857186417921

I-94
Departure Record

OMB No. 1651-0111

U.S. CUSTOMS AND BORDER PROTECTION
ADMITTED
CHI
JUL 19 2002

14. Family Name
Smith

15. First (Given) Name
Pat

16. Birth Date (Day/Mo/Yr)
31 07 76

17. Country of Citizenship
INDIA

See Other Side

CBP Form I-94 (10/04)
STAPLE HERE

Definitions

- ▶ **Permanent Residence Process**

- ▶ The process required to change a person to an **immigrant**.
 - ▶ The person might start out as a nonimmigrant, or
 - ▶ The person might be outside the U.S.



Definitions



▶ Immigrant Intent

▶ The intention to reside indefinitely (permanently) in the U.S.

▶ The following visa statuses prohibit “immigrant intent”

- Visa Waiver
- B-1, B-2
- F-1
- J-1
- TN

▶ Only 2 visa statuses specifically permit immigrant intent:

- H-1B
- L-1



Definitions



▶ Immigrant Intent

- ▶ Some nonimmigrant statuses exist solely to facilitate immigration:
 - ▶ K-1 fiancée visas
 - ▶ K-3 visas for spouses of LPRs.
- ▶ In these cases, immigrant intent is **expected**.
- ▶ Other visa statuses are “silent” on the issue.
 - ▶ O-1 visa status
 - ▶ This means you may “carefully” pursue permanent residence.
 - ▶ Travel outside the U.S. during the process is probably not a good idea.



Definitions



▶ Priority Date

- ▶ **The date you formally begin your permanent residence process.**
- ▶ In family-based cases, this is the day you file paperwork with the USCIS.
- ▶ Only relevant in certain cases...

The nature of the paperwork is not important right now!

At this point, just remember:

Priority Date = Date you filed your first permanent residence paperwork!

Overview of the Process

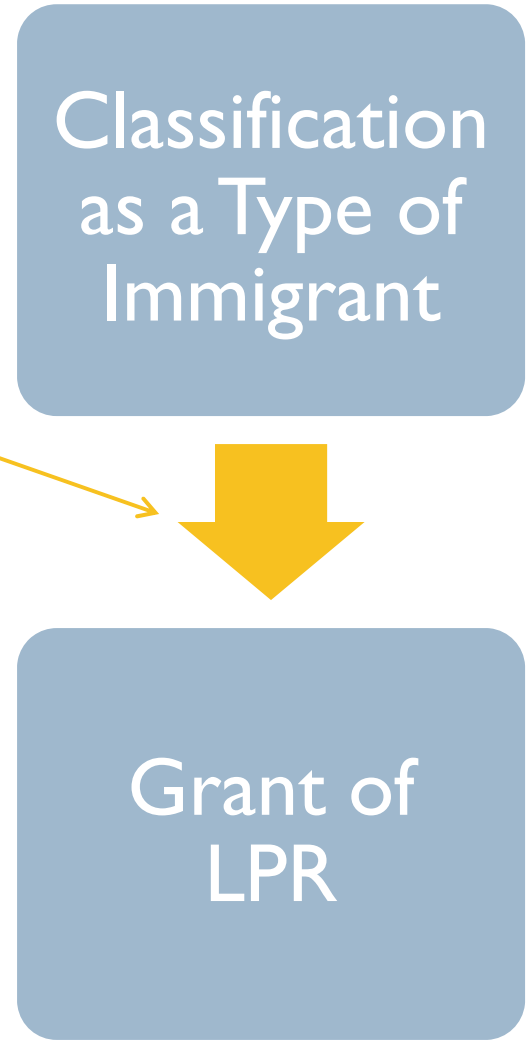
Overview of the Process

- ▶ The Permanent Residence Process has two steps:
 1. Classification of the **type** of immigrant your Partner as the:
 - ▶ Spouse of a US Citizen
 - ▶ Spouse of an LPR
 - ▶ Fiancé(e) of a US Citizen, and
 2. Granting permanent resident **status** to your Partner.



Overview of the Process

- ▶ **How** the non-US Partner moves from one to the other depends on
 - ▶ Where the US Partner is,
 - ▶ Where the non-US Partner is,
 - ▶ What the US Partner is,
 - ▶ LPR, or
 - ▶ Citizen,
 - and*
 - ▶ What the non-US Partner is
 - ▶ Spouse, or
 - ▶ Fiancé(e)



Overview of the Process

- ▶ **Form I-130**
 - ▶ Filed by the US Partner
 - ▶ Asks the USCIS to agree that the non-US Partner is a **Spouse**.

or

- ▶ **Form I-129F**
 - ▶ Filed by the US Partner
 - ▶ Asks the USCIS to agree that the non-US Partner is a **Fiancé(e)**.

```
graph TD; A[Classification as a Type of Immigrant] --> B[Grant of LPR]; A --> C[Form I-130]; A --> D[Form I-129F];
```

Classification as a Type of Immigrant

Grant of LPR

Overview of the Process

▶ Form I-485

- ▶ Filed by the non-US Partner
- ▶ Asks the USCIS to “adjust” the non-US Partner to immigrant status (issue the greencard)
- ▶ Can be filed only if the non-US Partner is lawfully present in the U.S.

Or

▶ Immigrant Visa Processing

- ▶ Completed by the non-US Partner at the Consulate
- ▶ Can be filed anytime
 - ▶ If the non-US Partner is outside the US., or
 - ▶ If the non-US Partner is inside the U.S.
 - ▶ Results in the issuance of an immigrant visa, which the non-US Partner uses to enter the U.S. as an immigrant.
 - ▶ Greencard issued a few weeks after admission.

```
graph TD; A[Classification as a Type of Immigrant] --> B[Grant of LPR];
```

Classification as a Type of Immigrant

Grant of LPR

Questions You Must Ask

- ▶ 1. Where is the non-US partner now?
- ▶ 2. Where is the US partner now?
- ▶ 3. What status does the non-US partner hold in the U.S.?
 - ▶ Does it specifically permit “immigrant intent”?
 - ▶ H-1B, L-1
 - ▶ Does it specifically prohibit “immigrant intent”?
 - ▶ F-1, J-1, TN
- ▶ What status does the US partner hold in the U.S.?
 - ▶ LPR or US Citizen?
 - ▶ Sometimes it is more efficient for the US Partner to naturalize (become a US citizen) than to go through sponsorship as an LPR.
- ▶ If you are not yet married:
 - ▶ When do you want to get married?
 - ▶ Where do you want to get married?



Family-Based Preference Categories

Preference Categories



- ▶ Worldwide immigration to the U.S. is limited based on “Preference Categories.”
- ▶ Preference Categories organize how much or how little the US “prefers” a certain type of immigrant, according to:
 1. **Basis** for permanent residence,
 - Family *versus* Employment
 - and*
 2. **Sub-groups** of more or less desirable immigrants
 - In “**F**amily-**B**ased” situations, the USA “prefers” immigrants with closer family ties over immigrants with fewer ties.
 - In “**E**mployment-**B**ased” situations, the USA “prefers” immigrants with more skills over immigrants with fewer skills.
- ▶ US law describes 5 “FB” categories of relatives whose family ties to the U.S. are sufficient for sponsorship and for whom immigration to the U.S. is limited.
 - ▶ Abbreviated as FB-1, FB-2, FB-3, etc.

Immediate Relatives

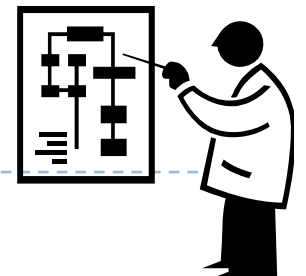
Immediate Relative Immigrant Visas (Unlimited): These visa types are based on a close family relationship with a United States (U.S.) citizen described as an Immediate Relative (IR).
The number of immigrants in these categories is not limited each fiscal year. Immediate relative visa types include:

- **IR-1:** Spouse of a U.S. Citizen - [Learn More](#)
- **IR-2:** Unmarried child under 21 Years of Age of a U.S. Citizen
- **IR-3:** Orphan adopted abroad by a U.S. Citizen - [Learn More](#)
- **IR-4:** Orphan to be adopted in the U.S. by a U.S. citizen - [Learn More](#)
- **IR-5:** Parent of a U.S. Citizen who is at least 21 years old

- ▶ Immediate Relatives are “above” the Family Based Preference Categories.
 - ▶ Not subject to backlogs.
 - ▶ Priority Dates are irrelevant.

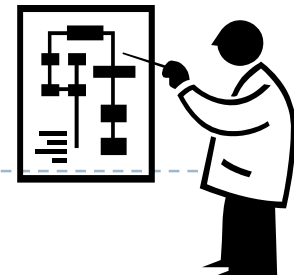
The Family-Based Preference Categories

Preference Category	Type of Fermilab Worker
FB-1 (First Preference)	Unmarried Sons and Daughters of U.S. Citizens
FB-2 (Second Preference)	<ul style="list-style-type: none">•A. (F2A) Spouses and Children of Permanent Residents:•B. (F2B) Unmarried Sons and Daughters (21 years of age or older) of Permanent Residents
FB-3 (Third Preference)	Married Sons and Daughters of U.S. Citizens
FB-4 (Fourth Preference)	Brothers and Sisters of Adult U.S. Citizens



The Family-Based Preference Categories

Preference Category	Type of Fermilab Worker
FB-1 (First Preference)	Unmarried Sons and Daughters of U.S. Citizens
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FB-3 (Third Preference)	Married Sons and Daughters of U.S. Citizens
FB-4 (Fourth Preference)	Brothers and Sisters of Adult U.S. Citizens



Summary of Options

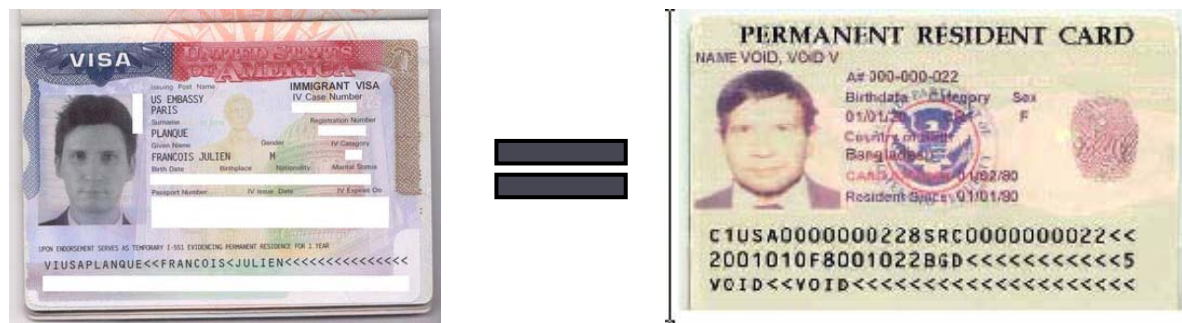
- ▶ **Spouses of US Citizens**
 - ▶ “Immediate Relatives”
 - ▶ No backlog
 - ▶ Priority Dates are irrelevant.
- ▶ **Spouses of LPRs**
 - ▶ “FB-2A” Category
 - ▶ Backlogs exist for citizens of China, India, Mexico or the Philippines.
 - ▶ For those Citizens, Priority Dates show how long a delay might occur before processing of the immigrant paperwork can be completed.
- ▶ **Fiancé(e)s of US Citizens**
 - ▶ After marriage, qualify as “Immediate Relatives”, as above.
 - ▶ Enter on K-1 Visa
 - ▶ Get Married in 3 months.
 - ▶ No backlogs, no Priority Dates.

Priority Dates and Backlogs

ONLY For Spouses of LPRs

Counting Immigrants

- ▶ The USA limits the number of foreign nationals who may become permanent residents each year.
 - ▶ Limits the number of “immigrant visas” available each fiscal year.
 - ▶ Based on the “EB” and “FB” Preference Categories.
- ▶ For tracking purposes, one “immigrant visa” is allocated for each greencard issued.
 - ▶ Does not “count” dependent children.

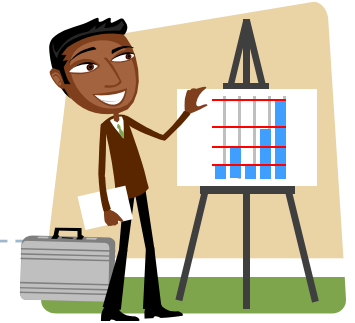


Worldwide Immigration

- ▶ The USA ***also*** limits immigration by restricting the total number of immigrants that enter the U.S. from each country.
 - ▶ Based on **country of birth**.
 - ▶ Current citizenship is irrelevant.
 - ▶ An immigrant can “claim” the spouse’s country of birth.
 - ▶ This is called your “**country of chargeability**”.
 - ▶ No more than 7% of total immigration each fiscal year can be from a given country.



Counting Immigrants



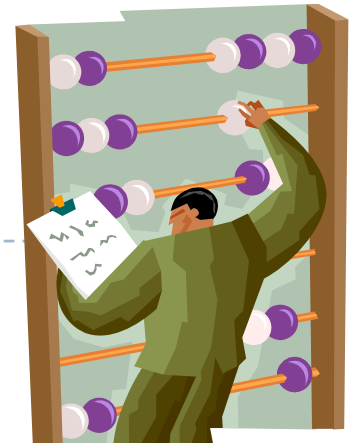
- ▶ The Department of State (DOS) is responsible for monitoring yearly immigration.
- ▶ Follows the government fiscal year (October 1 to September 30)
 - ▶ Each October 1, there is a new “release” of immigrant visas for the year.
 - ▶ DOS must
 - ▶ Balance new availability against “backlogged” immigrants who filed before the current fiscal year but still await greencards.
 - ▶ Anticipate new filings that will be made through the fiscal year by individuals in different Preference Categories and birth countries.

Counting Immigrants

- ▶ DOS publishes a “Visa Bulletin”.

http://travel.state.gov/visa/bulletin/bulletin_1360.html

- ▶ Lists the availability of immigrant visas based on
 - ▶ The different immigrant bases (Family or Employment)
 - ▶ Different preference categories (FB-1, FB-2, FB-3, etc.), and
 - ▶ Different countries of chargeability.
- ▶ Issued in the middle of each month.
- ▶ Forecasts what will be available the next month.



Visa Bulletin

- The current bulletin is listed here.

- Charts showing “cut-off Dates” for countries with backlogs are shown here.

Not all countries have backlogs!

Visa Bulletin Page 1 of 1

Visa Bulletin

The Visa Bulletin offers valuable information about immigration*. Click on the appropriate link below to find the desired bulletin.

Upcoming month's visa bulletin: *March 2011 (Coming Soon)*

This month's visa bulletin: **February 2011**

Archived visa bulletins: *January 2011 and before*

Comprehensive Lists of Cut-Off Dates:

Family Preference:

- Worldwide (non-over-subscribed countries only) Family Preference Cut-Off Dates from FY1992-2010
- China (mainland-born only) Family Preference Cut-Off Dates from FY1992-2010
- India Family Preference Cut-Off Dates from FY1992-2010
- Mexico Family Preference Cut-Off Dates from FY1992-2010
- Philippines Family Preference Cut-Off Dates from FY1992-2010

Employment Preference:

- Worldwide (non-over-subscribed countries only) Employment Preference Cut-Off Dates from FY1992-2010
- China (mainland-born only) Employment Preference Cut-Off Dates from FY1992-2010
- India Employment Preference Cut-Off Dates from FY1992-2010
- Mexico Employment Preference Cut-Off Dates from FY1992-2010
- Philippines Employment Preference Cut-Off Dates from FY1992-2010

* **Operation of the Numerical Control Process** (PDF) - Explains how immigrant visas subject to numerical limitations are allotted and the determination of cut-off dates for the Visa Bulletin.

http://travel.state.gov/visa/bulletin/bulletin_1360.html 2/9/2011

Visa Bulletin

- This section describes what kind of immigrant is included in the Preference Category.
 - Immediate Relatives are not listed because they are not subject to numerical limits.



Family-based Immigrant Visas

- **Family First Preference (F1):** Unmarried sons and daughters of U.S. citizens, and their minor children, if any. (23,400)
- **Family Second Preference (F2):** Spouses, minor children, and unmarried sons and daughters (age 21 and over) of LPRs. At least seventy-seven percent of all visas available for this category will go to the spouses and children; the remainder is allocated to unmarried sons and daughters. (114,200)
- **Family Third Preference (F3):** Married sons and daughters of U.S. citizens, and their spouses and minor children. (23,400)
- **Family Fourth Preference (F4):** Brothers and sisters of U.S. citizens, and their spouses and minor children, provided the U.S. citizens are at least 21 years of age. (65,000)

Note: Grandparents, aunts, uncles, in-laws, and cousins cannot sponsor a relative for immigration.

Visa Bulletin

- The online chart shows the availability or “Cut-off Dates” of immigrant visas.

Family-Sponsored	All Chargeability Areas Except Those Listed	CHINA-mainland born	INDIA	MEXICO	PHILIPPINES
F1	01MAY04	01MAY04	01MAY04	08MAR93	15APR96
F2A	22MAR08	22MAR08	22MAR08	15FEB08	22MAR08
F2B	01JUL03	01JUL03	01JUL03	22SEP92	22SEP00
F3	15JUL01	15JUL01	15JUL01	15NOV92	22MAR92
F4	08MAR00	08MAR00	08MAR00	01MAR96	15MAY88

*NOTE: For July, F2A numbers **EXEMPT from per-country limit** are available to applicants from all countries with priority dates **earlier** than 15FEB08. F2A numbers **SUBJECT to per-country limit** are available to applicants chargeable to all countries **EXCEPT MEXICO** with priority dates beginning 15FEB08 and earlier than 22MAR08. (All F2A numbers provided for MEXICO are exempt from the per-country limit; there are no F2A numbers for MEXICO subject to per-country limit.)

Remember!!!!



▶ Priority Date

- ▶ The date you formally begin your permanent residence process by filing paperwork with a government agency.
- ▶ This is an action taken by YOU.
- ▶ **Priority dates are important **ONLY** if the **US Partner** is an **LPR**.**
- ▶ **Spouses of **US Citizens** never wait.**

Priority Dates

Family-Sponsored	All Chargeability Areas Except Those Listed	CHINA-mainland born	INDIA	MEXICO	PHILIPPINES
F1	01MAY04	01MAY04	01MAY04	08MAR93	15APR96
F2A	22MAR08	22MAR08	22MAR08	15FEB08	22MAR08
F2B	01JUL03	01JUL03	01JUL03	22SEP92	22SEP00
F3	15JUL01	15JUL01	15JUL01	15NOV92	22MAR92
F4	08MAR00	08MAR00	08MAR00	01MAR96	15MAY88

- ▶ A *Date* means there is a **backlog**.
 - ▶ = the “Cut-Off Date” for that Preference Category.
 - ▶ More people from country have applied to immigrate than is permitted within a given fiscal year.
- ▶ To determine **your** situation:
 - ▶ Ascertain what your Priority Date is:
 - ▶ If you already have filed something, it was the date that your paperwork was received by the government agency.
 - ▶ If you have not yet filed anything, you will need to estimate (guess) when you will be ready to file.
 - ▶ Compare your Priority Date to the Cut-Off Date.
 - ▶ Your Priority Date needs to be **the same or earlier** than the Cut-Off Date.

Priority Dates

Family-Sponsored	All Chargeability Areas Except Those Listed	CHINA-mainland born	INDIA	MEXICO	PHILIPPINES
F1	01MAY04	01MAY04	01MAY04	08MAR93	15APR96
F2A	22MAR08	22MAR08	22MAR08	15FEB08	22MAR08
F2B	01JUL03	01JUL03	01JUL03	22SEP92	22SEP00
F3	15JUL01	15JUL01	15JUL01	15NOV92	22MAR92
F4	08MAR00	08MAR00	08MAR00	01MAR96	15MAY88

- ▶ Permanent Resident cases with Priority Dates that are the same or earlier than the listed “Cut-Off Date” may be processed for immigration.
- ▶ Cases with Priority Dates after the listed Cut-Off Date cannot be processed.
 - ▶ They must wait until their Priority Date “becomes current” (becomes the same or earlier than the Cut-Off Date).

