U.S. Department of Justice
Immigration and Naturalization Service

OMB No. 1115-0053
Application to Register Permanent Residence or Adjust Status

Purpose of this Form.
This form is for a person who is in the United States to apply to adjust to permanent resident status or register for permanent residence while in the U.S. It may also be used by certain Cuban nationals to request a change in the date their permanent residence began.

Who May File.
Based on an immigrant petition. You may apply to adjust your status if:

- an immigrant visa number is immediately available to you based on an approved immigrant petition; or
- you are filing this application with a complete relative, special immigrant juvenile, or special immigrant military petition which if approved, would make an immigrant visa number immediately available to you.

Based on being the spouse or child of another adjustment applicant or of a person granted permanent residence . You may apply to adjust status if you are the spouse or child of another adjustment applicant, or of a lawful permanent resident, if the relationship existed when that person was admitted as a permanent resident in an immigrant category which allows derivative status for spouses and children.
Based on admission as the fiance(e) of a U.S. citizen and subsequent marriage to that citizen. You may apply to adjust status if you were admitted to the U.S. as the K-1 fiance(e) of a U.S. citizen and married that citizen within 90 days of your entry. If you were admitted as the K-2 child of such a fiance(e), you may apply based on your parent's adjustment application.
Based on asylum status. You may apply to adjust status if you have been granted asylum in the U.S. and are eligible for asylum adjustment. [Note: In most cases you become eligible after being physically present in the U.S. for one year after the grant of asylum if you still qualify as a refugee or as the spouse or child of refugee.]
Based on Cuban citizenship or nationality. You may apply to adjust status if:

- you are a native or citizen of Cuba, were admitted or paroled into the U.S. after January 1, 1959, and thereafter have been physically present in the U.S. for at least one year; or
- you are the spouse or unmarried child of a Cuban described above, and you were admitted or paroled after January 1, 1959, and thereafter have been physically present in the U.S. for at least one year.

Based on continuous residence since before January 1, 1972. You may apply for permanent residence if you have continuously resided in the U.S. since before January 1, 1972.
Other basis of eligibility. If you are not included in the above categories, but believe you may be eligible for adjustment or creation of record of permanent residence, contact your local INS office.
Applying to change the date your permanent residence began. If you were granted permanent residence in the U.S. prior to November 6, 1966, and are a native or citizen of Cuba, his or her spouse or unmarried minor child, you may ask to change the date your lawful permanent residence began to your date of arrival in the U.S. or May 2, 1964, whichever is later.

Persons Who Are Ineligible.
Unless you are applying for creation of record based on continuous residence since before 1/1/72, or adjustment of status under a category in which special rules apply (such as asylum adjustment, Cuban adjustment, special immigrant juvenile adjustment, or special immigrant military personnel adjustment), **you are not eligible for adjustment of status if <u>any</u> of the following apply to you**:

- you entered the U.S. in transit without a visa;
- you entered the U.S. as a nonimmigrant crewman;
- you were not admitted or paroled following inspection by an immigration officer;
- your authorized stay expired before you filed this application, you were employed in the U.S. , prior to filing this application, without INS authorization, or you otherwise failed to maintain your nonimmigrant status, other than through no fault of your own or for technical reasons; unless you are applying because you are an immediate relative of a U.S. citizen (parent, spouse, widow, widower, or unmarried child under 21 years old), a K-1 fiance(e) or K-2 fiance(e) dependent who married the U.S. petitioner within 90 days of admission, or an "H" or "I" special immigrant (foreign medical graduates, international organization employees or their derivative family members);
- you are or were a J-1 or J-2 exchange visitor, are subject to the two-year foreign residence requirement, and have not complied with or been granted a waiver of the requirement;
- you have A, E or G nonimmigrant status, or have an occupation which would allow you to have this status, unless you complete Form I-508 (I-508F for French nationals) to waive diplomatic rights, privileges and immunities, and if you are an A or G nonimmigrant, unless you submit a completed Form I-566;
- you were admitted to Guam as a visitor under the Guam visa waiver program;
- you were admitted to the U.S. as a visitor under the Visa Waiver Pilot Program, unless you are applying because you are an immediate relative of a U.S. citizen (parent, spouse, widow, widower, or unmarried child under 21 years old);
- you are already a conditional permanent resident;
- you were admitted as a K-1 fiance(e) but did not marry the U.S. citizen who filed the petition for you, or were admitted as the K-2 child of a fiance(e) and your parent did not marry the U.S. citizen who filed the petition.

General Filing Instructions.
Please answer all questions by typing or clearly printing in black ink. Indicate that an item is not applicable with **"N/A".** If the answer is **"none",** write **"none"**. If you need extra space to answer any item, attach a sheet of paper with your name and your alien registration number (A#), if any, and indicate the number of the item to which the answer refers. You must file your application with the required **Initial Evidence**. Your application must be properly signed and filed with the correct fee. If you are under 14 years of age, your parent or guardian may sign your application.

