

SAMPLE COVER LETTER

ADJUSTMENT OF STATUS, MARRIAGE TO U.S. CITIZEN

[date]

USCIS

PO Box 805887

Chicago, IL 60680-4120

Re: Application for Adjustment of Status

Dear sir/madam:

Enclosed please find an application for adjustment of status under INA § 245(a). The applicant is married to a U.S. citizen, entered with inspection, and has an approved I-130 petition [or is also including an I-130 petition]. The following forms and accompanying documents are included:

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

Exhibit B, Form I-765, Application for Employment Authorization

Exhibit C, Form I-131, Application for Travel Document

Exhibit D, Form I-864, Affidavit of Support Under Section 213A of the INA, from petitioner/sponsor

Exhibit E, birth certificate of applicant with English translation

Exhibit F, certificate of citizenship of I-130 petitioner

Exhibit G, marriage certificate of applicant and petitioner

Exhibit H, I-94 for applicant indicating inspected and admitted

Exhibit I, notice of approval of I-130 petition [or Form I-130 Petition for Alien Relative]

Exhibit K, four photos

Exhibit L, check for \$1,225 to cover filing fee for I-485 and biometrics

Exhibit M, Form I-944, Declaration of Self-Sufficiency

The positive factors outweigh the negative factors in the totality of the circumstances analysis of the public charge ground of inadmissibility. The following are the *heavily weighted positive factors*, together with supporting documentation:

Total household income above 250% of FPG:

Exhibit __, IRS tax transcripts from 201__

Exhibit __, wage receipts/pay stubs/W-2s/**employer's letter**

Exhibit __, proof of additional, non-taxable income of continuing basis

Exhibit __, foreign tax return from 201__

□ Total household income and assets above 250% of FPG:

Exhibit __, IRS tax transcripts from 201__

Exhibit __, wage receipts/pay stubs/W-2s/**employer's letter**

Exhibit __, proof of additional, non-taxable income on continuing basis

Exhibit __, foreign tax return from 201__

Exhibit __, real estate appraisal and mortgage statement showing equity of \$____

Exhibit __, stocks and bond portfolio/CDs/IRA/pension indicating full access to proceeds

Exhibit __, 12 months of bank statements indicating a balance between \$____ and \$____.

□ Applicant's income above 250% of FPG at job with employment authorization:

Exhibit __, IRS tax transcripts from 201__

Exhibit __, wage receipts/pay stubs/W-2s/**employer's letter**

Exhibit __, proof of additional, non-taxable income on continuing basis

Exhibit __, foreign tax return from 201__

Exhibit __, current USCIS employment authorization document

□ Enrollment in private (non-ACA subsidized) health insurance:

Exhibit __, Summary of Benefits and Coverage

Exhibit __, document showing dates of insurance termination and renewal

Exhibit __, Form 1095-B Health Coverage

Exhibit __, Form 1095-C, Employer-Provided Health Insurance Offer and Coverage

Exhibit __, IRS Form 8963 Report of Health Insurance Provider Information

Exhibit __, documentation on amount of annual deductible and premium

Exhibit __, health insurance card with effective and expiration dates

The following are the *positive* factors, together with supporting documentation:

- Age between 18-61: Exhibit E, birth certificate of applicant
- Total household income above 125% of FPG:
 - Exhibit __, IRS tax transcripts from 201__
 - Exhibit __, wage receipts/pay stubs/W-2s/**employer's letter**
 - Exhibit __, proof of additional, non-taxable income on continuing basis
 - Exhibit __, foreign tax return from 201__
- Total household income and assets above 125% of FPG:
 - Exhibit __, IRS tax transcripts from 201__
 - Exhibit __, wage receipts/pay stubs/W-2s/**employer's letter**
 - Exhibit __, proof of additional, non-taxable income on continuing basis
 - Exhibit __, foreign tax return from 201__
 - Exhibit __, real estate appraisal and mortgage statement showing equity of \$____
 - Exhibit __, stocks and bond portfolio/CDs/IRA/pension indicating full access to proceeds
 - Exhibit __, 12 months of bank statements indicating a balance of between \$____ and \$____.
- Currently employed:
 - Exhibit __, wage receipts, pay stubs, W-2, **employer's letter**
- Job history:
 - Exhibit __, IRS tax transcripts from 201__
 - Exhibit __, foreign tax return from 201__
 - Exhibit __, wage receipts, pay stubs, W-2, **employer's letter**
- Occupational skills:
 - Exhibit __, licenses/certifications/employer's letters/training/certificates**
- Retired with a pension/retirement account
 - Exhibit __, bank statement showing regular additions/portfolio/other evidence of income