Priority Date ≤ Cut-Off Date

Consequence

Family-Sponsored	All Chargeability Areas Except Those Listed	CHINA-mainland born	INDIA	MEXICO	PHILIPPINE
F1	01MAY04	01MAY04	01MAY04	08MAR93	15APR96
F2A	22MAR08	22MAR08	22MAR08	15FEB08	22MAR08
F2B	01JUL03	01JUL03	01JUL03	22SEP92	22SEP00
F3	15JUL01	15JUL01	15JUL01	15NOV92	22MAR92
F4	08MAR00	08MAR00	08MAR00	01MAR96	15MAY88

▶ If the US Partner is an LPR whose country of birth is

- ▶ China
- ▶ India
- ▶ Mexico
- ▶ The Philippines

There likely will be a lengthy delay before the “priority date” will be current.

▶ This means that if the non-US Spouse is outside the U.S., years could pass before an immigrant visa would be issued.

Example

Family-Sponsored	All Chargeability Areas Except Those Listed	CHINA-mainland born	INDIA	MEXICO	PHILIPPINES
F1	01MAY04	01MAY04	01MAY04	08MAR93	15APR96
F2A	22MAR08	22MAR08	22MAR08	15FEB08	22MAR08
F2B	01JUL03	01JUL03	01JUL03	22SEP92	22SEP00
F3	15JUL01	15JUL01	15JUL01	15NOV92	22MAR92
F4	08MAR00	08MAR00	08MAR00	01MAR96	15MAY88

- ▶ Donald and Daisy are married.
 - ▶ Both are Chinese citizens, but Daisy is an LPR.
 - ▶ She received her greencard on March 1, 2005. She has been physically present in the U.S. without interruption since that date.
 - ▶ Donald holds J-1 Research Scholar status that will “max out” in December 2011.
 - ▶ He was subject to the 212(e) “Return Residence” requirement but received his waiver in June 2011.
- ▶ Daisy may file the I-130 right away.
 - ▶ For purposes of this example, Daisy files the I-130 on March 22, 2011.
- ▶ Donald must wait before he can file his I-485 Application:
 - ▶ Donald cannot file his Form I-485 application until the FB-2A Category has a Cut-Off Date that matches the date Daisy files her I-130 – 03/22/2011.
- ▶ USCIS will not issue the greencard unless the FB-2A Category has a Cut-Off Date that matches the date Daisy files her I-130 – 03/22/2011.

Family-Sponsored	All Chargeability Areas Except Those Listed	CHINA-mainland born	INDIA	MEXICO	PHILIPPINES
F1	01MAY04	01MAY04	01MAY04	08MAR93	15APR96
F2A	22MAR08	22MAR08	22MAR08	15FEB08	22MAR08
F2B	01JUL03	01JUL03	01JUL03	22SEP92	22SEP00
F3	15JUL01	15JUL01	15JUL01	15NOV92	22MAR92
F4	08MAR00	08MAR00	08MAR00	01MAR96	15MAY88

Example

- ▶ Donald's "country of chargeability" = China.
- ▶ FB-2A China has a "cut-off date" of March 22, 2008.
- ▶ Daisy filed her I-130 for Donald on March 22, 2011.
- ▶ From March 22, 2008 to March 22, 2011 = 3 years.
 - ▶ This does NOT mean that Donald has "only" 3 years to wait!
 - ▶ Visa availability might advance or "retrogress" based on:
 - ▶ Overall current usage (the number of filings that are occurring right now in each Category)
 - ▶ Past usage, and
 - ▶ Anticipated usage (are there global events that might result in higher-than-normal filings)



Options for LPRS

- ▶ If you are an LPR whose Spouse is outside the U.S.
 - ▶ Can your Spouse get their own visa with which to enter the U.S.?
 - ▶ H-1B or L-1 is best.
 - ▶ O-1 is good.
 - ▶ TN, F-1, J-1, B-1 or Visa Waiver – consult an Attorney first!
 - ▶ If you are in the process of obtaining your LPR status,
 - ▶ Can you include your spouse as “following to join” in your permanent residence process?
 - ▶ Can you bring your Spouse to the U.S. “now” in a derivative nonimmigrant status, before you adjust to LPR?
 - H-4, L-2 Dependent
 - O-2, J-2, F-2 Dependent, etc.
 - ▶ Can you naturalize to U.S. citizenship and then sponsor your Spouse as an Immediate Relative?

Advantages of Naturalizing

- ▶ If Daisy files for citizenship (naturalizes) it will take 6 – 9 months.
 - ▶ If she filed on March 22, 2011, she likely would be a citizen by the end of the 2011.
- ▶ Then Daisy may sponsor Donald for permanent residence as an Immediate Relative.
 - ▶ Donald could immediately file his Adjustment application.
- ▶ Immediate Relatives are not subject to any backlogs.



More About the Permanent Residence Process

Fiance(e)s



Fiancées



- ▶ As an alternative to waiting until after the wedding to begin the immigration process, **US citizens** may sponsor their fiancé(es) for “K” visas.
 - ▶ K-1 = fiancé(e) of US citizen
 - ▶ K-2 = child of fiancé(e) holding K-1 visa
- ▶ K-1 visas are not available to fiancé(e)s of LPRs.
- ▶ K visas are “nonimmigrant” visas.
 - ▶ They are not immigrant visas.
 - ▶ K-1 visas do not permit permanent residence in the U.S.
 - ▶ Fiancé(e) enters as a K-1 visa holder
 - ▶ Wedding occurs within 3 months
 - ▶ Non-US Partner files for Adjustment (adjusts to LPR status)
 - ▶ Greencard is issued.
- ▶ A K-1 visa for a *fiancé(e)* sometimes enables a non-US partner who is outside the U.S. to enter the U.S. more quickly than is possible with a petition for a *spouse*.

Process if you are ***not*** already married



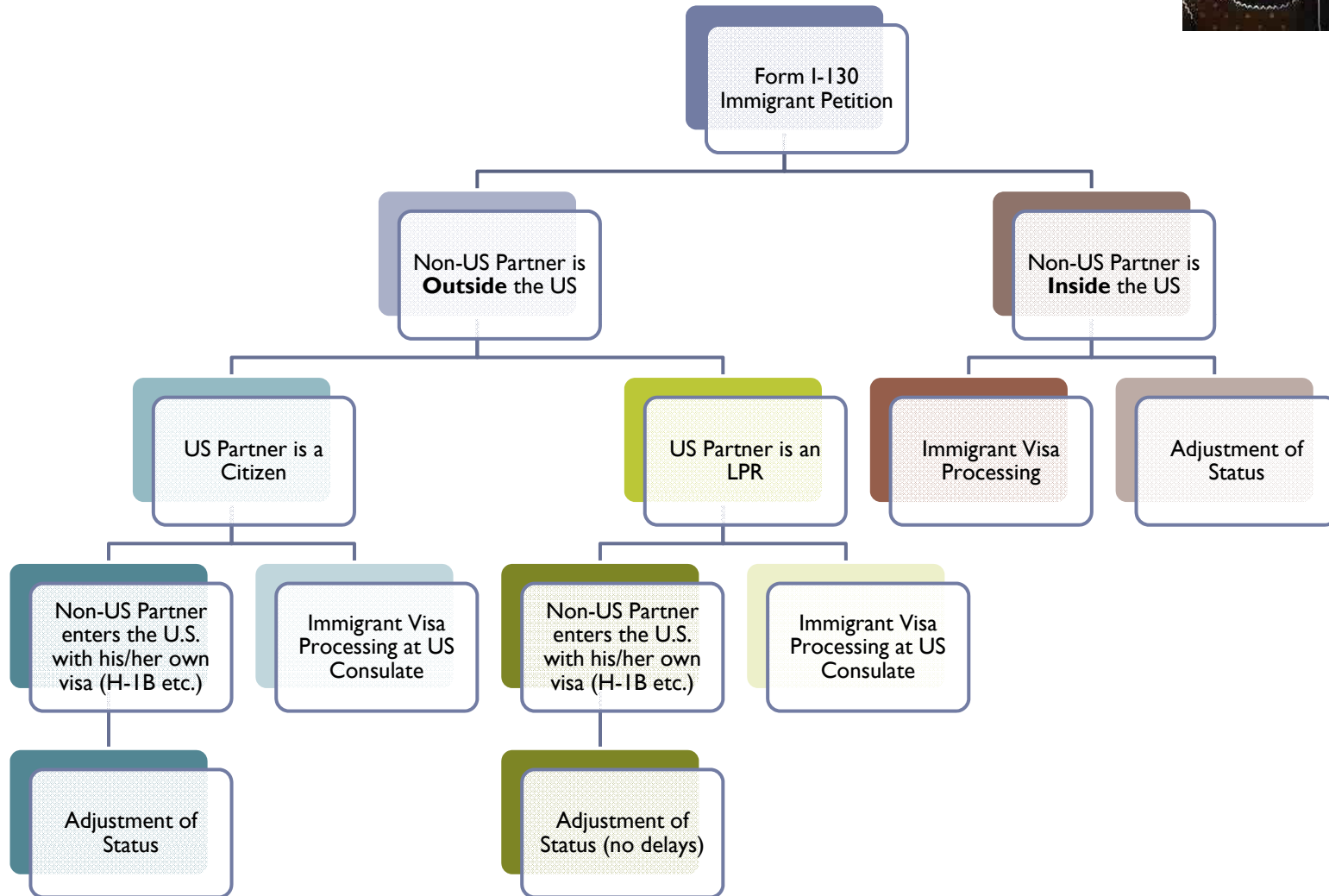
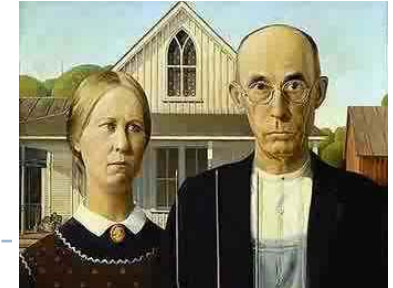
Form I-129F
Petition for
Fiance(e)

Adjustment
of Status

Spouses



If you already *are* married...



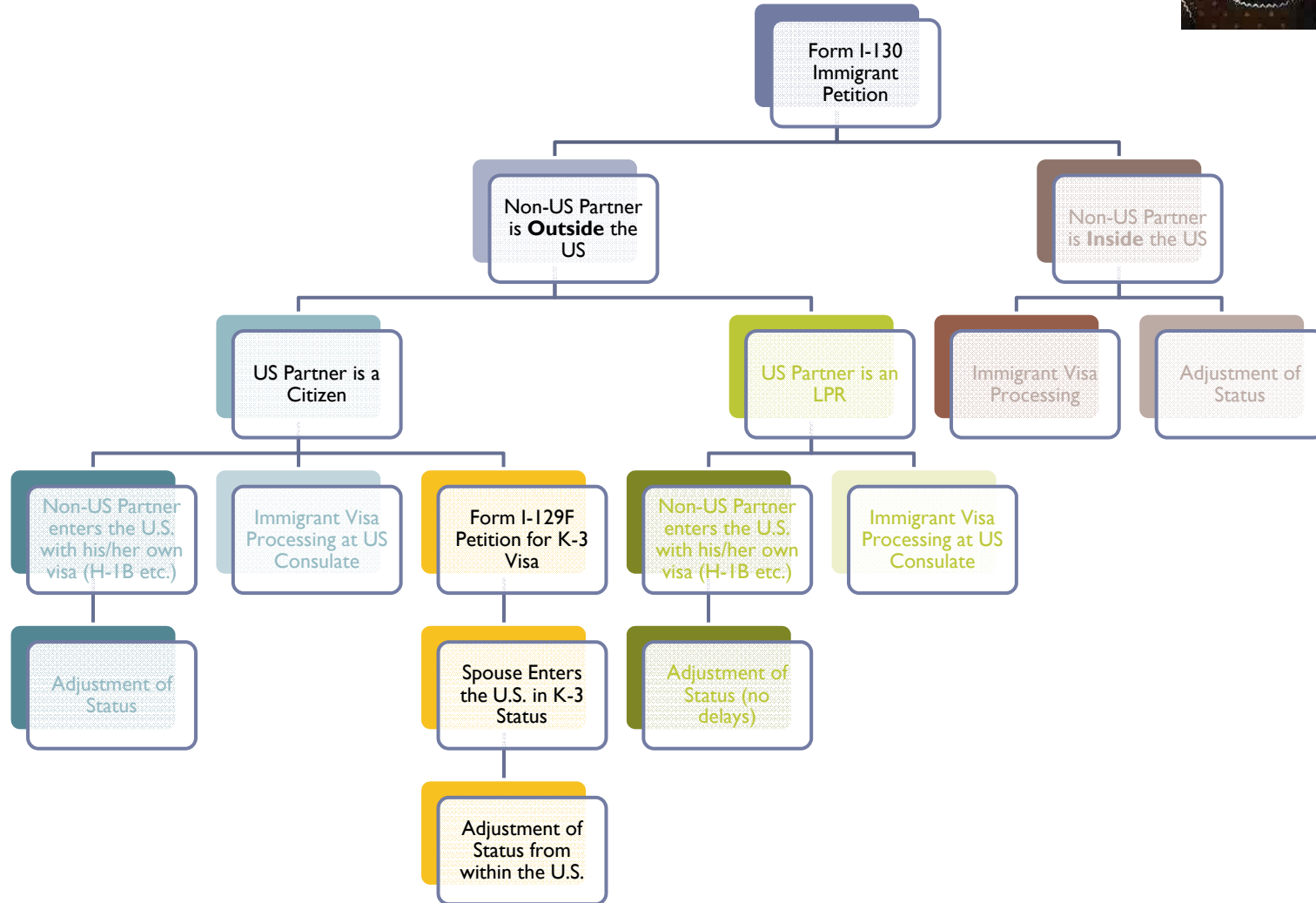
But Wait – There's More!



▶ **K-3 and K-4 Visas**

- ▶ K-3 Visas are issued to *spouses of US citizens* for whom Form I-130 Immigrant Petitions are *pending*.
- ▶ The K-3 visa is a temporary visa that allows the spouse to enter the U.S. before the immigrant visa is issued.
 - ▶ The non-US Spouse must enter the US within 4 months of the date of issuance of the K-3 visa.
- ▶ The spouse then can wait for the priority date to become current while with the US Partner, inside the US.
- ▶ The non-US Spouse will be able to work:
 - ▶ After arrival in the U.S., s/he may apply for an Employment Authorization Document.
- ▶ Once the Form I-130 is approved, then the spouse may file for Adjustment of Status.

If you already *are* married... K-3s



Step-by-Step through the Permanent Residence Process

Overview Of Options



I-130 + Adjustment

- I-130
- I-485
- I-765
- I-131
- G-325
- I-864



I-130 + K-3 + Adjustment

- I-130
- I-129F
- I-485
- I-765
- I-131
- G-325
- I-864



I-130 + Immigrant Visa Processing

- I-130
- DS-160



K-1 Visa + Adjustment

- I-29F
- I-485
- I-765
- I-131
- G-325
- I-864

I-130 + Adjustment



I-130 + Adjustment

- ▶ Partners are married.
- ▶ Both are lawfully present *inside* the U.S.
 - ▶ Non-U.S. Partner holds:
 - ▶ H-1B, L-1 – Ideal situation.
 - ▶ O-1 – Acceptable situation (but do not to travel using O-1 visa stamp)
 - ▶ F, J, B, or Visa Waiver – **Consult an attorney!**
 - These visa statuses prohibit “immigrant intent”
 - Filing the Adjustment Application is a violation of the visa status.
 - Depending on the situation, there is a *theoretical potential* that the non-US Partner might be considered to have **lied during admission** because s/he did not disclose the “immigrant intent”.
 - This constitutes misrepresentation (at least) or fraud (at worst).



I-130 + Adjustment



- ▶ US Partner files Form I-130 Petition with Filing Fee
- ▶ Non-US Partner *simultaneously* files:
 - ▶ I-1485 Adjustment Application,
 - ▶ I-765 Application for Employment Authorization
 - ▶ I-131 Application for Travel Document
 - ▶ G-325 Biographic Data for each spouse
 - ▶ I-864 Affidavit of Support
 - ▶ Supporting Documents
 - ▶ Filing Fees
 - The Form I-485 and associated applications are:
 - Filed with the USCIS Lockbox,
 - Processed by the National Benefits Center, and then
 - Forwarded to the Field Office with jurisdiction over the applicants' residence for interviews.

I-130 + K-3 + Adjustment



I-130 + K-3 Visa Processing



- ▶ Partners are married.
- ▶ US Partner is a US Citizen.
- ▶ Non-US Partner is **outside** the U.S.
 - ▶ Non-US Partner receives a K-3 visa to enter the U.S.
 - ▶ Non-US citizen children of the non-US Partner receive K-4 visas to enter the U.S.
 - ▶ K-3 and K-4 visas are nonimmigrant visas, but have “immigrant” aspects.
 - ▶ Visa Processing will look like immigrant visa processing, not nonimmigrant processing.
 - ▶ Will take more time than a “regular” nonimmigrant visa application, with broader security clearances.

I-130 + K-3 Visa Processing



- ▶ US Partner files Form I-130 Petition
 - ▶ Marks that visa processing abroad is desired
- ▶ Once ***I-130 filing receipt*** is issued, US Partner files Form I-129F requesting K-3 visa for spouse.
- ▶ USCIS approves I-129F Petition.
 - ▶ File is transferred to the National Visa Center (NVC) for K-3/K-4 visa processing.