Translations. Any foreign language document must be accompanied by a full English translation which the translator has certified as complete and correct, and by the translator's certification that he or she is competent to translate from the foreign language into English.

Copies. If these instructions state that a copy of a document may be filed with this application, and you choose to send us the original, we may keep the original for our records.

Initial Evidence.
You must file your application with following evidence:

- **Birth certificate**. Submit a copy of your birth certificate or other record of your birth.
- **Photos.** Submit two (2) identical natural color photographs of yourself, taken within 30 days of this application [Photos must have a white background, be unmounted, printed on thin paper, and be glossy and unretouched. They must show a three-quarter frontal profile showing the right side of your face, with your right ear visible and with your head bare. You may wear a headdress if required by a religious order of which you are a member. The photos must be no larger than 2 X 2 inches, with the distance from the top of the head to just below the chin about 1 and 1/4 inches. Lightly print your A# (or your name if you have no A#) on the back of each photo, using a pencil.].
- **Fingerprints.** Submit a complete set of fingerprints on Form FD-258 if you are between the ages of 14 and 75 [Do not bend, fold, or crease the fingerprint chart. You should complete the information on the top of the chart and write your A# (if any) in the space marked "Your no. OCA" or "Miscellaneous no. MNU". You should not sign the chart until you have been fingerprinted, or are told to sign by the person who takes your fingerprints. The person who takes your fingerprints must also sign the chart and write his/her title and the date you are fingerprinted in the space provided on the chart. You may be fingerprinted by police, sheriff, or INS officials or other reputable person or organization. You should call the police, sheriff, organization or INS office before you go there, since some offices do not take fingerprints or may take fingerprints only at certain times.].

- **Medical Examination.** Submit a medical examination report on the form you have obtained from INS [Not required if you are applying for creation of record based on continuous residence since before 1/1/72, or if you are a K-1 fiance(e) or K-2 dependent of a fiance(e) who had a medical examination within the past year as required for the nonimmigrant fiance(e) visa.].
- **Form G-325A**, Biographic Information Sheet. You must submit a completed G-325A if you are between 14 and 79 years of age.
- **Evidence of status**. Submit a copy of your Form I-94, Nonimmigrant Arrival/Departure Record, showing your admission to the U.S. and current status, or other evidence of your status.
- **Employment letter/Affidavit of Support**. Submit a letter showing you are employed in a job that is not temporary, an affidavit of support from a responsible person in the U.S., or other evidence that shows that you are not likely to become a public charge [Not required if you are applying for creation of record based on continuous residence since before 1/1/72, asylum adjustment, or a Cuban or a spouse or unmarried child of a Cuban who was admitted after 1/1/59].
- **Evidence of eligibility.**
  - **Based on an immigrant petition.** Attach a copy of the approval notice for an immigrant petition which makes a visa number immediately available to you, or submit a complete relative, special immigrant juvenile, or special immigrant military petition which, if approved, will make a visa number immediately available to you.
  - **Based on admission as the K-1 fiance(e) of a U.S. citizen and subsequent marriage to that citizen.** Attach a copy of the fiance(e) petition approval notice and a copy of your marriage certificate.
  - **Based on asylum status**. Attach a copy of the letter or Form I-94 which shows the date you were granted asylum.
  - **Based on continuous residence in the U.S. since before 1/1/72**. Attach copies of evidence that shows continuous residence since before 1/1/72.
  - **Based on Cuban citizenship or nationality**. Attach evidence of your citizenship or nationality, such as a copy of your passport, birth certificate or travel document.
  - **Based on you being the spouse or child of another adjustment applicant or person granted permanent residence based on issuance of an immigrant visa.** File your application with the application of that other applicant, or with evidence it is pending with the Service or has been approved, or evidence your spouse or parent has been granted permanent residence based on an immigrant visa and:
    - If you are applying as the spouse of that person, also attach a copy of your marriage certificate and copies of documents showing the legal termination of all other marriages by you and your spouse; or
    - If you are applying as the child of that person, also attach a copy of your birth certificate, and, if the other person is not your natural mother, copies of evidence, (such as a marriage certificate and documents showing the legal termination of all other marriages, and an adoption decree), to demonstrate that you qualify as his or her child.
  - **Other basis for eligibility**. Attach copies of documents proving that you are eligible for the classification.

Where To File.
File this application at the local INS office having jurisdiction over your place of residence.