- Primary caretaker for child/parent/family member
 - Exhibit __, birth certificate of child
 - Exhibit __, birth certificate of mother/father and evidence of medical condition
- Absence of any medical condition:
 - See results of civil surgeon report, Form I-693, to be submitted at interview
- Medical condition, but resources to cover reasonably foreseeable medical costs:
 - Exhibit __, 12 months of bank statements/assets and resources to pay for reasonably anticipated medical treatment
 - Exhibit __, report from physician indicating prognosis and that condition does not impact ability to work or attend school
 - Exhibit __, attestation from employer indicating medical condition/disability does not interfere with job duties
- Application for [or enrollment in] ACA subsidized health insurance/state subsidized health insurance/Child Health Insurance Program/Medicaid for pregnancy-related services/Medicaid for under 21/Medicaid for disabled:
 - Exhibit __, Summary of Benefits and Coverage
 - Exhibit __, letter from insurance company on letterhead indicating current enrollment and providing terms and type of coverage
 - Exhibit __, document showing dates of insurance termination and renewal
 - Exhibit __, Form 1095-B Health Coverage
 - Exhibit __, Form 1095-C, Employer-Provided Health Insurance Offer and Coverage
 - Exhibit __, IRS Form 8963 Report of Health Insurance Provider Information
 - Exhibit __, IRS Form 8962 Premium Tax Credit
 - Exhibit __, Form 1095A, Health Insurance Marketplace Statement
 - Exhibit __, documentation on amount of annual deductible and annual premium
 - Exhibit __, health insurance card with effective and expiration dates

- Positive credit report or score:
 - Exhibit __, report from Equifax [Experian, TransUnion] indicating positive credit report and score above 670
- No bad credit report or score:
 - Exhibit __, report from Equifax [Experian, TransUnion] indicating no report
 - Exhibit __, evidence of continued payment of bills
- Education:
 - Exhibit __, high school diploma/GED
 - Exhibit __, college attendance/degrees
 - Exhibit __, vocational, liberal arts or other school attendance/degrees
 - Exhibit __, evaluation of equivalency of foreign education/degrees
- English proficiency:
 - Exhibit __, certification of completion/attendance of English language courses
 - Exhibit __, certification of completion/attendance of courses requiring English
 - Ability to speak English to be measured at interview
- Never applied for, been certified for, or received and not eligible for public benefits
 - Exhibit __, print out from agency web pages indicating that applicant is financially/immigration status ineligible for [SSI/TANF/Medicaid/state GA/federal housing/SNAP]
 - Exhibit __, print out from agency web pages indicating that applicant is financially/immigration status ineligible for [SSI/TANF/Medicaid/state GA/federal housing/SNAP]
 - Exhibit __, print out from agency web pages indicating that applicant is financially/immigration status ineligible for [SSI/TANF/Medicaid/state GA/federal housing/SNAP]
- Never filed for bankruptcy
- Never filed for fee waiver with USCIS for any immigration benefit
- Submitted an I-864 from a sponsor who evidences household income above 125% of FPG
 - Exhibit D, Form I-864, from petitioner/sponsor or joint sponsor who is residing with applicant/family member of applicant/close friend of applicant and has not filed I-864 for other persons nor filed for bankruptcy

The applicant has only the following *negative* factors:

□ Applicant for adjustment of status

□ Liabilities:

Exhibit __, mortgage statement, which is for a long-term investment

Exhibit __, car loan, which is for a long-term investment

Exhibit __, student loans

Exhibit __, credit card debt

□ Lack of English language proficiency

Exhibit __, employer's letter stating that English is not required for his job position

For these reasons, the positive factors outweigh the negative and the applicant is not likely to become a public charge.

Sincerely,