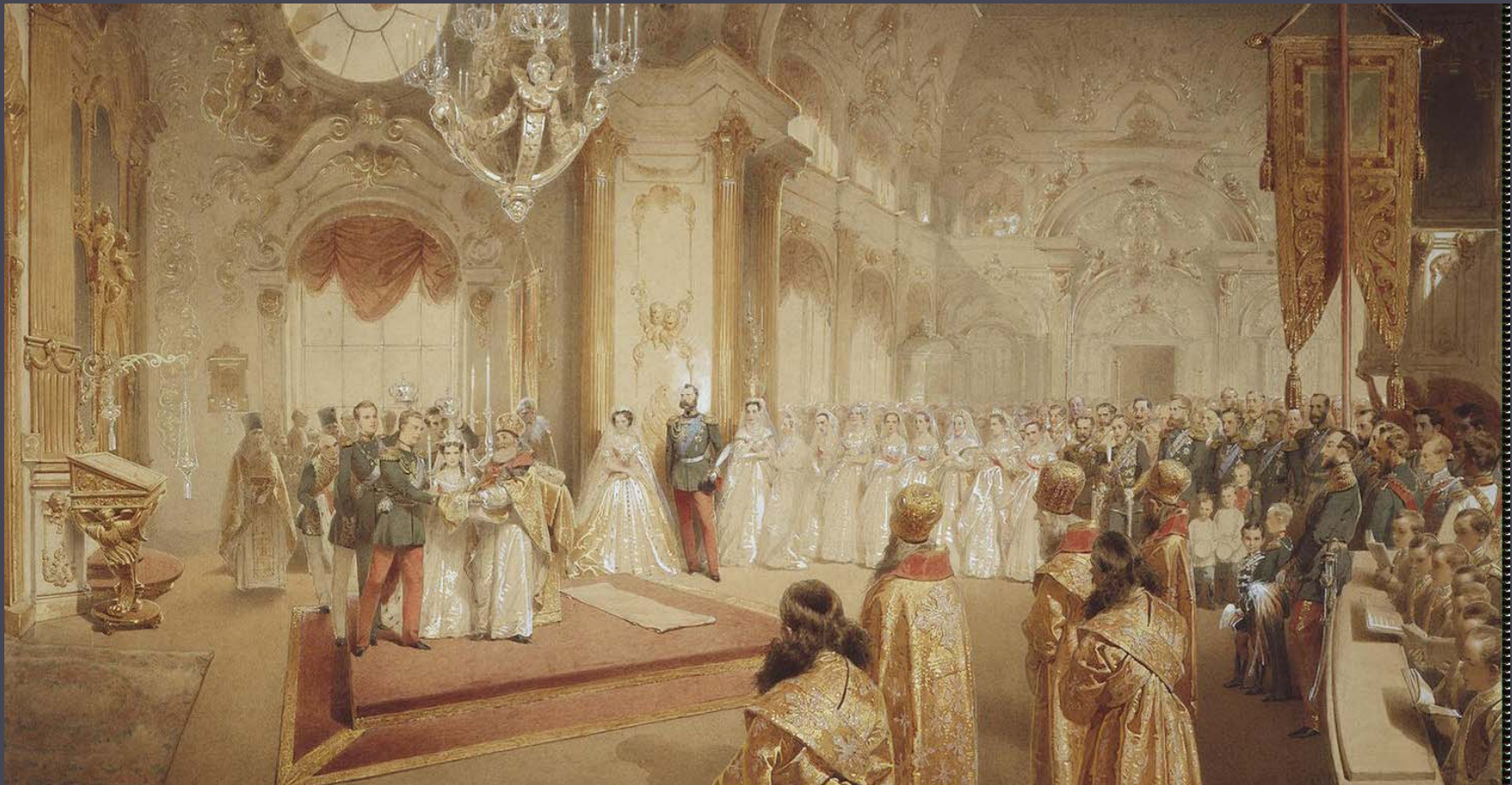
- ▶ **If the Form I-130 Petition is *approved* before the NVC receives the Form I-129F approval,**
 - The Form I-129F petition will be closed.
 - The NVC will process immigrant visas instead, pursuant to the Form I-130 approval.

I-130 + K-3 Visa Processing



- ▶ Once NVC completes preliminary processing of K-3 petition, it sends the file to the Consulate.
 - ▶ Non-US Partner schedules interview at Consulate for K-3 visa.
 - ▶ Must undergo many of same tasks as for immigrant process, such as medical examination and security clearances.
 - ▶ Consulate Issues K-3 Visa
- ▶ Non-US Partner enters the U.S. with the K-3 Visa.
- ▶ **Once I-130 Petition is approved**, Non-US Partner files with USCIS:
 - ▶ I-1485 Adjustment Application,
 - ▶ I-765 Application for Employment Authorization
 - ▶ I-131 Application for Travel Document
 - ▶ G-325 Biographic Data for each spouse
 - ▶ I-864 Affidavit of Support

I-130 + Immigrant Visa Processing



I-130 + Visa Processing

- ▶ Partners are married.
- ▶ Non-US Partner is **outside** the U.S.
- ▶ US Partner files Form I-130 Petition
 - ▶ Marks that visa processing abroad is desired
- ▶ USCIS approves I-130 Petition
- ▶ File is forwarded to **National Visa Center**
 - ▶ National Visa Center collects documents and fees
 - ▶ Once file is complete, NVC forwards it to Consulate
- ▶ Consulate follows up on any outstanding issues, if any
 - ▶ Schedules appointment with non-US Partner
- ▶ Non-US Partner attends interview
- ▶ Consulate Issues Immigrant Visa
- ▶ Non-US Partner enters the U.S. with the Immigrant Visa, as a “Lawful Permanent Resident” as of that admission.
- ▶ Greencard arrives a few weeks later in the mail.



K-1 Fiance(e) Process



I-129F Fiancé(e) Petition



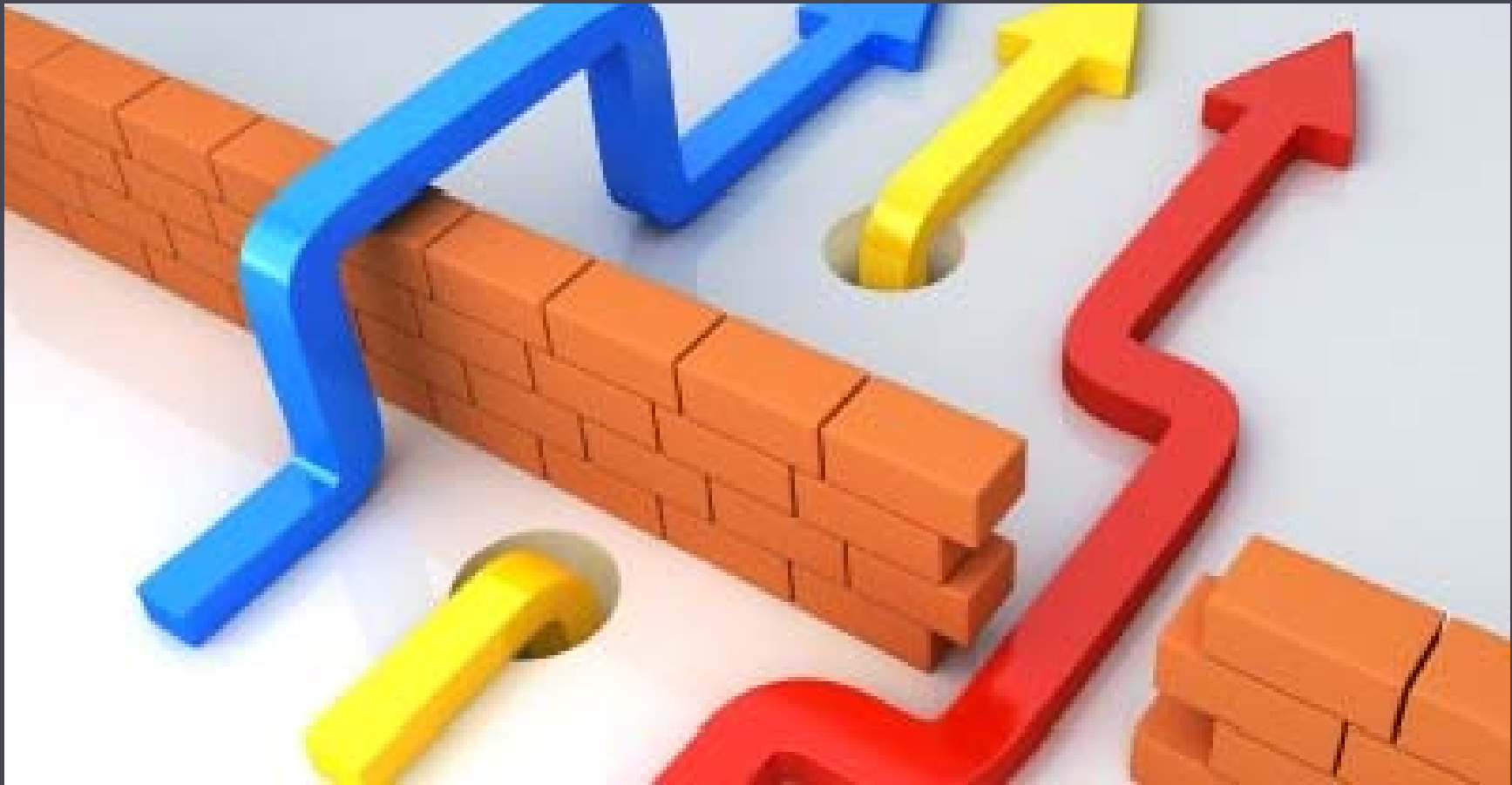
- ▶ US Partner files Form I-129F Petition requesting K-1 Fiancée visa.
- ▶ USCIS approves I-129F Petition.
- ▶ Non-US Partner schedules interview at Consulate for K-1 visa.
 - ▶ Must undergo many of same tasks as for immigrant process, such as medical examination and security clearances.
- ▶ Consulate Issues K-1 Visa
- ▶ Non-US Partner enters the U.S. with the K-1 Visa.
- ▶ Partners get married within three months.

I-129F Fiancé(e) Petition



- ▶ **After marriage, Non-US Partner files with USCIS:**
 - ▶ I-1485 Adjustment Application,
 - ▶ I-765 Application for Employment Authorization
 - ▶ I-131 Application for Travel Document
 - ▶ G-325 Biographic Data for each spouse
 - ▶ I-864 Affidavit of Support
- ▶ **The Form I-485 and associated applications are:**
 - ▶ Filed with the USCIS Lockbox,
 - ▶ processed by the National Benefits Center, and then
 - ▶ Forwarded to the Field Office with jurisdiction over the applicants' residence for interviews.

Comparing the Options



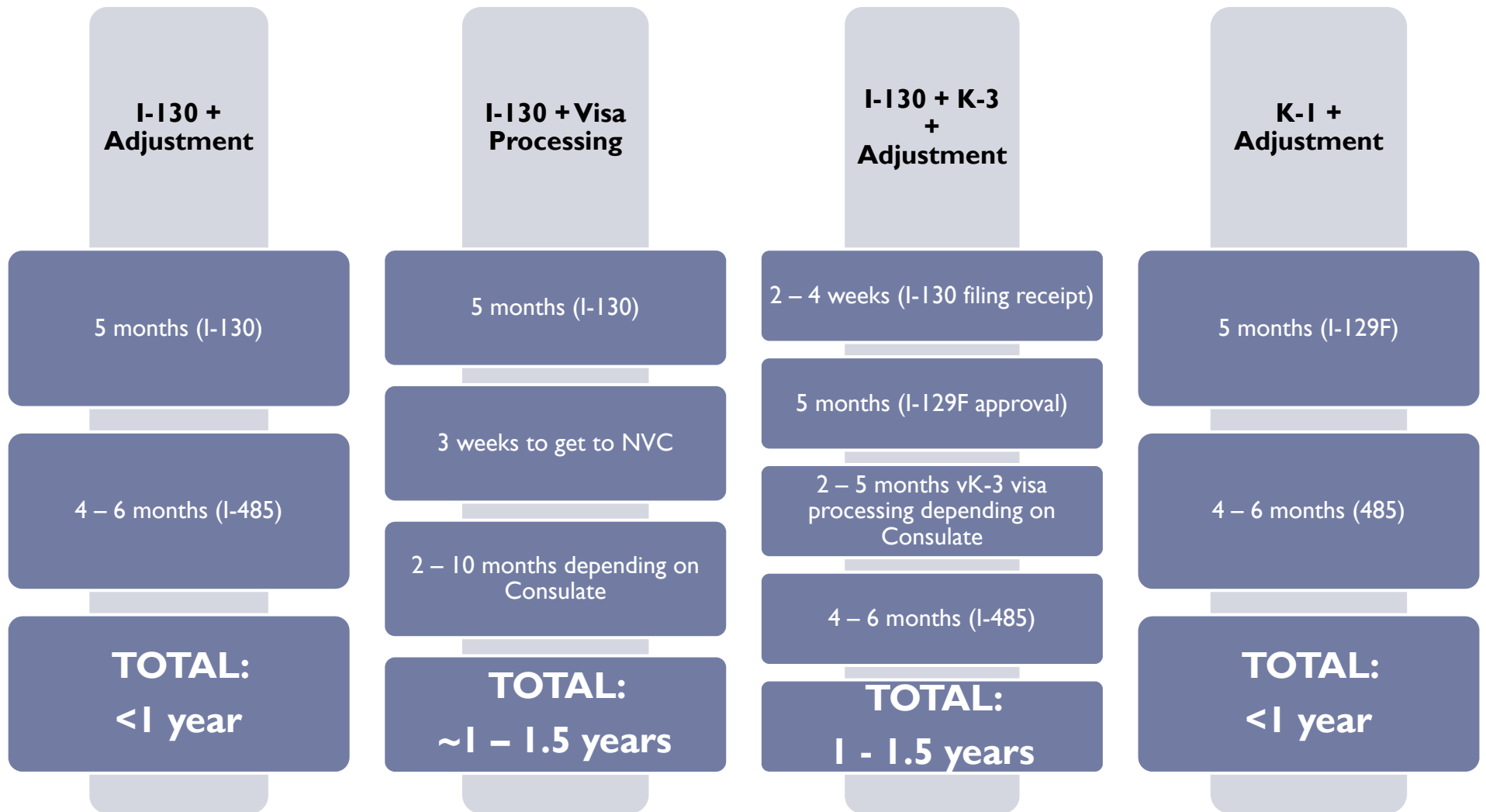


Relative Costs

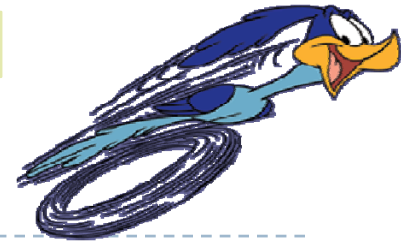
	I-130 + Adjustment	I-130 + Immigrant Visa Processing	I-130 + K-3 Visa Processing + Adjustment	K-1 Fiancée Visa + Adjustment
I-129F	<i>n/a</i>	<i>n/a</i>	\$340	\$340
I-130	\$420	\$420	\$420	<i>n/a</i>
NVC Fee	<i>n/a</i>	\$330	<i>n/a</i>	<i>n/a</i>
I-485	\$985	<i>n/a</i>	\$985	\$985
I-765	<i>Included with I-485</i>		<i>Included with I-485</i>	<i>Included with I-485</i>
I-131	<i>Included with I-485</i>		<i>Included with I-485</i>	<i>Included with I-485</i>
G-325	<i>Included with I-485</i>		<i>Included with I-485</i>	<i>Included with I-485</i>
Biometrics	\$85	<i>n/a</i>	\$85	\$85
TOTAL:	\$1490	\$750	\$1830	\$1410



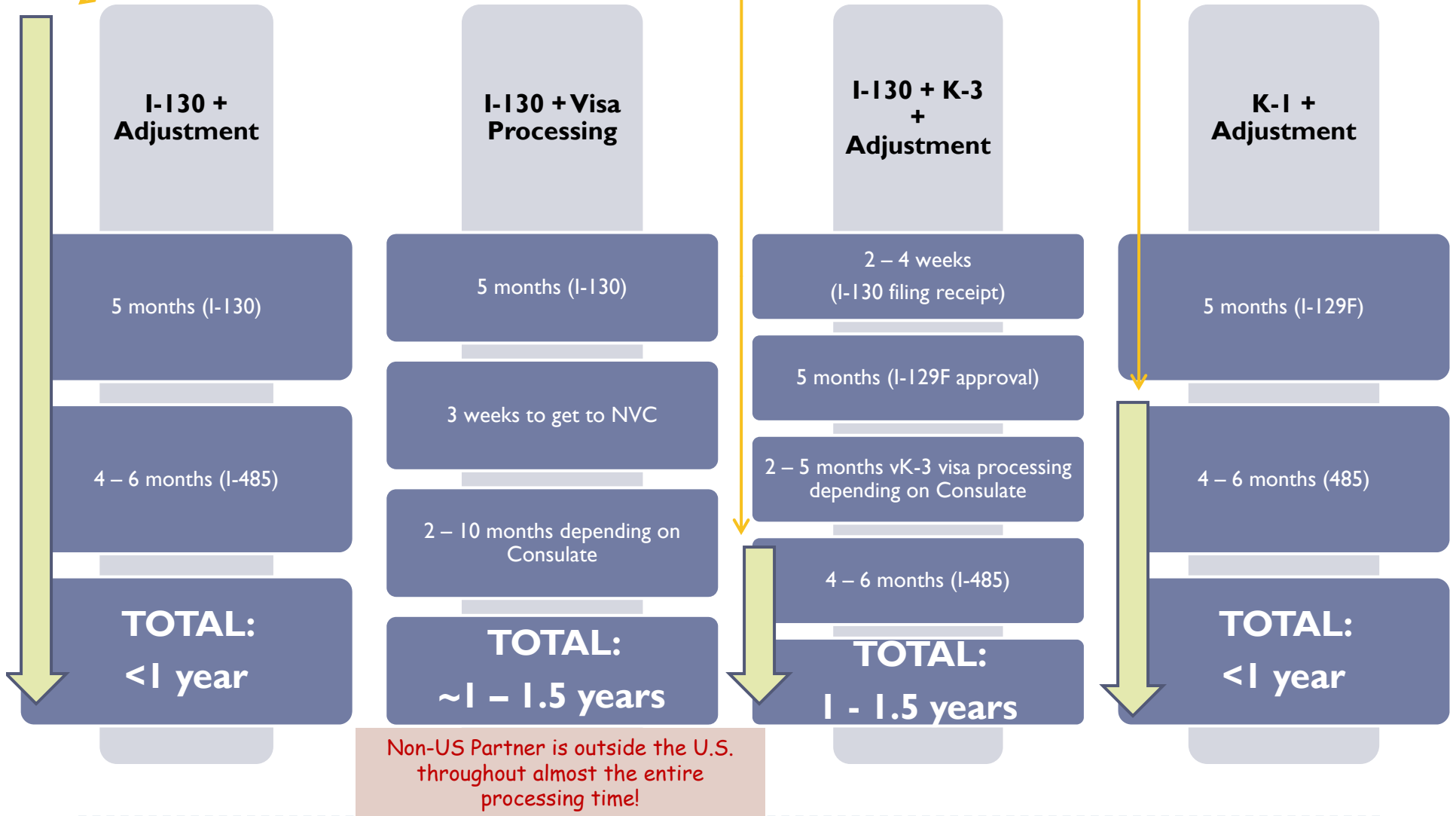
Relative Speed



Non-US Partner is lawfully in the U.S. with the US Partner!



Relative Speed



Adjustment versus Visa Processing

	Adjustment of Status	Visa Processing (K-3/K-4 or Immigrant)
Cost	\$985 per filing*	\$330 per filing
Time	Varies wildly. Currently 4 – 6 months	Varies wildly Currently 2 – 10 months
Police Certificates	Not Required	Required from every country of residence from age 16 to present
Military Records	Not Required	Certified copies of all military records required
Interview	Required	Required
Photographs	Required	Required

* Applicants under 14 years of age who are filing with at least one parent: \$635.

*This Chart is based on cases where the non-US Partner is outside the U.S. with **no** means of lawfully entering the U.S. (i.e. no access to a nonimmigrant visa)*

Adjustment versus Visa Processing



	Adjustment of Status	Immigrant Visa Processing
Travel	Not Required	At least one trip abroad required for medical examination, interview, and visa issuance
Security Clearances	Required, but applicant “in status” in the U.S. throughout pendency, with employment and travel authorizations	Delay issuance of immigrant visas. Applicant must be independently eligible for nonimmigrant visa throughout delay.
Attorney	May accompany applicant to the interview.	Attorneys are not permitted to accompany applicants during interview.

*This Chart is based on cases where the non-US Partner has access to a valid nonimmigrant status in the U.S. (e.g. H-1B), but **chooses** to immigrant visa process, such as because of cost or speed.*

Monitoring the Status of your Paperwork

Monitoring the Status of your Filing

▶ When you file anything with the USCIS, you get a receipt:

- ▶ Indicates the form number of the paperwork you filed
- ▶ Lists the “**Receipt Number**”
- ▶ Confirms the **Priority Date**
- ▶ Confirms the general Preference Category
 - ▶ FB-2A, etc.
- ▶ Confirms where the file is being processed.