Fee. The fee for this application is **$130**, except that it is **$100** if you are less than 14 years old. The fee must be submitted in the exact amount. It cannot be refunded. **DO NOT MAIL CASH**. All checks and money orders must be drawn on a bank or other institution located in the United States and must be payable in United States currency. The check or money order should be made payable to the Immigration and Naturalization Service, except that:

- If you live in Guam, and are filing this application in Guam, make your check or money order payable to the "Treasurer, Guam."
- If you live in the Virgin Islands, and are filing this application in the Virgin Islands, make your check or money order payable to the "Commissioner of Finance of the Virgin Islands."

Checks are accepted subject to collection. An uncollected check will render the application and any document issued invalid. A charge of $5.00 will be imposed if a check in payment of a fee is not honored by the bank on which it is drawn.

Processing Information.
Acceptance. Any application that is not signed, or is not accompanied by the correct fee, will be rejected with a notice that the application is deficient. You may correct the deficiency and resubmit the application. An application is not considered properly filed until accepted by the Service.

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

Requests for more information. We may request more information or evidence. We may also request that you submit the originals of any copy. We will return these originals when they are no longer required.

Interview. After you file your application you will be notified to appear at an INS office to answer questions about the application. You will be required to answer these questions under oath or affirmation. You must bring your Arrival-Departure Record (Form I-94) and any passport to the interview.

Decision. You will be notified in writing of the decision on your application.

Travel Outside the U.S. If you plan to leave the U.S. to go to any other country, including Canada or Mexico, before a decision is made on your application, contact the INS office processing your application before you leave. In many cases, leaving the U.S. without advance written permission will result in automatic termination of your application. Also, you may experience difficulty upon returning to the U.S. if you do not have written permission to reenter.

Penalties.
If you knowingly and willfully falsify or conceal a material fact or submit a false document with this request, we will deny the benefit you are filing for, and may deny any other immigration benefit. In addition, you will face severe penalties provided by law, and may be subject to criminal prosecution.

Privacy Act Notice.
We ask for the information on this form, and associated evidence, to determine if you have established eligibility for the immigration benefit you are filing for. Our legal right to ask for this information is in 8 USC 1255 and 1259. We may provide this information to other government agencies. Failure to provide this information, and any requested evidence, may delay a final decision or result in denial of your request.

Paperwork Reduction Act Notice.
We try to create forms and instructions that are accurate, can be easily understood, and which impose the least possible burden on you to provide us with information. Often this is difficult because some immigration laws are very complex. The estimated average time to complete and file this application is computed as follows: (1) **20** minutes to learn about the law and form; (2) **25** minutes to complete the form; and (3) **270** minutes to assemble and file the application, including the required interview and travel time; for a total estimated average of **5** hours and **15** minutes per application. If you have comments regarding the accuracy of this estimate, or suggestions for making this form simpler, you can write to both the Immigration and Naturalization Service, 425 I Street, N.W., Room 5304, Washington, D.C. 20536; and the Office of Management and Budget, Paperwork Reduction Project, OMB No. 1115-0053, Washington, D.C. 20503.

U.S. Department of Justice
Immigration and Naturalization Service

OMB No. 1115-0053

Application to Register Permanent Residence or Adjust Status

START HERE - Please Type or Print

FOR INS USE ONLY

Returned	Receipt
Resubmitted	
Reloc Sent	
Reloc Rec'd	
☐ Applicant Interviewed	

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

Part 1. Information about you.

Family Name	Given Name	Middle Initial

Address - C/O

Street Number and Name	Apt. #

City

State	Zip Code

Date of Birth (month/day/year)	Country of Birth
Social Security #	A # (if any)
Date of Last Arrival (month/day/year)	I-94 #
Current INS Status	Expires on (month/day/year)

Part 2. Application Type. *(check one)*

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

a. ☐ an immigrant petition giving me an immediately available immigrant visa number has been approved (attach a copy of the approval notice), or a relative, special immigrant juvenile, or special immigrant military visa petition filed with this application will give me an immediately available visa number if approved.

b. ☐ My spouse or parent applied for adjustment of status or was granted lawful permanent residence in an immigrant visa category which allows derivative status for spouses and children.

c. ☐ I entered as a K-1 fiance(e) of a U.S. citizen whom I married within 90 days of entry, or I am the K-2 child of such a fiance(e) (attach a copy of the fiance(e) petition approval notice and the marriage certificate).

d. ☐ I was granted asylum or derivative asylum status as the spouse or child of a person granted asylum and am eligible for adjustment.

e. ☐ I am a native or citizen of Cuba admitted or paroled into the U.S. after January 1, 1959, and thereafter have been physically present in the U.S. for at least 1 year.

f. ☐ I am the husband, wife, or minor unmarried child of a Cuban described in (e) and am residing with that person, and was admitted or paroled into the U.S. after January 1, 1959, and thereafter have been physically present in the U.S. for at least 1 year.

g. ☐ I have continuously resided in the U.S. since before January 1, 1972.

h. ☐ Other-explain_____

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 U.S. as a nonimmigrant or parolee, or as of May 2, 1964, whichever is later, and**: *(Check one)*

i. ☐ I am a native or citizen of Cuba and meet the description in (e), above.

j. ☐ I am the husband, wife or minor unmarried child of a Cuban, and meet the description in (f), above.

