Asylees Adjusting Status in the US by Paul Anderson

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One year after granted asylum status, you will be allowed to adjust your status to legal permanent residence (green card). You are also allowed to submit petitions to petition for your family members â€“ spouse, minor children, and unmarried adult sons and daughters for permanent residence in the US.

As an asylee, to apply for adjustment of status, you have to prove that

- you have been physically present in the US for one year after getting asylum status

- you still are a refugee (with a â€œwell-founded fear of persecution,â€• etc.)

- you have not resettled in another country

- you do not fall under the â€œinadmissibleâ€• category or warrant a waiver of applicable grounds of â€œinadmissibility.â€•

It is mandatory you submit the following documents:

- Form I-485 along with the submission fee

- Form G-325

- 2 passport styled photographs

- Fee for fingerprinting

- Adequate proof of asylee status (copy of I-94 and letter granting asylum or decision by Immigration Judge)

- Birth certificate

- Evidence that you have been living in the US for the last year (copy of lease, bills, pay stubs, or receipt of government benefits)

- Proof of change of name legally (if you have legally changed your name since getting asylee status.

Asylees need not prove that they are not likely to become a public charge in the US. Persons receiving means-tested benefits (public assistance or SSI), will also qualify for legal permanent residence. If you cannot afford to pay the fee, you can request a waiver of the filing fee for the adjustment of status application. Here you should prove that paying the fee would result in financial hardship.

After you file the application, you can expect to receive an interview notice along with a medical examination form that you will need to complete. In situations where you happened to enter the US with fraudulent documents (passport purchased on black market), it is mandatory you file an application for a waiver of inadmissibility (Form I-602). Though it is mandatory you submit the application with the necessary supporting documents with the USCIS, the interview will entirely

focus on your eligibility for adjustment to green card status and not on the underlying asylum claim. Remember that not all asylee applicants filing for adjustment of status will have interviews. In some occasions, decisions on some applications are adjudicated simply on paper by mail.

Naturalization

After being a legal permanent resident for five years, you can file the application for naturalization (Form N-400) to become a US citizen. Note that after you, as an asylee are granted permanent residence, the date of admission is one year before the date of approval of the adjustment of status petition. It simply means that the five-year period required for Naturalization is reduced to four years. Remember that US Citizenship is the highest US immigration status and it has many advantages when compared to being in another legal status. The main advantage is the right to vote in federal elections.

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