Department of Homeland Security
U.S. Citizenship and Immigration Services

I-797C, Notice of Action

THE UNITED STATES OF AMERICA

NOTICE TYPE Receipt	NOTICE DATE January 05, 2011
I-140 Immigrant Petition for Alien Worker	USCIS ALIEN NUMBER
RECEIPT NUMBER LN1150	PAGE 1 of 1
PRIORITY DATE August 29, 2008	REFERENCE CLASSIFICATION 203 B2 ADV DEGREE/EXC ABILITY
	DATE OF BIRTH June 01, 1971

MAILING ADDRESS

Application/Petition Fee: \$580.00
Biometrics Fee: \$0.00
Total Amount Received: \$580.00
Total Balance Due: \$0.00

The I-140 was received by our office for the following beneficiary and is in process:

Name: [REDACTED] Date of Birth: [REDACTED] (Country) of Birth: [REDACTED] Class (if applicable): [REDACTED]

Please verify your personal information listed above and immediately notify the USCIS National Customer Service Center at the phone number listed below if there are any changes.

Please note that if a priority date is printed on this notice, the priority date does not reflect earlier retained priority dates.

If you have questions about possible immigration benefits and services, filing information, or USCIS forms, please call the USCIS National Customer Service Center (NCSC) at 1-800-375-5283. If you are hearing impaired, please call the NCSC TDD at 1-800-767-1833. Please also refer to the USCIS website: www.uscis.gov.

If you have any questions or comments regarding this notice or the status of your case, please contact our customer service number.

You will be notified separately about any other case you may have filed.

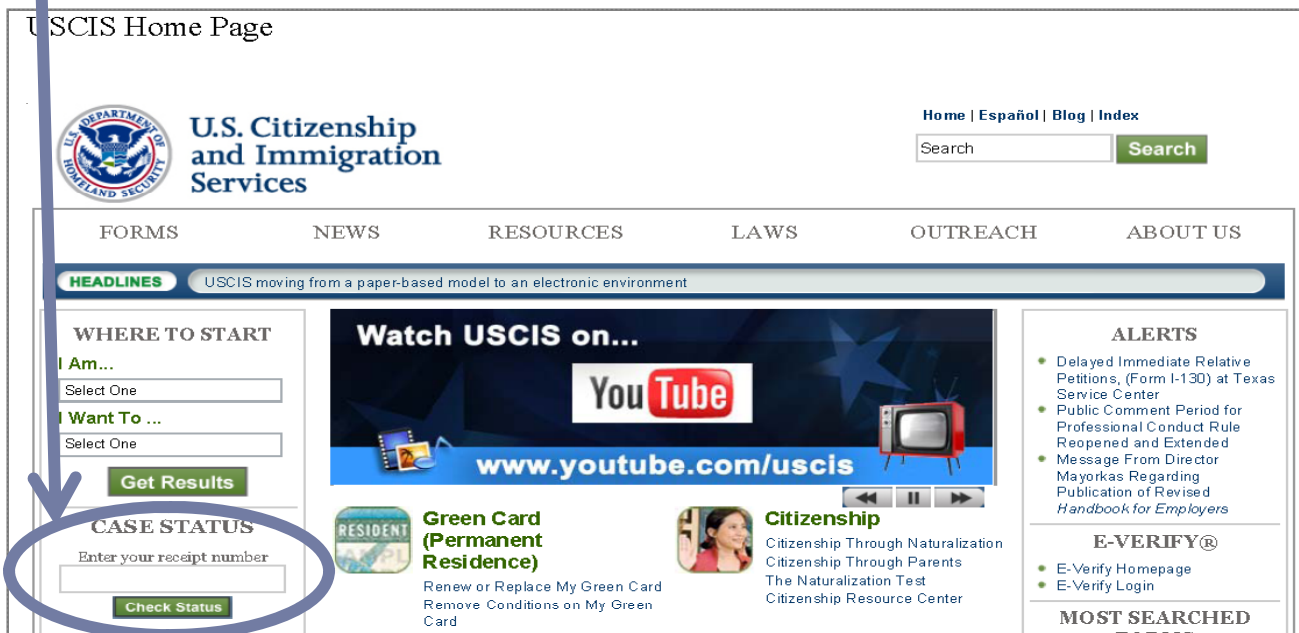
USCIS Office Address:
USCIS
Nebraska Service Center
P.O. Box 82521
Lincoln, NE 68501-2521

USCIS Customer Service Number:
(800)375-5283
APPLICANT COPY

Form I-797C (Rev. 12/28/09) Y

Monitoring the Status of your Filing

- ▶ You can monitor the status of the petition or application online.
 - ▶ Go to www.uscis.gov.
 - ▶ Enter the “Receipt Number” without spaces under “Case Status”
 - E.g. LINI100012345
 - ▶ Click on “Check Status”



Processing Times

- ▶ The USCIS posts “processing times” online at www.uscis.gov.

The screenshot shows the USCIS website homepage. At the top left is the USCIS logo and the text "U.S. Citizenship and Immigration Services". To the right are navigation links for "Home | Español | Blog | Index" and a search bar. Below the header is a navigation menu with "FORMS", "NEWS", "RESOURCES", "LAWS", "OUTREACH", and "ABOUT US". A "HEADLINES" banner reads "USCIS moving from a paper-based model to an electronic environment".

The main content area is divided into several sections:

- WHERE TO START:** Includes "I Am..." and "I Want To ..." dropdown menus, a "Get Results" button, and a "CASE STATUS" section with an "Enter your receipt number" field and a "Check Status" button.
- INFOPASS:** Includes a link to "Schedule a FREE Appointment".
- CUSTOMER TOOLS:** Includes a "Before I File" section with a list of links: "Check Filing Fees", "File My Application Online (E-Verify)", "Check Processing Times" (circled in blue with a blue arrow pointing to it), "Check National Processing Volumes and Trends", and "Find a Medical Doctor (Civil Surgeon)".
- Watch USCIS on...:** A YouTube banner for "www.youtube.com/uscis".
- Green Card (Permanent Residence):** Includes links for "Renew or Replace My Green Card", "Remove Conditions on My Green Card", "Green Card Through Family", and "Green Card Through a Job".
- Citizenship:** Includes links for "Citizenship Through Naturalization", "Citizenship Through Parents", "The Naturalization Test", and "Citizenship Resource Center".
- Working in the US:** Includes links for "Information for Employers and Employees", "Permanent Workers", "Temporary (Nonimmigrant) Workers", and "Temporary Visitors for Business Student and Exchange Visitors".
- Family:** Includes links for "Family of U.S. Citizens", "Family of Green Card Holders", and "Family of Refugees & Asylees Fiancé(e) Visas".
- ALERTS:** Includes links for "Delayed Immediate Relative Petitions, (Form I-130) at Texas Service Center", "Public Comment Period for Professional Conduct Rule Reopened and Extended", and "Message From Director Mayorkas Regarding Publication of Revised Handbook for Employers".
- E-VERIFY®:** Includes links for "E-Verify Homepage" and "E-Verify Login".
- MOST SEARCHED FORMS:** Includes links for "Apply for Citizenship (Form N-400)", "Apply for a Green Card (Form I-485)", "Help My Relative Immigrate (Form I-130)", "Renew or Replace My Green Card (Form I-90)", "Employment Verification (Form I-9)", "Apply for Employment Authorization (Form I-765)", and "Affidavit of Support (Form I-864)".

Processing Times

▶ Go to “Service Center” and select the office where your case is being processed.

USCIS Processing Time Information

U.S. Citizenship and Immigration Services (USCIS) is committed to offering the best possible service to you, our customer. With our focus on customer service, we offer you a variety of services both before and after you file your case. For example, you can:

- Determine how long we take to process a particular type of case;
- Easily check the status of your case by clicking on our USCIS Web site; or
- Check our [customer guide](#) which explains how to contact us. The guide will also help you determine if your case is outside of the targeted processing time.

Background on Case Processing

USCIS usually processes cases in the order they are received. For each type of application or petition we have specific workload processing goals. For example, we try to process naturalization cases within 5 months of the date we receive them and immediate relative petitions (for the spouse, parent or minor child of a U.S. citizen) within 6 months of the receipt date. Sometimes the volume of cases we receive is so large that it prevents us from achieving our goals, but we never stop trying.

Case Processing Table

We have created a table you can use to determine how long we are taking to process an application or petition at a particular office. If you have already filed an application or petition, you can get an idea of how much longer it will take to process your case. To do so, you will need:

- The office where it has been or will be filed (or to which it has been transferred);
- The type of application or petition; and
- The date on which it was filed, if it has already been submitted.

If you do not know this information about a case you have filed, you can find it on the Notice of Receipt that we mailed to you when you filed your application or petition.

Instructions on Using the Table

First, using the drop down menus below, find the local office or service center handling the case that interests you. Then click on the relating "Processing Dates" button. This will bring up a chart that shows the Form Number, Form Name and Processing Times for all of the forms that are processed at that office. (Note that not all offices process all types of applications and petitions.)

Field Office	Agana GU	<input type="checkbox"/>	Field Office Processing Dates
Service Center	CSC - California Service Center	<input type="checkbox"/>	Service Center Processing Dates
National Benefits Center (also known as MSC)			NBC Processing Dates

Processing Times



U.S. Citizenship and Immigration Services

[Home](#) | [Español](#) | [Site Map](#)

- ▶ Lists the average timeframe for cases within each Category.
- ▶ Based on past processing – does not accommodate changes in staffing or other events that might affect current processing.
- ▶ Your case might be faster or slower than average.

[FORMS](#) [NEWS](#) [RESOURCES](#) [LAWS](#) [OUTREACH](#)
[ABOUT US](#)

USCIS Processing Time Information

USCIS Processing Time Information for our Texas Service Center

Field Office Processing Dates for Nebraska Service Center as of: November 30, 2010

Form	Title	Classification or Basis for Filing:	Processing Timeframe:
I-129F	Petition for Alien Fiance(e)	K-1/K-2 - Not yet married - fiance and/or dependent child	5 Months
I-129F	Petition for Alien Fiance(e)	K-3/K-4 - Already married - spouse and/or dependent child	5 Months
I-130	Petition for Alien Relative	Permanent resident filing for a spouse or child under 21	5 Months
I-130	Petition for Alien Relative	U.S. citizen filing for a spouse, parent, or child under 21	5 Months



Add the time listed (4 months) to the “date received” for your case, as indicated on your Receipt, to see if your case is taking longer than the average processing time.

Who Processes What

Which Form or Filing?	Who Processes This?	Where do you find this out?
Form I-130,	USCIS Service Center with jurisdiction over your residence.	<p data-bbox="1430 805 1717 846">www.uscis.gov</p> <p data-bbox="1419 854 1728 894">Click on Forms.</p> <p data-bbox="1308 914 1839 1016">Click on the Form Number (eg. "I-130").</p> <p data-bbox="1329 1027 1818 1068">Read the Instructions.</p>
Form I-485, Form I-131, Form I-765	National Benefits Center. File at the Lockbox address for your jurisdiction.	
K-1 Fiancé(e) visas	USCIS Service Center with jurisdiction over your residence.	
K-3 / K-4 Visas	USCIS Service Center with jurisdiction over your residence. BUT Processed by NVC, then Consulate	

Affidavits of Support

Forms I-864

Grounds of Inadmissibility

- ▶ The law sets out various “Grounds of Inadmissibility”.
 - ▶ Situations or occurrences that render a non-US citizen ineligible to apply for permanent residence.
 - ▶ Examples include (but are not limited to):
 - ▶ terrorism,
 - ▶ polygamy,
 - ▶ money laundering,
 - ▶ international crime, or
 - ▶ certain violations of US immigration law.
- ▶ **The potential to “become a public charge” is a ground of inadmissibility.**

Public Charge

- ▶ A person is a public charge if s/he is likely to become “primarily dependent on the government for subsistence.”
- ▶ The law says that a person who is **likely to become a public charge in the future** is ineligible for permanent residence.
- ▶ Receipt of certain public funds **in the past** is evidence that a person might become a public charge **in the future**.

Public Funds

- ▶ Some funds might be public, but **do not “count against you”** in determining the likelihood of becoming a public charge:
 - ▶ **Cash payments *that have been earned*, such as Title II Social Security benefits, government pensions, and veterans' benefits, and other forms of earned benefits**
 - ▶ **Unemployment compensation**
 - ▶ Medicaid and certain other public health insurance and health services
 - ▶ Children's Health Insurance Program (CHIP)
 - ▶ Nutrition programs, such as Food Stamps or the Special Supplemental Nutrition Program for Women, Infants and Children (WIC)
 - ▶ Educational assistance (such as attending public school), including benefits under the Head Start Act and aid for elementary, secondary or higher education
 - ▶ Job training programs
 - ▶ In-kind, community-based programs, services or assistance (such as soup kitchens, crisis counseling and intervention, and short-term shelter)
 - ▶ Non-cash benefits under TANF such as subsidized child care or transit subsidies

Public Charge

- ▶ An applicant for permanent residence must prove that s/he will not become a public charge.
- ▶ This usually is done through the Form I-864 “Affidavit of Support”.
 - ▶ The US Partner signs the Affidavit of Support.
 - ▶ The non-US Partner includes the Affidavit with the Adjustment application, or sends it to the NVC during Immigrant Visa Processing.
- ▶ If the Non-US Partner already has recorded 40 quarters of qualifying work in the U.S., then s/he might be exempt from this requirement.
 - ▶ Files Form I-864W to show this.

Poverty Guidelines

- ▶ The US Partner must document that s/he has can financially support the non-US Partner (and any accompanying non-US citizen children) in excess of “Poverty Guidelines” issued by the government.

Department of Homeland Security U.S.Citizenship and Immigration Services		I-864P, Poverty Guidelines	
2011 Poverty Guidelines*			
Minimum Income Requirement for Use in Completing Form I-864			
For the 48 Contiguous States, the District of Columbia, Puerto Rico, the U.S. Virgin Islands, Guam and the Commonwealth of the Northern Mariana Islands:			
<u>Sponsor's Household Size</u>	<u>100% of Poverty Guidelines*</u> For sponsors on active duty in the U.S. Armed Forces who are petitioning for their spouse or child.	<u>125% of Poverty Line</u> For all other sponsors	
2	\$14,710	\$18,387	
3	\$18,530	\$23,162	
4	\$22,350	\$27,937	
5	\$26,170	\$32,712	
6	\$29,990	\$37,487	
7	\$33,810	\$42,262	
8	\$37,630	\$47,037	
	Add \$3,820 for each additional person.	Add \$4,775 for each additional person.	

Poverty Guidelines

Department of Homeland Security U.S. Citizenship and Immigration Services		I-864P, Poverty Guidelines	
2011 Poverty Guidelines*			
Minimum Income Requirement for Use in Completing Form I-864			
For the 48 Contiguous States, the District of Columbia, Puerto Rico, the U.S. Virgin Islands, Guam and the Commonwealth of the Northern Mariana Islands:			
Sponsor's Household Size	100% of Poverty Guidelines* For sponsors on active duty in the U.S. Armed Forces who are petitioning for their spouse or child.	125% of Poverty Line For all other sponsors	
2	\$14,710	\$18,387	
3	\$18,550	\$23,187	
4	\$22,350	\$27,937	
5	\$26,170	\$32,712	
6	\$29,990	\$37,487	
7	\$33,810	\$42,262	
8	\$37,630	\$47,037	
	Add \$3,820 for each additional person	Add \$4,775 for each additional person.	

- ▶ For example:
 - ▶ Daisy and Donald both are Research Associates. They each earn \$40,000/year. They have no children.
 - ▶ Their household size is “2”.
 - ▶ They must **document** that the financial support that will be available to them will be in excess of 125% of the poverty line for that household size.

I-864 Affidavit of Support



- ▶ Documenting the financial support that is available is done using a Form I-864 Affidavit of Support.
- ▶ This is a **legally enforceable contract** between the US Partner and the government.
- ▶ If the non-US Partner seeks public support in future, the government might seek to reclaim those funds from the US Partner.
- ▶ **Courts also have enforced the contract between the Partners.**
 - ▶ Following a divorce, a non-US Partner sued the US Partner in court for support, citing the I-864 as evidence that the US Partner had agreed to provide such support. The Court found in favor of the non-US Partner, and required the US Partner to support the non-US Partner financially.

The Obligation To Provide Support



- ▶ The obligation to provide support is triggered only if the non-US Partner requires such support.
 - ▶ If your rich uncle agrees to be a “Joint Sponsor” then he does not have to immediately start paying you an “allowance”!
- ▶ The obligation continues until:
 - ▶ The non-US Partner becomes a US citizen, or
 - ▶ The non-US Partner accumulates 40 qualifying quarters of US-work.

Form I-864

Department of Homeland Security
U.S. Citizenship and Immigration Services

I-864P, Poverty Guidelines

2011 Poverty Guidelines*
Minimum Income Requirement for Use in Completing Form I-864
For the 48 Contiguous States, the District of Columbia, Puerto Rico, the U.S. Virgin Islands, Guam and the Commonwealth of the Northern Mariana Islands:

Sponsor's Household Size	100% of Poverty Guidelines* For sponsors on active duty in the U.S. Armed Forces who are petitioning for their spouse or child	125% of Poverty Line For all other sponsors
2	\$14,710	\$18,387
3	\$18,250	\$22,812
4	\$22,350	\$27,937
5	\$26,170	\$32,712
6	\$29,990	\$37,487
7	\$33,810	\$42,262
8	\$37,630	\$47,037

Add \$3,820 for each additional person.

Add \$4,775 for each additional person.

- ▶ Documents the income and household size of the US-Partner, including the non-US Partner and any accompanying non-US Citizen children.
 - ▶ If the income of the US Partner is in excess of the Poverty Line for the relevant household size, nothing further is needed.
 - ▶ If the income of the US Partner is not in excess of the Poverty Line, then additional information is needed.
 - ▶ The income of any other person within the household.
 - The income of the Non-US Partner can be used!
 - ▶ Value of assets currently owned by the US Partner
 - ▶ The income of a “Joint Sponsor” who is not a member of the household but is willing to provide to agree to provide financial support if needed.

Documentation of Income

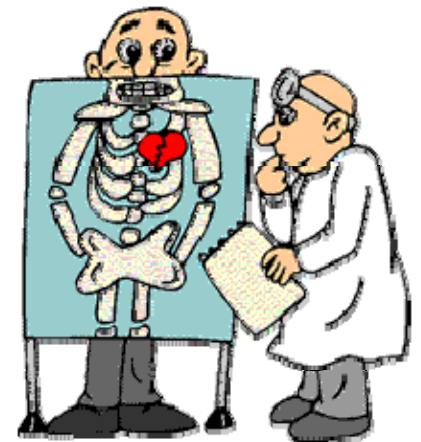
- ▶ Anyone who signs a Form I-864 agreeing to provide financial support to an immigrant must document the income or assets claimed in the Form I-864.
 - ▶ Forms W-2(s)
 - ▶ Photocopies of any other Affidavits of Support you have previously executed
 - ▶ Employment Letters confirming that the claimed income will continue in the future
 - ▶ Most recent Federal Tax Return
 - ▶ Other documents, depending on your circumstances.
 - ▶ Valuation of Assets
 - ▶ Ownership of Assets



Medical Examinations

Medical Examinations

- ▶ The Non-US Partner and each accompanying non-US citizen children must undergo medical examinations.
 - ▶ For Adjustment applications, the medical examination must be conducted by a medical doctor who has been designated by USCIS as a civil surgeon.
 - ▶ For visa processing, the Consulate will direct you to a Panel Physician in the country where the Consulate is located.
- ▶ You cannot go to your personal doctor to have a medical exam for immigration purposes unless your doctor is a designated civil surgeon or panel physician.