To Be Completed by
***Attorney* or *Representative*, if any**
Fill in box if G-28 is attached to represent the applicant

VOLAG#

ATTY State License #

Continued on back.

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 how it appears on your Arrival /Departure Record (Form I-94)

Place of last entry into the U.S. (City/State)		In what status did you last enter? *(Visitor, Student, exchange alien, 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 was Issued (month/day/year)	Sex: ☐ Male ☐ Female	Marital Status: ☐ Married ☐ Single ☐ Divorced ☐ Widowed

Have you ever before applied for permanent resident status in the U.S? ☐ No ☐ Yes (give date and place of filing and final disposition):

B. List your present husband/wife, all of your sons and daughters (if you have none, write "none". If additional space is needed, use separate paper).

Family Name	Given Name	Middle Initial	Date of Birth (month/day/year)
Country of birth	Relationship	A #	Applying with you? ☐ Yes ☐ No
Family Name	Given Name	Middle Initial	Date of Birth (month/day/year)
Country of birth	Relationship	A #	Applying with you? ☐ Yes ☐ No
Family Name	Given Name	Middle Initial	Date of Birth (month/day/year)
Country of birth	Relationship	A #	Applying with you? ☐ Yes ☐ No
Family Name	Given Name	Middle Initial	Date of Birth (month/day/year)
Country of birth	Relationship	A #	Applying with you? ☐ Yes ☐ No
Family Name	Given Name	Middle Initial	Date of Birth (month/day/year)
Country of birth	Relationship	A #	Applying with you? ☐ Yes ☐ No

C. List your present and past membership in or affiliation with every political organization, association, fund, foundation, party, club, society, or similar group in the United States or in any other place since your 16th birthday. Include any foreign military service in this part. If none, write "none". Include the name of organization, location, dates of membership from and to, and the nature of the organization. If additional space is needed, use separate paper.

Continued On Next Page

Part 3. Processing Information. *(Continued)*

Please answer the following questions. (If your answer is **"Yes"** on any one of these questions, explain on a separate piece of paper. Answering **"Yes"** does not necessarily mean that you are not entitled to register for permanent residence or adjust status).

1. Have you ever, in or outside the U. S.:
   a. knowingly committed any crime of moral turpitude or a drug-related offense for which you have not been arrested?
   b. been arrested, cited, charged, indicted, fined, or imprisoned for breaking or violating any law or ordinance, excluding traffic violations?
   c. been the beneficiary of a pardon, amnesty, rehabilitation decree, other act of clemency or similar action?
   d. exercised diplomatic immunity to avoid prosecution for a criminal offense in the U. S.? — Yes No

2. Have you received public assistance in the U.S. 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?
   b. engaged in any unlawful commercialized vice, including, but not limited to, illegal gambling?
   c. knowingly encouraged, induced, assisted, abetted or aided any alien to try to enter the U.S. illegally?
   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

5. Do you intend to engage in the U.S. in:
   a. espionage?
   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?
   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 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 engaged in genocide, or otherwise ordered, incited, assisted or otherwise participated in the killing of any person because of race, religion, nationality, ethnic origin, or political opinion? — Yes No

9. Have you ever been deported from the U.S., or removed from the U.S. at government expense, excluded within the past year, or are you now in exclusion or deportation proceedings? — Yes No

10. Are you under a final order of civil penalty for violating section 274C of the Immigration 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 U.S., or any other immigration benefit? — Yes No

11. Have you ever left the U.S. to avoid being drafted into the U.S. Armed Forces? — Yes No

12. Have you ever been a J nonimmigrant exchange visitor who was subject to the 2 year foreign residence requirement and not yet complied with that requirement or obtained a waiver? — Yes No

13. Are you now withholding custody of a U.S. Citizen child outside the U.S. from a person granted custody of the child? — Yes No

14. Do you plan to practice polygamy in the U.S.? — Yes No

Continued on back

Part 4. Signature. *(Read the information on penalties in the instructions before completing this section. You must file this application while in the United States.)*

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

Signature **Print Your Name** ***Date*** ***Daytime Phone Number***

Please 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 5. Signature of person preparing form if other than above. *(Sign Below)*

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

Signature **Print Your Name** ***Date*** ***Day time Phone Number***

Firm Name
and Address