Finding a Designated Civil Surgeon

- ▶ Finding a Medical Doctor (Civil Surgeon)
 - ▶ Go to www.uscis.gov
 - ▶ Click on “Green Card”
 - ▶ Click on “Green Card Processes and Procedures”
 - ▶ Click on “Immigration Medical Examinations”
 - ▶ Click on “Find a Medical Doctor (Civil Surgeon)”
 - ▶ Call the National Customer Service Center at 1-800-375-5283



Finding a Designated Civil Surgeon on the USCIS website

▶ Input your zip code

or

▶ Click on the state where you reside for a complete list of physicians

U.S. Citizenship and Immigration Services - Office Locator : Office Type Page 1 of 2

 **U.S. Citizenship and Immigration Services** [Home](#) | [Español](#) | [Site Map](#)

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[ABOUT US](#)

- [Check My Case Status](#)
- [Sign-in to My Account](#)
- [Sign-up for Case Updates](#)
- [Check Processing Times](#)
- [Change of Address Online](#)
- [e-Request](#)
- [Office Locator](#)

USCIS Civil Surgeons Locator

[Services Overview](#) > [Civil Surgeon](#)

Civil Surgeon

Most applicants for adjustment of status are required to have a medical examination. The medical examination must be conducted by a civil surgeon who has been designated by the United States Citizenship and Immigration Services.

Civil Surgeon Locator

For information about a specific office, use the map below or enter your ZIP code in the box provided.

All fields marked by the following symbol must be completed. *

Enter your ZIP code *

Find your civil surgeons by state:

Click on your state in the map or select it from the dropdown below.



Form I-693



- ▶ **Form I-693 Report of Medical Examination and Vaccination Record**
 - ▶ The patient must complete Part I of the Form I-693.
 - ▶ Do NOT sign the form until instructed to do so by the Civil Surgeon.
- ▶ **The designated civil surgeon will complete and sign the Form I-693 once the medical examination is complete.**
 - ▶ The doctor has interviewed you,
 - ▶ Any x-rays, blood tests or other lab work has been done and the results analyzed by the doctor, and
 - ▶ Any necessary vaccinations have been issued.
- ▶ ***The doctor must seal the document in an envelope.***
 - ▶ If the envelope is not sealed, take it back to the doctor's office and require it to be sealed.
 - ▶ You must submit the sealed envelope to USCIS as directed in the Form I-693 instructions.
 - ▶ Ask the doctor for a photocopy of the completed form.
 - ▶ Keep this for your records.
 - ▶ Review it to make sure there are no mistakes, and no part of the form has been forgotten.

Form I-693

Department of Homeland Security
U.S. Citizenship and Immigration Services

OMB No. 1615-0033; Expires 10/31/2011

I-693, Report of Medical Examination and Vaccination Record

Part I. Information About You *(The person requesting a medical examination or vaccinations must complete this part)*

Family Name (Last Name) Given Name (First Name) Full Middle Name

Home Address: Street Number and Name Apt. Number Gender: Male Female

City State Zip Code Phone # (Include Area Code) no dashes or ()

Date of Birth (mm/dd/yyyy) Place of Birth (City/Town/Village) Country of Birth A-Number (if any) U.S. Social Security # (if any)

Applicant's Certification
I certify under penalty of perjury under United States law that I am the person who is identified in Part I of this Form I-693, Report of Medical Examination and Vaccination Record, and that the information in Part I of this form is true to the best of my knowledge. I understand the purpose of this examination and vaccination record, and that I understand that any immigration benefit I derived from this medical exam may be revoked, that I may be removed from the United States, and that I may be subject to civil or criminal penalties.

Signature - Do not sign or date this form until instructed to do so by the civil surgeon Date (mm/dd/yyyy)

1. Examination

Date of First Examination Date(s) of Follow-up Examination(s) if Required:

Summary of Overall Findings:
 No Class A or Class B Condition Class A Conditions (see 2 through 5 below) Class B Conditions (see 2 through 6 below)

2. Communicable Diseases of Public Health Significance

A. Tuberculosis (TB): An initial screening test, either a Tuberculin Skin Test (TST) or an Interferon Gamma Release Assay (IGRA) is required for all applicants 2 years of age and older; for children under 2 years of age, see Technical Instructions at <http://cdc.gov/ncidod/dq/civil.htm>. The civil surgeon should perform one type of initial screening test only, followed by further evaluation, if needed (chest X-ray).

1. Tuberculin Skin Test (TST):
 Not administered (TST exception applies)
Date TST Applied Date TST Read Size of Reaction (mm)
Result: Negative (4mm or less of induration) Positive (≥ 5mm; chest X-ray required)

2. Interferon Gamma Release Assay (IGRA) (for acceptable IGRAs consult the Technical Instructions and any updates posted on CDC's Web site at <http://www.cdc.gov/ncidod/dq/civil.htm>):
 Not administered (IGRA exception applies) Name of Test Date Blood Sample Drawn

Form I-693 (Rev. 07/2009)

→ The patient completes Part I

→ The patient signs only when told to do so.

← The physician completes the rest of the Form.
There are 7 pages.

Part 2. Communicable Diseases of Public Health Significance (Cont'd)

RU/ml: Result: Negative (including indeterminate, or borderline/equivocal) (no chest X-ray required)
 Positive (chest X-ray required)

Initial Screening Test Result and Chest X-Ray Determination:
 Chest X-ray not required (medically cleared for TB for USCIS) Chest X-ray required due to TB signs or symptoms, or due to immunosuppression (e.g. HIV)
 Chest X-ray required due to initial screening test results Chest X-ray required due to TST or IGRA exception (The civil surgeon must clearly specify the TST or IGRA exception in the "Remarks" field below.)

4. Chest X-Ray: Required based on TST or IGRA result, or if specific TST or IGRA exceptions apply, or for an applicant with TB signs or symptoms or immunosuppression (e.g., HIV). Attach a copy of X-ray report.

Date Chest X-Ray Taken Date Chest X-Ray Read Results
 Normal Abnormal (Describe results in remarks.)

TB Classification/Findings (check only if chest x-ray was performed):
 No Class A or Class B TB Class B1 Pulmonary TB Class B2 Pulmonary TB Class B, Other Chest Condition (non-TB)
 Class A Pulmonary TB Disease Class B1 Extra Pulmonary TB Class B, Latent TB Infection

Remarks: (Include any signs or symptoms of TB, additional tests, and therapy given, with stop and start dates and any changes.)

Form I-693 (Rev. 07/2009) Page 2

Forms

USCIS Forms

- ▶ USCIS is US Citizenship and Immigration Service.
- ▶ Replaced the INS in 2003.

- ▶ www.uscis.gov

- ▶ Forms are available online.
 - ▶ Click on “FORMS”
 - ▶ Scroll to the Form Number you want.
 - ▶ Click on the Form, or on the Instructions.
 - ▶ Some forms in multiple languages.

www.uscis.gov

▶ Click on "Forms"



U.S. Citizenship and Immigration Services

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Search

FORMS NEWS RESOURCES LAWS OUTREACH ABOUT US

HEADLINES USCIS and Mississippi Implement New E-Verify Tool to Combat Fraud

FIND IT FAST

I Am...

Select One

I Want To ...

Select One

CASE STATUS

Enter your receipt number

INFOPASS

- Schedule a FREE Appointment Remember to keep your PIN

I WANT TO

- Contact USCIS
- Take the Naturalization Self Test
- File My Application Online (e-Filing)
- Get a Passport

Find

- A USCIS Office
- Processing Times
- Fees Filing Fees
- A Medical Doctor (Civil Surgeon)

Services

- Sign up for Case Updates
- Submit an e-Request for an N-400 or I-90
- FOIA Request Status Check
- Genealogy
- Fraud Detection and National Security

USCIS Social Media

- USCIS Blog: The Beacon
- YouTube
- Twitter

Green Card (Permanent Residence)
Renew or Replace My Green Card
Remove Conditions on My Green Card
Green Card Through Family
Green Card Through a Job

Citizenship
Citizenship Through Naturalization
Citizenship Through Parents
The Naturalization Test
Citizenship Resource Center

Working in the US
Information for Employers and Employees
Permanent Workers
Temporary (Nonimmigrant) Workers
Temporary Visitors for Business
Student and Exchange Visitors

Family
Family of U.S. Citizens
Family of Green Card Holders
Family of Refugees & Asylees
Family(e) Visas

Humanitarian
Refugees & Asylum
Humanitarian Parole
Battered Spouse, Children & Parents
Victims of Human Trafficking & Other Crimes
Special Situations
Temporary Protected Status

Adoption
Before You Start
Before Your Child Immigrates to the United States
Immigration through Adoption
Country Information
After Approval of Orphan and Hague Applications
Bringing Your Internationally Adopted Child to the United States

Visit the US
Extend My Stay
Change My Nonimmigrant Status

Military
Citizenship for Military Members & Dependents
Military Help Line

ALERTS

- E Filing Unavailable July 9 6 p.m. EDT through July 10 12 a.m. EDT
- Tips for Foreign Nationals Impacted by Civil Unrest or Natural Disasters
- H-2A Filing Tips

EMPLOYMENT VERIFICATION

- I-9 Central
- E-Verify Home page
- E-Verify Self Check

MOST SEARCHED FORMS

- Apply for Citizenship (Form N-400)
- Apply for a Green Card (Form I-485)
- Help My Relative Immigrate (Form I-130)
- Renew or Replace My Green Card (Form I-90)
- Employment Verification (Form I-9)
- Apply for Employment Authorization (Form I-765)
- Affidavit of Support (Form I-864)

Change of Address

- Change Your Address Online
- Change of Address Information

U.S. Citizenship and Immigration Services

- USCIS Public Engagement: Invitation to White House Wednesday, Jul. 6, 2011 at 9:20
- 24,000 New Citizens Celebrate Independence Tuesday, Jul. 5, 2011 at 2:47 PM
- NEW Lesson Plan on Thomas Jefferson and the Declaration of Friday, Jul. 1, 2011 at 2:55 PM
- USCIS Public Engagement: Invitation

Receive email updates

Email Address

InfoPass

My Case Status

Change of Address

My Case Status

Citizenship

Green Card

Family

Family

Family

U.S. Department of Homeland Security

U.S. Customs & Border Protection

U.S. Immigration & Customs

Enforcement

Freedom of Information Act (FOIA)

No FEAR Act

Website Policies

Privacy Policy

http://www.uscis.gov/portal/site/uscis

7/6/2011

www.uscis.gov



U.S. Citizenship and Immigration Services

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Search Search

Entire Site Just this section

FORMS NEWS RESOURCES LAWS OUTREACH ABOUT US

Home > FORMS Printer Friendly

Forms

USCIS FORMS ARE FREE: You should never pay anyone for copies of our forms. USCIS forms are always FREE to download, or order by mail or phone at 1-800-870-3676. Most forms can be downloaded and filled out using the latest version of Adobe Reader. PDF forms are available on the Department of State website.

Sign your forms: Don't forget to sign your forms! Failure to sign will result in rejection.

E-Notification: When filing at Lockbox facilities in Chicago, Phoenix, or Lawtonville, TX, you may file Form G-1145 to receive an email and/or text notification that your application has been accepted.

Title	Form Number	Filing Fee	Edition
Change of Address	AR-11	\$0	04/01/11
Allen's Change of Address Card	AR-11 SR	\$0	04/01/11
Notice of Appeal to the Board of Immigration Appeals from a Decision of an Immigration Officer	EOIR-29	\$110	April 2009
Notice of Entry of Appearance as Attorney or Accredited Representative	G-28	\$0	04/22/09, (09/26/00 also accepted)
Notice of Entry of Appearance as Attorney in Matters Outside the Geographical Confines of the United States	G-28I	\$0	04/22/09, Previous editions not accepted.
Biographic Information	G-325	\$0	09/12/09, Previous editions accepted.
Biographic Information	G-325A	\$0	09/12/09, Previous editions accepted.
Biographic Information	G-325B	\$0	09/12/09, Previous editions accepted.
Biographic Information	G-325C	\$0	09/12/09, Previous editions accepted.
Freedom of Information Act/Privacy Act Request	G-638	\$0	10/08/10, (02/04/09 edition also accepted)
Verification Request (SAVE agencies)	G-845	\$0	07/25/08, Previous editions accepted.
Document Verification Request Supplement	G-845 Supplement	\$0	07/25/08, Previous editions accepted.
Return of Original Documents	G-884	\$0	11/17/09, Previous editions accepted.
Genealogy Index Search Request	G-1041	\$20	04/30/09, Previous editions accepted.
Genealogy Records Request	G-1041A	The fee for a copy from microfilm is \$20 per request. The fee for a copy of a hard copy file is \$35 per request.	04/30/09, Previous editions accepted.
E-Notification of Application/Petition Acceptance	G-1145	\$0	09/25/2011, Previous editions accepted.
Employment Eligibility Verification	I-9	\$0	09/07/09, (02/02/09 also accepted)
Employment Eligibility Verification CHMI	I-9 CHMI	\$0	09/27/10, Previous editions accepted.
Application to Replace Permanent Resident Card	I-90	\$385. (Add \$85 biometric fee for a total of \$450, where applicable. See the form instructions for payment details.)	11/23/10, (09/10/09 edition also accepted)
Application for Replacement/Initial Nonimmigrant Arrival-Departure Document	I-102	\$330	11/23/10, (01/13/10, 09/09/09, 09/21/08 editions also accepted)
Petition for a Nonimmigrant Worker	I-129	\$325	01/19/11 (11/23/10 edition also accepted)
Petition for Alien Fiancé(e)	I-129F	\$340. (There is no fee for petitions for	11/23/10, (09/14/10, 02/19/10 editions

Most Searched Forms

- Apply for Citizenship (Form N-400)
- Employment Verification (Form I-9)
- Apply for a Green Card (Form I-485)
- Help My Relative Immigrate (Form I-30)
- Affidavit of Support (Form I-864)
- Renew or Replace My Green Card (Form I-90)
- Remove Conditions on a Green Card through Marriage (Form I-751)
- Apply for Employment Authorization (Form I-765)
- Apply for a Travel Document (Form I-121)

Forms Information

- Forms by Mail
- Forms by Phone
- General Information on Immigration Forms
- Adobe Reader Download (Free) PDF

Fees

- Paying Immigration Fees
- Fee Waiver Guidance

Forms Guidance

- Signature Requirements for USCIS Forms
- Expedite Criteria
- Paperwork Reduction Act

Online Services

- Online Change of Address
- USCIS Service and Office Locator

Non-USCIS Links

- U.S. Department of State: Visa Application Forms
- DS-11, Application for a U.S. Passport
- DS-230, Application for Immigrant Visa and Alien Registration
- U.S. Customs and Border Protection: Forms
- U.S. Customs and Border Protection: Form I-94, I-94W Instructions

Add Our RSS Feed

Get Email Updates for This Page

▶ All the Forms are listed in numeric order.

▶ Scroll down to the Form you want and then click on the blue hyperlink.

http://www.uscis.gov/portal/site/uscis/menutem.eb1d4c2a3e5b9ac89243c6a7543f6d1a?vgnextoid... 7/6/2011

www.uscis.gov

- ▶ Each Form page has:
 - ▶ A link to the Form
 - ▶ A link to the Form Instructions.
 - ▶ Basic information about the Form

The screenshot shows the USCIS website page for Form I-130. At the top, there is a navigation menu with links for Home, Español, Blog, Archive, and Index. Below the menu is a search bar and a 'Search' button. The main content area is divided into several sections: FORMS, NEWS, RESOURCES, LAWS, OUTREACH, and ABOUT US. The 'NEWS' section is highlighted, and the page title is 'I-130, Petition for Alien Relative'. The page includes a 'Printer Friendly' link and a 'Related Links' section with various helpful links. The main content area contains sections for 'Purpose of Form', 'Number of Pages', 'Edition Date', and 'Filing Fee'. At the bottom of the page, there is a footer with various links and contact information.

Form I-130

- ▶ Petition for Immigrant Relative.
- ▶ The US Partner must file **ONE** Form I-130 for **EACH** person being sponsored for permanent residence.
 - ▶ One Form I-130 for the non-US Partner
 - ▶ One Form I-130 for **EACH** non-US citizen accompanying child



Form I-130

Department of Homeland Security
U.S. Citizenship and Immigration Services

OMB No. 1615-0012, Expires 01/31/2011

I-130, Petition for Alien Relative

DO NOT WRITE IN THIS BLOCK - FOR USCIS OFFICE ONLY

AB	Action Stamp	Fee Stamp
Section of Law/Visa Category <input type="checkbox"/> 201(b) Spouse - IR-1/CR-1 <input type="checkbox"/> 201(b) Child - IR-2/CR-2 <input type="checkbox"/> 201(b) Parent - IR-5 <input type="checkbox"/> 203(a)(1) Unm. S or D - F1-1 <input type="checkbox"/> 203(a)(2)(A) Spouse - F2-1 <input type="checkbox"/> 203(a)(2)(A) Child - F2-2 <input type="checkbox"/> 203(a)(2)(B) Unm. S or D - F2-4 <input type="checkbox"/> 203(a)(3) Married S or D - F3-1 <input type="checkbox"/> 203(a)(4) Brother/Sister - F4-1		Petition was filed on: _____ (priority date) <input type="checkbox"/> Personal Interview <input type="checkbox"/> Previously Forwarded <input type="checkbox"/> Fee <input type="checkbox"/> "A" File Reviewed <input type="checkbox"/> I-485 Filed Simultaneously <input type="checkbox"/> Investigation <input type="checkbox"/> 204(g) Reserved <input type="checkbox"/> 203(a)(2)(A) Reserved <input type="checkbox"/> 203(g) Reserved

Remarks:

A. Relationship You are the petitioner. Your relative is the beneficiary.

1. I am filing this petition for my:
 Husband/Wife Parent Brother/Sister Child Yes No

B. Information about you

1. Name (Family name in CAPS) (First) (Middle) (Last)
 2. Address (Number and Street) (Apt. No.) (Town or City) (State/Country) (Zip/Postal Code)
 3. Place of Birth (Town or City) (State/Country)
 4. Date of Birth 5. Gender 6. Marital Status
 Male Married Single
 Female Widowed Divorced
 7. Other Names Used (including maiden name)
 8. Date and Place of Present Marriage (if married)
 9. U.S. Social Security Number (if any) 10. Alien Registration Number
 11. Name(s) of Prior Husband(s)/Wife(s) 12. Date(s) Marriage(s) Ended
 13. If you are a U.S. citizen, complete the following:
 My citizenship was acquired through (check one):
 Birth in the U.S.
 Naturalization. Give certificate number and date and place of issuance.
 Parents. Have you obtained a certificate of citizenship in your own name?
 Yes. Give certificate number, date and place of issuance. No
 14. If you are a lawful permanent resident alien, complete the following:
 Date and place of admission for or adjustment to lawful permanent residence and class of admission.
 14b. Did you gain permanent resident status through marriage to a U.S. citizen or lawful permanent resident?
 Yes No

C. Information about your relative

1. Name (Family name in CAPS) (First) (Middle) (Last)
 2. Address (Number and Street) (Apt. No.) (Town or City) (State/Country) (Zip/Postal Code)
 3. Place of Birth (Town or City) (State/Country)
 4. Date of Birth 5. Gender 6. Marital Status
 Male Married Single
 Female Widowed Divorced
 7. Other Names Used (including maiden name)
 8. Date and Place of Present Marriage (if married)
 9. U.S. Social Security Number (if any) 10. Alien Registration Number
 11. Name(s) of Prior Husband(s)/Wife(s) 12. Date(s) Marriage(s) Ended
 13. If your relative is currently in the U.S., complete the following:
 He or she arrived as a: (visitor, student, stowaway, without inspection, etc.)
 Arrival/Departure Record (I-94) Date arrived
 Date authorized stay expired, or will expire, as shown on Form I-94 or I-95
 14. Name and address of present employer (if any)
 Date this employment began
 14b. Has your relative ever been under immigration proceedings?
 No Yes Where When
 Removal Exclusion/Deportation Reversion Judicial Proceedings

Form I-130 (Rev. 11/23/10) Y

Parts A, B, D and E are by / about the US Partner.

Part C is about the non-US Partner.

Generally –

-Do not leave blanks. Answer “none” or “not applicable” as appropriate.

-“Immigration Proceedings” means immigration court.

-If answers required additional details, include a letter.

Information about your alien relative (continued)

17. List husband/wife and all children of your relative.
 (Name) (Relationship) (Date of Birth) (Country of Birth)

18. Address in the United States where your relative intends to live.
 (Street Address) (Town or City) (State)

19. Your relative's address abroad. (Include street, city, province and country) Phone Number (if any)

20. If your relative's native alphabet is other than Roman letters, write his or her name and foreign address in the native alphabet.
 (Name) Address (Include street, city, province and country):

21. If filing for your husband/wife, give last address at which you lived together. (Include street, city, province, if any, and country):
 From: (City) (State) (City) (Country)
 To: (City) (State) (City) (Country)

22. Complete the information below if your relative is in the United States and will apply for adjustment of status.
 Your relative is in the United States and will apply for adjustment of status to that of a lawful permanent resident at the USCIS office in: _____
 If your relative is not eligible for adjustment of status, he or she will apply for a visa abroad at the American consular post in: _____
 NOTE: Designation of a U.S. embassy or consulate outside the country of your relative's last residence does not guarantee acceptance for processing by that post. Acceptance is at the discretion of the designated embassy or consulate.

D. Other information

1. If separate petitions are also being submitted for other relatives, give names of each and relationship.

2. Have you ever before filed a petition for this or any other alien? Yes No
 If "Yes," give name, place and date of filing and result.

WARNING: USCIS investigates claimed relationships and verifies the validity of documents. USCIS seeks criminal prosecutions when family relationships are falsified to obtain visas.

PENALTIES: By law, you may be imprisoned for not more than five years or fined \$250,000, or both, for entering into a marriage contract for the purpose of evading any provision of the immigration laws. In addition, you may be fined up to \$10,000 and imprisoned for up to five years, or both, for knowingly and willfully falsifying or concealing a material fact or using any false document in submitting this petition.

YOUR CERTIFICATION: I certify, under penalty of perjury under the laws of the United States of America, that the foregoing is true and correct. Furthermore, I authorize the release of any information from my records that U.S. Citizenship and Immigration Services needs to determine eligibility for the benefit that I am seeking.

E. Signature of petitioner
 _____ Date _____ Phone Number () _____

F. Signature of person preparing this form, if other than the petitioner
 I declare that I prepared this document at the request of the person above and that it is based on all information of which I have any knowledge.
 _____ Signature _____ Date _____
 Address _____

Form I-130 (Rev. 11/23/10) Y Page 2

Form G-325

- ▶ Biographic Forms.
- ▶ Must be completed by each of the US Partner and non-US Partner.
- ▶ Will be starting point for security clearances.
- ▶ No fee to file this.



Forms G-325 or G-325A

- ▶ Collects information about
 - ▶ Family,
 - ▶ Past residences
 - ▶ Work history
- ▶ Has teeny tiny spaces in which to list requested information.
- ▶ G-325 and G-325A are identical.
- ▶ The “File Number” is the tracking number for the petition or application this is being submitted to support.
 - ▶ If you have an “A Number” already assigned, write that here.
 - ▶ Otherwise, leave this blank.
- ▶ This Form is being submitted in connection with an application for “Status as Permanent Residence”
- ▶ If the native alphabet of the person listed in the Form is not Roman, then that person must handwrite their full name in their native alphabet.

OMB No. 1615-0008; Expires 06/30/2011

Department of Homeland Security
U.S. Citizenship and Immigration Services

G-325, Biographic Information

Family Name		(First Name)		(Middle Name)	<input type="checkbox"/> Male	Date of Birth (mm/dd/yyyy)	Citizenship/Nationality	File Number
					<input type="checkbox"/> Female			A
All Other Names Used (include names by previous marriages)						City and Country of Birth		U.S. State
Family Name	First Name	Date of Birth (mm/dd/yyyy)	City, and Country of Birth (if known)		City and Country of Residence			
Father								
Mother								
(Maiden Name)								
Current Husband or Wife (If none, so state)		First Name	Date of Birth (mm/dd/yyyy)	City and Country of Birth	Date of Marriage	Place of Marriage		
Family Name (For wife, give maiden name)								
Former Husbands or Wives (If none, so state)		First Name	Date of Birth (mm/dd/yyyy)	City and Country of Birth	Date of Termination of Marriage	Place of Termination of Marriage		
Family Name (For wife, give maiden name)								
Applicant's residence last five years. List present address first.								
Street and Number	City	Province or State	Country	From Month	Year	To Month	Year	
							Present Time	
Applicant's last address outside the United States of more than one year.								
Street and Number	City	Province or State	Country	From Month	Year	To Month	Year	
Applicant's employment last five years. (If none, so state.) List present employment first.								
Full Name and Address of Employer			Occupation (Specify)	From Month	Year	To Month	Year	
							Present Time	
Last occupation abroad if not shown above. (Include all information requested above.)								
This form is submitted in connection with an application for:						Signature of Applicant		Date
<input type="checkbox"/> Naturalization <input type="checkbox"/> Other (Specify):								
<input type="checkbox"/> Status as Permanent Resident								
Penalties: Severe penalties are provided by law for knowingly and willfully falsifying or concealing a material fact.								
Applicant: Print your name and Alien Registration Number in the box outlined by heavy border below.								
Complete This Box (Family Name)		(Given Name)	(Middle Name)	(Alien Registration Number)				
				A				

Form G-325 (Rev. 06/12/09)

Form I-129F



- ▶ **Petition for Alien Fiancée**
- ▶ **Used for**
 - ▶ K-1 visas for Fiancé(es)
 - ▶ K-3 visas for non-US Partner Spouses
 - ▶ K-4 visas for non-US citizen children
- ▶ **Similar in information and format to Form I-130.**
- ▶ **If using the Form for a K-3 Spouse of a US Citizen**
 - ▶ Substitute “spouse” wherever the form says “fiancé(e).”
 - ▶ Answer Questions B17 and B18 with “Not applicable” (“N/A”)

Form I-129F

Department of Homeland Security
U.S. Citizenship and Immigration Services

OMB No. 1615-0001; Expires 02/29/2012
I-129F, Petition for Alien Fiancé(e)

Do not write in these blocks. For USCIS Use Only

Case ID # _____ Action Block _____ Fee Stamp _____

A # _____

G-28 # _____

The petition is approved for status under Section 101(a)(5)(k). It is valid for four months from the date of action.

AMCON:
 Personal Interview Previously Forwarded
 Document Check Field Investigation

Remarks: _____

Part A. Start Here. Information about you.

1. Name (Family name in CAPS) (First) (Middle) (Last)

2. Address (Number and Street) Apt. #
(Town or City) (State or Country) (Zip/Postal Code)

3. Place of Birth (Town or City) (State/Country)

4. Date of Birth (mm/dd/yyyy) 5. Gender
 Male Female

6. Marital Status
 Married Single Widowed Divorced

7. Other Names Used (including maiden name)

8a. U.S. Social Security Number 8b. A# (if any)

9. Names of Prior Spouses Date(s) Marriage(s) Ended

10. My citizenship was acquired through (check one)
 Birth in the U.S. Naturalization
Give number of certificate, date and place it was issued.

Parents
Have you obtained a certificate of citizenship in your name?
 Yes No
If "Yes," give certificate number, date and place it was issued.

11. Have you ever filed for this or any other alien fiancé(e) or husband/wife before?
 Yes No
If "Yes," give name of all aliens, place and date of filing, A# and result. (Attached additional sheets as necessary.)

Part B. Information about your alien fiancé(e).

1. Name (Family name in CAPS) (First) (Middle) (Last)

2. Address (Number and Street) Apt. #
(Town or City) (State or Country) (Zip/Postal Code)

3. Place of Birth (Town or City) (State/Country)

4. Date of Birth (mm/dd/yyyy) 5. Gender
 Male Female

6. Marital Status
 Married Single Widowed Divorced

7. Other Names Used (including maiden name)

8. S. Social Security # 9. A# (if any)

10. Names of Prior Spouses Date(s) Marriage(s) Ended

11. Has your fiancé(e) ever been in the U.S.?
 Yes No

If your fiancé(e) is currently in the U.S., complete the following:
Date and place he or she last arrived as a: (visitor, student, exchange alien, seaman, stowaway, temporary worker, without inspection, etc.)

12. Arrival/Departure Record (I-94) Number _____
Date of Arrival (mm/dd/yy) _____ Date authorized stay expired, or will expire as shown on I-94 or I-95 (mm/dd/yy) _____

Parts A, C and D are by / about the US Partner.

Part B is about the non-US Partner.

Generally –
-Do not leave blanks. Answer “none” or “not applicable” as appropriate.

-If answers required additional details, include a letter.

Part B. Information about your alien fiancé(e). (Continued.)

13. List all children of your alien fiancé(e) (if any)

Name (First/Middle/Last)	Date of Birth (mm/dd/yyyy)	Country of Birth	Present Address

14. Address in the United States where your fiancé(e) intends to live.
(Number and Street) (Town or City) (State)

15. Your fiancé(e)'s address abroad.
(Number and Street) (Town or City) (State or Province)
(Country) (Phone Number, include Country, City and Area Codes)

16. If your fiancé(e)'s native alphabet uses other than Roman letters, write his or her name and address abroad in the native alphabet.
(Name) (Number and Street)
(Town or City) (State or Province) (Country)

17. Is your fiancé(e) related to you? Yes No
If you are related, state the nature and degree of relationship, e.g., third cousin or maternal uncle, etc.

18. Has your fiancé(e) met and seen you within the two-year period immediately preceding the filing of this petition?
 Yes No
Describe the circumstances under which you met. If you have not personally met each other, explain how the relationship was established. If you met your fiancé(e) or spouse through an international marriage broker, please explain those circumstances in Question 19 below. Explain also in detail any reasons you may have for requesting that the requirement that you and your fiancé(e) must have met should not apply to you.

19. Did you meet your fiancé(e) or spouse through the services of an international marriage broker?
 Yes No
If you answered yes, please provide the name and any contact information you may have (including internet or street address) of the international marriage broker and where the international marriage broker is located. Attach additional sheets of paper if necessary.

20. Your fiancé(e) will apply for a visa abroad at the American embassy or consulate at:
(City) (Country)

NOTE: (Designation of a U.S. embassy or consulate outside the country of your fiancé(e)'s last residence does not guarantee acceptance for processing by that foreign post. Acceptance is at the discretion of the designated embassy or consulate.)

Form I-129F

- ▶ Petitioners (US-Partners) who have committed certain crimes cannot sponsor immigrant spouses, unless the Petitioner obtains a waiver or unless there is a “just reason” for why the crime was committed.

Part C. Other information.

1. If you are serving overseas in the Armed Forces of the United States, please answer the following:
I presently reside or am stationed overseas and my current mailing address is:

2. Have you ever been convicted by a court of law (civil or criminal) or court martialled by a military tribunal for any of the following crimes:

- Domestic violence, sexual assault, child abuse and neglect, dating violence, elder abuse or stalking. (Please refer to page 3 of the instructions for the full definition of the term "domestic violence.")
- Homicide, murder, manslaughter, rape, abusive sexual contact, sexual exploitation, incest, torture, trafficking, peonage, holding hostage, involuntary servitude, slave trade, kidnapping, abduction, unlawful criminal restraint, false imprisonment or an attempt to commit any of these crimes, or
- Three or more convictions for crimes relating to a controlled substance or alcohol not arising from a single act.

Yes No

Answering this question is required even if your records were sealed or otherwise cleared or if anyone, including a judge, law enforcement officer, or attorney, told you that you no longer have a record. Using a separate sheet(s) of paper, attach information relating to the conviction(s), such as crime involved, date of conviction and sentence.

3. If you have provided information about a conviction for a crime listed above and you were being battered or subjected to extreme cruelty by your spouse, parent, or adult child at the time of your conviction, check all of the following that apply to you:

- I was acting in self-defense.
- I violated a protection order issued for my own protection.
- I committed, was arrested for, was convicted of, or plead guilty to committing a crime that did not result in serious bodily injury, and there was a connection between the crime committed and my having been battered or subjected to extreme cruelty.

Part D. Penalties, certification and petitioner's signature.

PENALTIES: You may by law be imprisoned for not more than five years, or fined \$250,000, or both, for entering into a marriage contract for the purpose of evading any provision of the immigration laws, and you may be fined up to \$10,000 or imprisoned up to five years, or both, for knowingly and willfully falsifying or concealing a material fact or using any false document in submitting this petition.

YOUR CERTIFICATION: I am legally able to and intend to marry my alien fiancé(e) within 90 days of his or her arrival in the United States. I certify, under penalty of perjury under the laws of the United States of America, that the foregoing is true and correct. Furthermore, I authorize the release of any information from my records that U.S. Citizenship and Immigration Services needs to determine eligibility for the benefit that I am seeking.

Moreover, I understand that this petition, including any criminal conviction information that I am required to provide with this petition, as well as any related criminal background information pertaining to me that U.S. Citizenship and Immigration Services may discover independently in adjudicating this petition will be disclosed to the beneficiary of this petition.

Signature _____ Date (mm/dd/yyyy) _____ Daytime Telephone Number (with area code) _____
E-Mail Address (if any) _____

Part E. Signature of person preparing form, if other than above. (Sign below.)

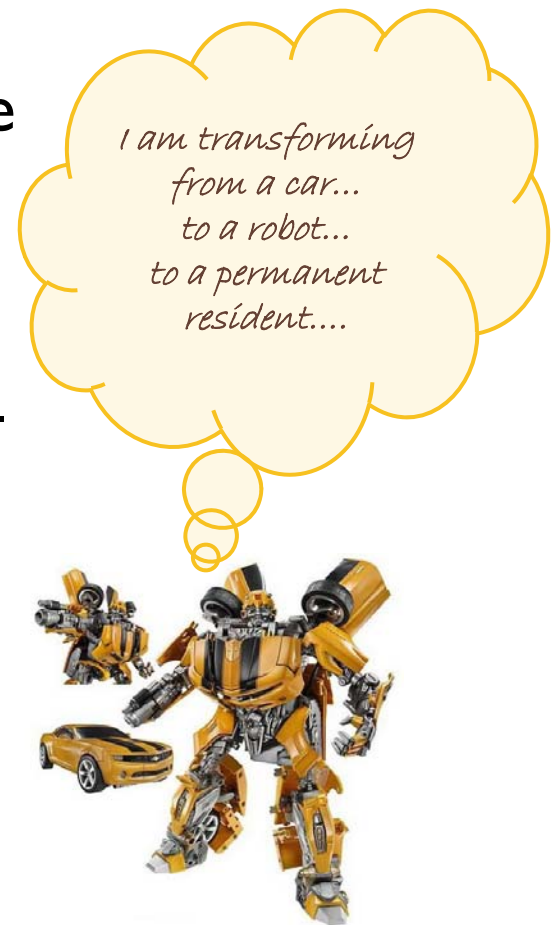
I declare that I prepared this application at the request of the petitioner and it is based on all information of which I have knowledge.

Signature _____ Print or Type Your Name _____ G-28 ID Number _____ Date (mm/dd/yyyy) _____
Firm Name and Address _____ Daytime Telephone Number (with area code) _____
E-Mail Address (if any) _____

Form I-129F (Rev. 11/23/10) Y Page 3

Form I-485

- ▶ Application to Adjust Status to permanent resident.
- ▶ EACH applicant within the family must file this form.
 - ▶ One form for each of:
 - ▶ The Non-US Partner, **and**
 - ▶ Each non-US citizen child accompanying the non-US Partner.
- ▶ Filing fee is large
 - ▶ Includes fees for I-131 and I-765.
- ▶ Must be accompanied by photos of the applicant.



Form I-485

- ▶ **Processed by the National Benefits Center**
 - ▶ Receives the papers from the lockbox where you mailed it.
 - ▶ Reviews everything for completion
 - ▶ Once complete, sends it to the Field Office for interview or adjudication.
- ▶ **32% of all I-485 filings require additional evidence!**
 - ▶ NBC sends out “Request for Further Evidence” (RFE)
 - ▶ You must send response within deadline (usually 30 days).
 - ▶ Response must be complete!
 - ▶ You only get one chance!
 - ▶ If file still is incomplete, the application will be denied.
- ▶ **Most common reasons for RFEs:**
 - ▶ Missing or Flawed Form I-864 or required supporting documents (56%)
 - ▶ Missing or problematic Medical Examination (20%)
 - ▶ Missing or problematic Birth or Marriage Certificates (19%)

(based on an NBC Report – May 2011)



Form I-485

OMB No. 1615-0023

Form I-485, Application to Register Permanent Residence or Adjust Status

Department of Homeland Security
U.S. Citizenship and Immigration Services

START HERE - Type or Print (Use black ink)

Part 1. Information About You

Family Name (Last Name) Given Name (First Name) Middle Name
 Address - Street Number and Name Apt. #
 C/O (in care of)
 City State Zip Code
 Date of Birth (mm/dd/yyyy) Country of Birth
 Country of Citizenship/Nationality U.S. Social Security # (if any) A # (if any)
 Date of Last Arrival (mm/dd/yyyy) I-94 #
 Current USCIS Status Extension on (mm/dd/yyyy)

Part 2. Application Basis (Check one)

I am applying for an adjustment to permanent resident status because:

- I am an immigrant petition giving me an immediately available immigrant visa number that has been approved. (Attach a copy of the approved petition or a relative, special immigrant juvenile, or spouse's military visa petition filed with this application that gives you an immediately available visa number, if approved.)
- My spouse or parent applied for adjustment of status or was granted lawful permanent residence in an immigrant visa category that allows derivative status for spouses and children.
- I entered as a K-1 fiancé(e) of a U.S. citizen whom I married within 90 days of entry, or I am the K-2 child of such a fiancé(e). (Attach a copy of the fiancé(e) petition approval notice and the marriage certificate.)
- I was granted asylum or derivative asylum status as the spouse or child of a person granted asylum and am eligible for adjustment.
- I am a native or citizen of Cuba admitted or paroled into the United States after January 1, 1959, and thereafter have been physically present in the United States for at least 1 year.
- I am the husband, wife, or minor unmarried child of a Cuban described above in (e), and I am residing with that person, and was admitted or paroled into the United States after January 1, 1959, and thereafter have been physically present in the United States for at least 1 year.
- I have continuously resided in the United States since before January 1, 1972.
- Other basis of eligibility. Explain (for example, I was admitted as a refugee, my status has not been terminated, and I have been physically present in the United States for 1 year after admission). If additional space is needed, see Page 2 of the instructions.

I am already a permanent resident and am applying to have the date I was granted permanent residence adjusted to the date I originally arrived in the United States as a nonimmigrant or parolee, or as of May 2, 1964, whichever date is later, and: (Check one)

- I am a native or citizen of Cuba and meet the description in (e) above.
- I am the husband, wife, or minor unmarried child of a Cuban and meet the description in (f) above.

Section of Law

Sec. 209(b), INA
 Sec. 13, Act of 9/11/57
 Sec. 245, INA
 Sec. 249, INA
 Sec. 1 Act of 11/2/66
 Sec. 2 Act of 11/2/66
 Other

Country Chargeable

Eligibility Under Sec. 245

Approved Visa Petition
 Dependent of Principal Alien
 Special Immigrant
 Other

Preference

Action Block

To be Completed by Attorney or Representative, if any
 Fill in box if Form G-28 is attached to represent the applicant.
 VOLAG #
 ATTY State License #

Form I-485 (Rev. 01/18/11) Y

▶ Form I-485 focuses solely on the Applicant for Adjustment.

▶ Check here if the applicant is a "Spouse of a US citizen".

▶ Check here if you are the spouse of an LPR.

▶ "Inspection by an Immigration Officer" is what happens when you talk to a Customs / Immigration officer at the airport or while crossing the border to the U.S. Answer "yes".

Part 3. Processing Information

A. City/Town/Village of Birth Current Occupation
 Your Mother's First Name Your Father's First Name
 Give your name exactly as it appears on your Form I-94, Arrival-Departure Record
 Place of Last Entry Into the United States (City/State) In what status did you last enter? (Visitor, student, exchange visitor, crewman, temporary worker, without inspection, etc.)
 Were you inspected by a U.S. Immigration Officer? Yes No
 Nonimmigrant Visa Number Consulate Where Visa Was Issued
 Date Visa Issued (mm/dd/yyyy) Gender Male Female Marital Status Married Single Divorced Widowed
 Have you ever applied for permanent resident status in the U.S.? Yes (If "Yes" give date and place of filing and final disposition.) No

B. List your present spouse and all of your children (include adult sons and daughters). (If you have none, write "None." If additional space is needed, see Page 2 of the instructions.)

Family Name (Last Name)	Given Name (First Name)	Middle Initial	Date of Birth (mm/dd/yyyy)
Country of Birth	Relationship	A # (if any)	Applying with you? Yes <input type="checkbox"/> No <input type="checkbox"/>
Family Name (Last Name)	Given Name (First Name)	Middle Initial	Date of Birth (mm/dd/yyyy)
Country of Birth	Relationship	A # (if any)	Applying with you? Yes <input type="checkbox"/> No <input type="checkbox"/>
Family Name (Last Name)	Given Name (First Name)	Middle Initial	Date of Birth (mm/dd/yyyy)
Country of Birth	Relationship	A # (if any)	Applying with you? Yes <input type="checkbox"/> No <input type="checkbox"/>
Family Name (Last Name)	Given Name (First Name)	Middle Initial	Date of Birth (mm/dd/yyyy)
Country of Birth	Relationship	A # (if any)	Applying with you? Yes <input type="checkbox"/> No <input type="checkbox"/>
Family Name (Last Name)	Given Name (First Name)	Middle Initial	Date of Birth (mm/dd/yyyy)
Country of Birth	Relationship	A # (if any)	Applying with you? Yes <input type="checkbox"/> No <input type="checkbox"/>

Form I-485 (Rev. 01/18/11) Y Page 2

Form I-485

Part 3. Processing Information (Continued)

C. List your present and past membership in or affiliation with every organization, association, fund, foundation, party, club, society, or similar group in the United States or in other places since your 16th birthday. Include any military service in this part. If none, write "None." Include the name of each organization, location, nature, and dates of membership. If additional space is needed, attach a separate sheet of paper. Continuation pages must be submitted according to the guidelines provided on Page 2 of the instructions under "What Are the General Filing Instructions?"

Name of Organization	Location and Nature	Date of Membership From	Date of Membership To

Answer the following questions. (If your answer is "Yes" to any question, explain on a separate piece of paper. Continuation pages must be submitted according to the guidelines provided on Page 2 of the instructions under "What Are the General Filing Instructions?" Information about documentation that must be included with your application is also provided in this section.) Answer "Yes" does not necessarily mean that you are not entitled to adjust status or register for permanent residence.

1. Have you EVER, in or outside the United States:
 - a. Knowingly committed any crime of moral turpitude or a drug-related offense for which you have not been arrested? Yes No
 - b. Been arrested, cited, charged, indicted, convicted, fined, or imprisoned for breaking or violating any law or ordinance, excluding traffic violations? Yes No
 - c. Been the beneficiary of a pardon, amnesty, rehabilitation decree, other act of clemency, or similar action? Yes No
 - d. Exercised diplomatic immunity to avoid prosecution for a criminal offense in the United States? Yes No
2. Have you received public assistance in the United States from any source, including the U.S. Government or any State, county, city, or municipality (other than emergency medical treatment), or are you likely to receive public assistance in the future? Yes No
3. Have you EVER:
 - a. Within the past 10 years been a prostitute or procured anyone for prostitution, or intend to engage in such activities in the future? Yes No
 - b. Engaged in any unlawful commercialized vice, including, but not limited to, illegal gambling? Yes No
 - c. Knowingly encouraged, induced, assisted, abetted, or aided any alien to try to enter the United States illegally? Yes No
 - d. Illicitly trafficked in any controlled substance, or knowingly assisted, abetted, or colluded in the illicit trafficking of any controlled substance? Yes No
4. Have you EVER engaged in, conspired to engage in, or do you intend to engage in, or have you ever solicited membership or funds for, or have you through any means ever assisted or provided any type of material support to any person or organization that has ever engaged or conspired to engage in sabotage, kidnapping, political assassination, hijacking, or any other form of terrorist activity? Yes No

► Form I-485 lists all the "Grounds of Inadmissibility".

► If the answer to any question is "yes", consult with an attorney.

► It might not be a problem, but at the very least, additional documentation is needed to address the issue.

Part 3. Processing Information (Continued)

5. Do you intend to engage in the United States in:
 - a. Espionage? Yes No
 - b. Any activity a purpose of which is opposition to, or the control or overthrow of, the Government of the United States, by force, violence, or other unlawful means? Yes No
 - c. Any activity to violate or evade any law prohibiting the export from the United States of goods, technology, or sensitive information? Yes No
6. Have you EVER been a member of, or in any way affiliated with, the Communist Party or any other totalitarian party? Yes No
7. Did you, during the period from March 23, 1933, to May 8, 1945, in association with either the Nazi Government of Germany or any organization or government associated or allied with the Nazi Government of Germany, ever order, incite, assist, or otherwise participate in the persecution of any person because of race, religion, national origin, or political opinion? Yes No
8. Have you EVER been deported from the United States, or removed from the United States at government expense, excluded within the past year, or are you now in exclusion, deportation, removal, or rescission proceedings? Yes No
9. Are you under a final order of civil penalty for violating section 274C of the Immigration and Nationality Act for use of fraudulent documents or have you, by fraud or willful misrepresentation of a material fact, ever sought to procure, or procured, a visa, other documentation, entry into the United States, or any immigration benefit? Yes No
10. Have you EVER left the United States to avoid being drafted into the U.S. Armed Forces? Yes No
11. Have you EVER been a J nonimmigrant exchange visitor who was subject to the 2-year foreign residence requirement and have not yet complied with that requirement or obtained a waiver? Yes No
12. Are you now withholding custody of a U.S. citizen child outside the United States from a person granted custody of the child? Yes No
13. Do you plan to practice polygamy in the United States? Yes No
14. Have you EVER ordered, incited, called for, committed, assisted, helped with, or otherwise participated in any of the following:
 - a. Acts involving torture or genocide? Yes No
 - b. Killing any person? Yes No
 - c. Intentionally and severely injuring any person? Yes No
 - d. Engaging in any kind of sexual contact or relations with any person who was being forced or threatened? Yes No
 - e. Limiting or denying any person's ability to exercise religious beliefs? Yes No
15. Have you EVER:
 - a. Served in, been a member of, assisted in, or participated in any military unit, paramilitary unit, police unit, self-defense unit, vigilante unit, rebel group, guerrilla group, militia, or insurgent organization? Yes No
 - b. Served in any prison, jail, prison camp, detention facility, labor camp, or any other situation that involved detaining persons? Yes No
16. Have you EVER been a member of, assisted in, or participated in any group, unit, or organization of any kind in which you or other persons used any type of weapon against any person or threatened to do so? Yes No

Form I-485

Part 3. Processing Information (Continued)

17. Have you EVER assisted or participated in selling or providing weapons to any person who to your knowledge used them against another person, or in transporting weapons to any person who to your knowledge used them against another person? Yes No
18. Have you EVER received any type of military, paramilitary, or weapons training? Yes No

Part 4. Accommodations for Individuals With Disabilities and/or Impairments (See Page 10 of the instructions before completing this section.)

Are you requesting an accommodation because of your disability(ies) and/or impairment(s)? Yes No

If you answered "Yes," check any applicable box:

- a. I am deaf or hard of hearing and request the following accommodation(s) (if requesting a sign-language interpreter, indicate which language (e.g., American Sign Language)):
- b. I am blind or sight-impaired and request the following accommodation(s):
- c. I have another type of disability and/or impairment (describe the nature of your disability(ies) and/or impairment(s) and accommodation(s) you are requesting):

Part 5. Signature (Read the information on penalties on Page 10 of the instructions before completing this section. You must file this application while in the United States.)

Your registration with U.S. Citizenship and Immigration Services

I understand and acknowledge that, under section 262 of the Immigration and Nationality Act (INA), as an alien who has been or will be in the United States for more than 30 days, I am required to register with U.S. Citizenship and Immigration Services (USCIS). I understand and acknowledge that, under section 265 of the INA, I am required to provide USCIS with my current address and written notice of any change of address within 10 days of the change. I understand and acknowledge that USCIS will use the most recent address that I provide to USCIS, on any form containing these acknowledgements, for all purposes, including the service of a Notice to Appear should it be necessary for USCIS to initiate removal proceedings against me. I understand and acknowledge that if I change my address without providing written notice to USCIS, I will be held responsible for any communications sent to me at the most recent address that I provided to USCIS. I further understand and acknowledge that, if removal proceedings are initiated against me and I fail to attend any hearing, including an initial hearing based on service of the Notice to Appear at the most recent address that I provided to USCIS or as otherwise provided by law, I may be ordered removed in my absence, arrested, and removed from the United States.

Selective Service Registration

The following applies to you if you are a male at least 18 years of age, but not yet 26 years of age, who is required to register with the Selective Service System: "I understand that my filing Form I-485 with U.S. Citizenship and Immigration Services (USCIS) authorizes USCIS to provide certain registration information to the Selective Service System in accordance with the Military Selective Service Act. Upon USCIS acceptance of my application, I authorize USCIS to transmit to the Selective Service System my name, current address, Social Security Number, date of birth, and the date I filed the application for the purpose of recording my Selective Service registration as of the filing date. If, however, USCIS does not accept my application, I further understand that, if so required, I am responsible for registering with the Selective Service by other means, provided I have not yet reached 26 years of age."

▶ If the non-US partner or US partner moves, they must notify the USCIS of the new address within 10 days.

▶ USCIS mail is "address delivery only" which means if you have a "mail forwarding" order, the USCIS mail will be returned to sender – NOT forwarded.

▶ Males between 16 and 45 years who are granted permanent residence are mandatorily listed in the U.S. Selective Service (draft).

Part 5. Signature (Continued)

Applicant's Statement (Check one)

- I can read and understand English, and I have read and understand each and every question and instruction on this form, as well as my answer to each question.
- Each and every question and instruction on this form, as well as my answer to each question, has been read to me in the _____ language, a language in which I am fluent, by the person named in **Interpreter's Statement and Signature**. I understand each and every question and instruction on this form, as well as my answer to each question.

I certify, under penalty of perjury under the laws of the United States of America, that the information provided with this application is all true and correct. I certify also that I have not withheld any information that would affect the outcome of this application.

I authorize the release of any information from my records that U.S. Citizenship and Immigration Services (USCIS) needs to determine eligibility for the benefit I am seeking.

Signature (Applicant) _____ Print Your Full Name _____ Date (mm/dd/yyyy) _____ Daytime Phone Number (include area code) _____

NOTE: If you do not completely fill out this form or fail to submit required documents listed in the instructions, you may not be found eligible for the requested benefit, and this application may be denied.

Interpreter's Statement and Signature

I certify that I am fluent in English and the below-mentioned language.

Language Used (language in which applicant is fluent) _____

I further certify that I have read each and every question and instruction on this form, as well as the answer to each question, to this applicant in the above-mentioned language, and the applicant has understood each and every instruction and question on the form, as well as the answer to each question.

Signature (Interpreter) _____ Print Your Full Name _____ Date (mm/dd/yyyy) _____ Phone Number (include area code) _____

Part 6. Signature of Person Preparing Form, If Other Than Above

I declare that I prepared this application at the request of the above applicant, and it is based on all information of which I have knowledge.

Signature _____ Print Your Full Name _____ Date (mm/dd/yyyy) _____ Phone Number (include area code) _____

Firm Name and Address _____ E-Mail Address (if any) _____



Form I-131



- ▶ Application for Travel Document.
- ▶ Applicants for Adjustment use this form to request “Advance Parole”.
- ▶ Form is used for multiple documents and filing situations.
 - ▶ Once you complete the Form, it will still be blank in most areas.
- ▶ Filing Fee included with initial I-485 Fee.
 - ▶ You pay for it anyway, so you might as well get the AP!
- ▶ Must be accompanied by photos of the applicant.
- ▶ AP is issued within about two months, and valid for 1 year.

Form I-131

Department of Homeland Security
U.S. Citizenship and Immigration Services

OMB No 1615-0013, Expires 03/31/2012

I-131, Application for Travel Document

DO NOT WRITE IN THIS BLOCK

FOR USCIS USE ONLY (except G-28 block below)

Document Issued: Reentry Permit, Refugee Travel Document, Single Advance Parole, Multiple Advance Parole

Action Block: _____

Receipt: _____

Valid to: _____

If Reentry Permit or Refugee Travel Document, mail to: Address in Part 1, U.S. Embassy/consulate at: _____, Overseas DHS office at: _____

Document Hand Delivered: On _____ By _____

To be completed by Attorney/Representative, if any: Attorney State License #: _____, Check box if G-28 is attached.

Part 1. Information About You (Type or print in black ink)

1. A Number: _____ 2. Date of Birth (mm/dd/yyyy): _____ 3. Class of Admission: _____ 4. Gender: Male Female

5. Name (Family name in capital letters): _____ (First) _____ (Middle) _____

6. Address (Number and Street): _____ Apt. Number: _____
City: _____ State or Province: _____ Zip/Postal Code: _____ Country: _____

7. Country of Birth: _____ 8. Country of Citizenship: _____ 9. Social Security # (if any): _____

Part 2. Application Type (Check one)

a. I am a permanent resident or conditional resident of the United States, and I am applying for a reentry permit.

b. I now hold U.S. refugee or asylee status, and I am applying for a Refugee Travel Document.

c. I am a permanent resident as a direct result of refugee or asylee status, and I am applying for a Refugee Travel Document.

I am applying for an advance parole document to allow me to return to the United States after temporary foreign travel.

e. I am outside the United States, and I am applying for an Advance Parole Document.

I am applying for an Advance Parole Document for a person who is outside the United States. If you checked box "f," provide the following information about that person:

1. Name (Family name in capital letters): _____ (First) _____ (Middle) _____

2. Date of Birth (mm/dd/yyyy): _____ 3. Country of Birth: _____ 4. Country of Citizenship: _____

5. Address (Number and Street): _____ Apt. #: _____ Daytime Telephone # (area/country code): _____
City: _____ State or Province: _____ Zip/Postal Code: _____ Country: _____

- ▶ “You” is the applicant (non-US Partner).
- ▶ You are requesting “an Advance Parole Document to allow you to return to the U.S. after temporary foreign travel.”
- ▶ Leave the rest of Page 1 blank.
- ▶ Date of Intended Departure: “Unknown at time of filing”.
- ▶ Expected Length: “Variable”
- ▶ Leave the rest of Page 2 blank – go to Part 7.

Part 3. Processing Information

1. Date of Intended Departure (mm/dd/yyyy): _____ 2. Expected Length of Trip: _____

3. Are you, or any person included in this application, now in exclusion, deportation, removal, or rescission proceedings? Yes No (Name of DHS office): _____

If you are applying for an Advance Parole Document, skip to Part 7.

4. Have you ever before been issued a reentry permit or Refugee Travel Document? No Yes (If “Yes,” give the following information for the last document issued to you):
Date Issued (mm/dd/yyyy): _____ Disposition (attached, lost, etc.): _____

5. Where do you want this travel document sent? (Check one)

a. To the U.S. address shown in Part 1 on the first page of this form.

b. To a U.S. Embassy or consulate at: City: _____ Country: _____

c. To a DHS office overseas at: City: _____ Country: _____

d. If you checked “b” or “c,” where should the notice to pick up the travel document be sent?
 To the address shown in Part 2 on the first page of this form.
 To the address shown below:
Address (Number and Street): _____ Apt. #: _____ Daytime Telephone # (area/country code): _____
City: _____ State or Province: _____ Zip/Postal Code: _____ Country: _____

Part 4. Information About Your Proposed Travel

Purpose of trip. (If you need more room, continue on a separate sheet of paper.) _____ List the countries you intend to visit: _____

Part 5. Complete Only If Applying for a Reentry Permit

Since becoming a permanent resident of the United States (or during the past five years, whichever is less) how much total time have you spent outside the United States?
 less than six months two to three years
 six months to one year three to four years
 one to two years more than four years

Since you became a permanent resident of the United States, have you ever filed a Federal income tax return as a nonresident or failed to file a Federal income tax return because you considered yourself to be a nonresident? (If “Yes,” give details on a separate sheet of paper.) Yes No

Part 6. Complete Only If Applying for a Refugee Travel Document

1. Country from which you are a refugee or asylee: _____

If you answer “Yes” to any of the following questions, you must explain on a separate sheet of paper.

2. Do you plan to travel to the country named above? Yes No

3. Since you were accorded refugee/asylee status, have you ever:
a. Returned to the country named above? Yes No
b. Applied for and/or obtained a national passport, passport renewal, or entry permit of that country? Yes No
c. Applied for and/or received any benefit from such country (for example, health insurance benefits). Yes No

4. Since you were accorded refugee/asylee status, have you, by any legal procedure or voluntary act:
a. Reacquired the nationality of the country named above? Yes No
b. Acquired a new nationality? Yes No
c. Been granted refugee or asylee status in any other country? Yes No

Form I-131

▶ Include a copy of the Filing Receipt for the pending I-485 Application as the basis for your eligibility.

▶ A letter explaining eligibility is not necessary.

▶ Indicate that you will use the Advance Parole for more than 1 trip.

▶ Leave the rest of Part 7 blank.

Part 7. Complete Only If Applying for Advance Parole

On a separate sheet of paper, explain how you qualify for an Advance Parole Document, and what circumstances warrant issuance of advance parole. Include copies of any documents you wish considered. (See instructions.)

1. How many trips do you intend to use this document? One Trip More than one trip

2. If the person intended to receive an Advance Parole Document is outside the United States, provide the location (city and country) of the U.S. Embassy or consulate or the DHS overseas office that you want us to notify.

City _____ Country _____

3. If the travel document will be delivered to an overseas office, where should the notice to pick up the document be sent?

To the address shown in Part 2 on the first page of this form.

To the address shown below:

Address (Number and Street) _____ Apt. # _____ Daytime Telephone # (area/country code) _____

City _____ State or Province _____ Zip/Postal Code _____ Country _____

Part 8. Signature *Review the information on penalties in the instructions before completing this section. If you are filing for a reentry permit or Refugee Travel Document, you must be in the United States to file this application.*

I certify, under penalty of perjury under the laws of the United States of America, that this application and the evidence submitted with it are all true and correct. I authorize the release of any information from my records that U.S. Citizenship and Immigration Services needs to determine eligibility for the benefit I am seeking.

Signature _____ Date (mm/dd/yyyy) _____ Daytime Telephone Number (with area code) _____

Note: If you do not completely fill out this form or fail to submit required documents listed in the instructions, you may not be found eligible for the requested document and this application may be denied.

Part 9. Signature of Person Preparing Form, if Other Than the Applicant *(Sign below)*

I declare that I prepared this application at the request of the applicant, and it is based on all information of which I have knowledge.

Signature _____ Print or Type Your Name _____

Firm Name and Address _____ Daytime Telephone Number (with area code) _____

Fax Number (if any) _____ Date (mm/dd/yyyy) _____

Form I-131 (Rev. 11/23/10) Page 3

Form I-765

- ▶ Application for Employment Authorization Document.
- ▶ Filing Fee included with initial I-485 Fee.
 - ▶ You pay for it anyway, so you might as well get the EAD!
- ▶ Must be accompanied by photos of the applicant.
- ▶ EAD issued within about 3 months, valid for 1 year.
- ▶ Renewable for as long as the I-485 is pending with USCIS.



Form I-765

- ▶ The applicant is applying for “Permission to accept employment”.
- ▶ Most of the Form is routine personal information.
- ▶ Question 11 refers to whether the applicant has had an **EAD** before. Work-authorizing visa statuses (such as J-1, H-1B, etc.) **are not included**.
 - ▶ If you have had an EAD – answer “Yes”.
 - ▶ Then complete the rest of Question 11.
 - ▶ If you only have had work-authorizing visas, answer “No.”
- ▶ If you are applying as
 - ▶ a K-1 Spouse, indicate (a)(6).
 - ▶ a K-2 Child, indicate (a)(6).
 - ▶ a K-3 Spouse, indicate (a)(9).
 - ▶ a K-4 Child, indicate (a)(9).
 - ▶ An applicant for Adjustment of Status, indicate (c)(9).
- ▶ Question 17 does not apply to you.

OMB No. 1615-0040
I-765, Application For Employment Authorization

Department of Homeland Security
U.S. Citizenship and Immigration Services

Do not write in this block.

Remarks	Action Block	Fee Stamp
Applicant is filing under §274a.12		
<input type="checkbox"/> Application Approved. Employment Authorized / Extended (Circle One) until _____ (Date). Subject to the following conditions: _____ (Date). Application Denied. <input type="checkbox"/> Failed to establish eligibility under 8 CFR 274a.12 (a) or (c).		

I am applying for: Permission to accept employment.
 Replacement (of last employment authorization document).

1. Name (Last, First, Middle Initial)
 2. Other Names Used (include Maiden Name)
 3. Address in the United States (Number and Street) (Apt. Number)
 (Town or City) (State/Country) (ZIP Code)
 4. Country of Citizenship/Nationality
 5. Place of Birth (Town or City) (State/Province) (Country)
 6. Date of Birth (mm/dd/yyyy) 7. Gender Male Female
 8. Marital Status Married Single Divorced
 Widowed
 9. Social Security Number (include all numbers you have ever used) (if any)
 10. Alien Registration Number (A-Number) or I-94 Number (if any)
 11. Have you ever before applied for employment authorization from USCIS?
 Yes (If "Yes," complete below) No

Certification
 Your Certification: I certify, under penalty of perjury under the laws of the United States of America, that the foregoing is true and correct. Furthermore, I authorize the release of any information that U.S. Citizenship and Immigration Services needs to determine eligibility for the benefit I am seeking. I have read the Instructions in Part 2 and have identified the appropriate eligibility category in Block 16.

Signature _____ Telephone Number _____ Date _____

Signature of Person Preparing Form, If Other Than Above: I declare that this document was prepared by me at the request of the applicant and is based on all information of which I have any knowledge.

Print Name _____ Address _____ Signature _____ Date _____

Remarks	Initial Receipt	Resubmitted	Relocated		Completed	
	Rec'd	Sent	Approved	Denied	Returned	

Form I-765 (Rev. 01/19/11)Y

Documentation

Types of Forms



- ▶ To recap, there are two types of filings:
 - ▶ Filings that ask the USCIS to agree that the person named in the form (the “Beneficiary”) meets a legal definition
 - ▶ Spouse
 - ▶ Child
 - ▶ Fiancée
 - ▶ Filings that ask the USCIS to confer an immigration benefit on a person
 - ▶ Employment Authorization
 - ▶ Travel document
 - ▶ Permanent residence status.
- ▶ Different documents must be produced to support each type of filing.

Types of Filings

Classification Petitions

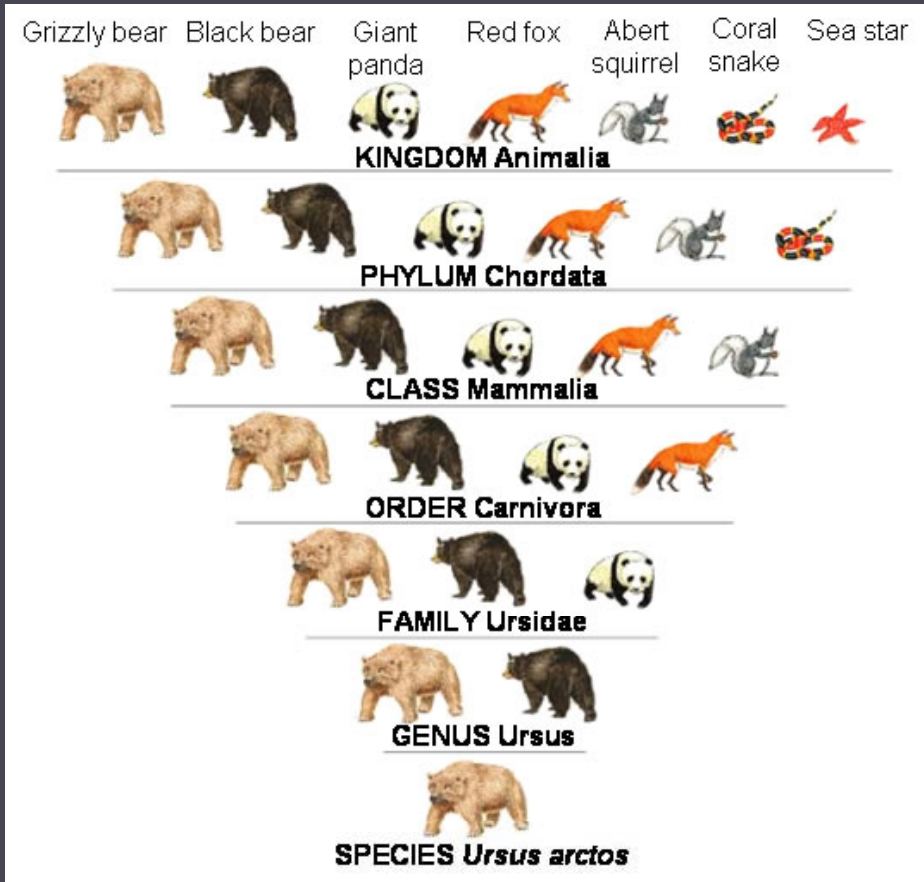
- ▶ **Must show that you meet the legal definition.**
 - ▶ Evidence about
 - ▶ The people
 - ▶ The relationship

Benefit Applications

- ▶ **Must show that you are eligible for the benefit**
 - ▶ Evidence about
 - ▶ Your past
 - ▶ Your health
 - ▶ Your work history
 - ▶ Your immigration history
 - ▶ Your finances
 - ▶ Etc. (depending on benefit)

Petitions for Classification

Form I-130 Petitions for Immigrant Family or Form I-129F Petitions for Fiancées or Spouses



Form I-130 or I-129 F (K-1) Documentation

- ▶ In general, when petitioning for a spouse or fiancée, the US Partner will need:
 - ▶ Documentation showing the **US Partner's** immigration or citizenship status
 - ▶ US Passport
 - ▶ US birth certificate
 - ▶ Naturalization Certificate
 - ▶ Form I-551 greencard
 - ▶ The **non-US Partner's** unexpired foreign passport
 - ▶ The **non-US Partner's** Birth certificate.
 - ▶ If a birth certificate cannot be obtained, sometimes Affidavits of Birth will suffice.



Form I-130 or I-129 F (K-1) Documentation

- ▶ You also will need:
 - ▶ Documentation about the legal relationship, if currently married
 - ▶ Marriage Certificate.
 - ▶ Common law marriages are not recognized under the US immigration law
 - ▶ Documentation about any former legal marriages and the legal termination of those marriages
 - ▶ Marriage certificates
 - ▶ Death or divorce certificates



Form I-130 or I-129 F (K-1) Documentation

- ▶ You also will need documentation showing the existence of the relationship
 - ▶ Photos of partners together
 - Taken over time
 - Showing other family members or friends
 - Showing significant family events (births, deaths, your marriage *[if applicable]*)
 - ▶ Shared ownership of assets
 - ▶ Shared ownership of debts
 - ▶ Documentation about children
 - Born to the Partners or
 - Born to one Partner and adopted by the other Partner
 - ▶ Communications between the Partners despite the separation of distance
 - Important in Fiancée applications.
 - Examples include emails, letters, documentation of phone calls, etc.



Form I-130 or I-129 F (K-1) Documentation

- ▶ You also will need:
 - ▶ If there are non-US citizen children accompanying the non-US Partner, you will need:
 - ▶ Birth certificates (showing their relationship to the non-US Partner)
 - ▶ Passports (showing citizenship)



Benefit Applications

Form I-485 Applications to Adjust Status or NVC Processing for Immigrant Visas



Documentation for I-485

- ▶ For EACH applicant:
 - ▶ Photographs
 - ▶ Medical Examinations for each family member
 - ▶ Unexpired Foreign Passports
 - ▶ All past passports used for admission to U.S.
 - ▶ Copy ALL pages
 - ▶ Copies of Drivers' Licenses (as alternate proof of identity)
 - ▶ U.S. Immigration history
 - ▶ Copies of all past documents or papers relating to admission to the U.S. or U.S. immigration status or visas.
 - ▶ Forms G-325
 - ▶ Form I-765
 - ▶ Form I-131
 - ▶ Form I-864 or variation thereof showing financial support
 - ▶ Supporting documentation, such as W-2s, tax returns, Employment Letters, etc.
 - ▶ Approval Notice for Form I-130 Petition
 - ▶ If filing as a Spouse of an LPR in a category subject to backlogs.



Documentation for Visa Processing

- ▶ For EACH applicant:
 - ▶ Photographs
 - ▶ Medical Examinations for each family member
 - ▶ Unexpired Foreign Passports
 - ▶ All past passports used for admission to U.S.
 - ▶ Copy ALL pages
 - ▶ Copies of Drivers' Licenses (as alternate proof of identity)
 - ▶ Copies of all military records
 - ▶ Police Certificates from every country of residence from age 16 to the present
 - ▶ U.S. Immigration history
 - ▶ Copies of all past documents or papers relating to admission to the U.S. or U.S. immigration status or visas.
 - ▶ Form I-864 or variation thereof showing financial support
 - ▶ Supporting documentation, such as W-2s, tax returns, Employment Letters, etc.
 - ▶ Anything else requested by the National Visa Center or Consulate



Documentation for I-765

- ▶ For each applicant:
 - ▶ Photographs
 - ▶ Copies of any past EADs issued to the applicant

- ▶ If filing separately from the I-485 Application (such as to renew Employment Authorization the next year)
 - ❑ Copy of Form I-797C Notice of Action showing filing of I-485
 - ❑ Print out from case status online showing the application still is pending.
 - ❑ Filing Fee



Documentation for I-131



- ▶ For EACH applicant:
 - ▶ Photographs
 - ▶ Copies of any past Advance Parole documents issued to the applicant

 - ▶ If filing separately from the I-485 Application (such as to renew Employment Authorization the next year)
 - ❑ Copy of Form I-797C Notice of Action showing filing of I-485
 - ❑ Print out from case status online showing the application still is pending.
 - ❑ Filing Fee

Putting Everything Together

Putting Everything Together

- ▶ The permanent residence process involves a lot of paperwork.
- ▶ The more easily the immigration officer can navigate the paperwork, the better off your case is.
 - ▶ An officer who cannot find a document will issue an RFE
 - ▶ An officer who is frustrated will issue the RFE to stop wasting time.
- ▶ Organizing your paperwork is very important!



Putting Everything Together

- ▶ Put colored paper between different “groupings” of items.
 - ▶ Different colors of paper “mean” different things within the government agencies.
 - ▶ “Yellow” means “Alert”, “Pink” means “Department of State”, etc.
 - ▶ Purple is generally a safe color.
- ▶ Put tabs on items with explanatory labels
 - ▶ Tabs MUST go on the bottom, not the sides.
 - ▶ The USCIS filing system does not allow for side tabs!
 - ▶ You can buy tabs to stick onto your papers from most office supply stores.



Putting Everything Together

- ▶ Do not put any of the following on your papers:
 - ▶ Elastic Bands
 - ▶ Staples
 - ▶ Binder Clips
 - ▶ The USCIS has to remove all of these when filing your papers.



- ▶ If you want to fasten your papers together somehow:
 - ▶ Two-hole punch the papers at the top
 - ▶ Use an “ACCO” fastener without the slide.
 - ▶ Only fasten each Form Bundle together.
 - ▶ Do not fasten multiple forms together, because the USCIS will have to pull the fastened documents apart to send each form to the case line where it will be processed.
 - ▶ At the top of each “Form Bundle” put a list of all the documents you have included.



Sample List of Documents – I-130

List of Documents Submitted by NAME
In Support of His/Her
FORM I-130 PETITION FOR IMMEDIATE RELATIVE
Filed concurrently with Form I-485 Application (Applicant/Beneficiary: NAME)

- ▶ Filing Fee: \$420 (Stapled to I-130)
- ▶ I-130 Petition for Immediate Relative
- ▶ G-325 Biographic Information form for Petitioner
- ▶ G-325 Biographic Information form for Applicant
- ▶ **Petitioner**
 - ▶ Petitioner US Passport
 - ▶ Petitioner's Birth Certificate
- ▶ **Beneficiary**
 - ▶ Beneficiary's Passport
 - ▶ Beneficiary's Birth Certificate
- ▶ **Evidence of the Marriage <Group>**
 - ▶ Copy of Marriage Certificate
 - ▶ Mortgage showing Home jointly owned by petitioner and beneficiary
 - ▶ Bank account jointly owned by petitioner and beneficiary
 - ▶ Credit Card jointly owned by petitioner and beneficiary
 - ▶ Photos of wedding
 - ▶ Etc.
- ▶ **Documentation of Prior Relationships <Group>**
 - ▶ Copy of Marriage Certificate between Petitioner and Spouse #1
 - ▶ Copy of Divorce Certificate for union between Petitioner and Spouse #1
 - ▶ Copy of Marriage Certificate between Beneficiary and Spouse #2
 - ▶ Copy of Death Certificate for Spouse #2
 - ▶ Etc.

Sample List of Documents – I-485

List of Documents Submitted by NAME
In Support of His/Her
FORM I-485 ADJUSTMENT OF STATUS APPLICATION
Filed concurrently with Form I-130 Petition (Immediate Relative) (Petitioner: NAME)

- ▶ Filing Fee: \$1,010 (Stapled to I-485)
- ▶ I-485 Application to Adjust Status (w/ two photographs stapled to the lower left of the I-485)
- ▶ G-325A Biographic Information form for Applicant
- ▶ Medical Report (in a sealed envelope) for Applicant
- ▶ Evidence of Applicant's birth (Affidavit) for Applicant
- ▶ Evidence of Identity and Status: <Group>
 - ▶ Copy of identity page of Applicant's passport
 - ▶ Copy of Applicant's most recent I-94 card, indicating entry in H-1B status on 04/25/2009 and valid until 01/31/2011
 - ▶ Copy of I-797 Approval Notice for ORGANIZATION's H-1B petition, valid from 08/26/2008 until 01/31/2011 (WAC-08-123-15234)
- ▶ Form I-864 Affidavit of Support <Group>
 - ▶ Form I-864 showing combined incomes of Petitioner and Applicant.
 - ▶ Form W-2 for Petitioner
 - ▶ Form W-2 for Applicant
 - ▶ Form 1040 Tax Return for Petitioner and Applicant (Married filing Jointly)
 - ▶ Letter from ORGANIZATION confirming current and ongoing employment for Applicant (ADJUST AS NEEDED)
 - ▶ Letter from ORGANIZATION confirming current and ongoing employment for Petitioner (ADJUST AS NEEDED)
- ▶ I-131 Application for Travel Document (w/ two photographs stapled to the lower left of the I-131)
- ▶ I-765 Application for Employment Authorization (w/two photographs stapled to the lower left of the I-765)

Sample List of Documents – I-485

List of Documents Submitted by NAME
In Support of His/Her
FORM I-485 ADJUSTMENT OF STATUS APPLICATION
For Spouse of LPR with Approved Form I-130 (Petitioner: NAME)

Family of 3
Application #1 of 3

- ▶ Filing Fee: \$1,010 (Stapled to I-485)
- ▶ I-485 Application to Adjust Status (w/ two photographs stapled to the lower left of the I-485)
- ▶ G-325A Biographic Information form for Applicant
- ▶ Medical Report (in a sealed envelope) for Applicant
- ▶ Evidence of Applicant's birth (Affidavit) for Applicant
- ▶ Evidence of Identity and Status: <Group>
 - ▶ Copy of identity page of Applicant's passport
 - ▶ Copy of Applicant's most recent I-94 card, indicating entry in H-1B status on 04/25/2009 and valid until 01/31/2011
 - ▶ Copy of I-797 Approval Notice for ORGANIZATION's H-1B petition, valid from 08/26/2008 until 01/31/2011 (WAC-08-123-15234)
- ▶ Form I-864 Affidavit of Support <Group>
 - ▶ Form I-864 showing combined incomes of Petitioner and Applicant.
 - ▶ Form W-2 for Petitioner
 - ▶ Form W-2 for Applicant
 - ▶ Form 1040 Tax Return for Petitioner and Applicant (Married filing Jointly)
 - ▶ Letter from ORGANIZATION confirming current and ongoing employment for Applicant (ADJUST AS NEEDED)
 - ▶ Letter from ORGANIZATION confirming current and ongoing employment for Petitioner (ADJUST AS NEEDED)
- ▶ Form I-797C Notice of Action showing approval of Form I-130 Petition for Spouse of LPR (WAC-10-123-45678)

- ▶ I-131 Application for Travel Document (w/ two photographs stapled to the lower left of the I-131)

- ▶ I-765 Application for Employment Authorization (w/two photographs stapled to the lower left of the I-765)

Sources of Further Information

Please Contact an Attorney.

- ▶ Fermilab's Visa Office **does not assist** with family-based immigration matters.
 - ▶ We cannot review your forms.
 - ▶ We cannot provide answers to legal questions.
 - ▶ We cannot tell you what information goes where.
- ▶ We can provide:
 - ▶ Names of certain immigration attorneys
 - ▶ Sources of immigration lawyer referrals.
- ▶ See the next slides!





Sources of Further Information

- ▶ Fermilab's Visa Office can provide
 - ▶ The names of attorneys who have provided immigration services to other individuals at Fermilab before
 - ▶ Please email visaoffice@fnal.gov for these.
 - ▶ Fermilab does not make any promises as to
 - ▶ the qualifications of the attorneys/firms,
 - ▶ whether these attorneys/firms will be able to secure for you the outcome that you want.
 - ▶ Please meet with and evaluate the attorney/firm you choose and make your own decision.
 - ▶ Information about issues to consider when selecting a new immigration attorney is at
 - <http://immigration.about.com/od/resources/qt/lawyertip.htm> or
 - http://www.ehow.com/how_2108675_choose-immigration-lawyer.html.

Sources of Further Information

American Immigration Lawyers Association – Lawyer Referral

Suite 300, 1331 G Street NW,
Washington, DC 200050
Phone: 202-507-7600
Fax: 202-783-7853
<http://www.aialawyer.com/>

Illinois State Bar Association – Lawyer Referral

20 S. Clark St., Suite 900
Chicago, IL 60603-1802
Phone: (312) 726-8775 or (800) 678-4009
<http://www.illinoislawyerfinder.com/search.html>

The American Bar Association – Lawyer Referral

321 North Clark Street
Chicago, IL 60610
Phone: 312-988-5000
<http://www.abanet.org/legalservices/lris/directory/>

The Chicago Bar Association – Lawyer Referral

321 S Plymouth Ct
Chicago, IL 60604
Phone: 312-554-2000
http://www.chicagobar.org/AM/Template.cfm?Section=Need_a_Lawyer

