



# Instructions for Application for Relief Under Former Section 212(c) of the Immigration and Nationality Act (INA)

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

USCIS  
Form I-191  
OMB No. 1615-0016  
Expires 11/30/2023

## What is the Purpose of Form I-191?

You may be eligible to file Form I-191, Application for Relief Under Former Section 212(c) of the Immigration and Nationality Act (INA), if you:

1. Were lawfully admitted for permanent residence; and
2. Are subject to removal from the United States because you were convicted before April 1, 1997, of a crime that makes you inadmissible or deportable.

**NOTE:** This version of Form I-191 meets the requirement of 8 CFR 1212.3 to file the Form I-191 previously titled, "Application for Advance Permission to Return to Unrelinquished Domicile".

If you are in deportation, exclusion, or removal proceedings, you CANNOT file Form I-191 with U.S. Citizenship and Immigration Services (USCIS). You must seek relief under former INA section 212(c) before an immigration judge.

Congress repealed former INA section 212(c) effective April 1, 1997. However, the U.S. Supreme Court decided in 2001 that the repeal does not apply to lawful permanent residents (LPRs) who pleaded guilty to a crime before April 1, 1997 (INS v. St. Cyr, 533 U.S. 289 (2001)). In Matter of Abdelghany, 26 I&N Dec. 254 (BIA 2014), the Board of Immigration Appeals stated that relief under former INA section 212(c) is also available to otherwise eligible LPRs, even if they were convicted following a trial before April 1, 1997.

Therefore, you are eligible for relief under former INA section 212(c) if you pleaded guilty or were convicted in a trial before April 1, 1997, provided you meet all other requirements.

## Who May File Form I-191?

You may apply for relief under former INA section 212(c) if you meet all of the requirements below:

### 1. Lawful Permanent Resident Status

You must have been lawfully admitted to the United States for permanent residence and continue to have LPR status.

Under 8 CFR 1.2, your status as an LPR ends once the court issues an administratively final order of exclusion, deportation, or removal. An administratively final removal order includes an order granting voluntary departure. If you did not leave the United States before the end of the voluntary departure period, the voluntary order became an administratively final order of removal.

You can also lose your LPR status if you abandoned that status or if your LPR status was rescinded by USCIS or an immigration judge.

If you lost your LPR status before you lived in the United States for seven consecutive years of unrelinquished domicile, you are no longer eligible for relief under former INA section 212(c).

Also, you must have lawfully obtained your LPR status. If you obtained LPR status by fraud or willful misrepresentation of a material fact, or if you were ineligible for LPR status for any other reason, you cannot obtain relief under former INA section 212(c).

## 2. Lawful Unrelinquished Domicile for Seven Years

You must have had your domicile in the United States for at least seven consecutive years immediately before you file Form I-191 in the United States. ("Domicile" for purposes of former INA section 212(c) means country or place of permanent residence that one intends to maintain as their permanent residence. This requirement means that, for seven consecutive years, you must have both had your permanent home in the United States and intended to keep your permanent home in the United States.)

The seven year period making up your unrelinquished domicile started when you became an LPR or a lawful temporary resident under INA section 210 or 245A. Time you spent in any other immigration status while in the United States does not count.

## 3. Criminal Convictions

The conviction after trial or guilty plea that made you deportable or removable must have occurred before April 1, 1997.

## 4. Eligibility

You must have been eligible for relief under the version of former INA section 212(c) that was in effect on the day you pleaded guilty or were convicted. See the **Who May Not File Form I-191** section of these Instructions.

### *What Version of Former INA Section 212(c) Will Apply to My Case and What Makes Me Ineligible for Relief Under Former INA Section 212(c)?*

USCIS, or an immigration judge if you are in deportation, exclusion, or removal proceedings, will decide your application under the version of former INA section 212(c) that was in effect on the date you pleaded guilty to, or were convicted of, the criminal offense.

Congress amended former INA section 212(c) several times before repealing the provision. First, the Immigration Act of 1990 (IMMACT90) section 511, Public Law 101-649, made relief under former INA section 212(c) unavailable to certain aggravated felons. Then, the Antiterrorism and Effective Death Penalty Act of 1996 (AEDPA) section 440(d), Public Law 104-132, expanded the offenses for which relief under former INA section 212(c) is unavailable.

### *If You Pleaded Guilty or Were Convicted Before November 29, 1990*

Amendments to former INA section 212(c) by IMMACT90 section 511(a) and AEDPA section 440(d) **DO NOT** apply to you if you were convicted:

1. Before November 29, 1990, after a trial; or
2. At any time, if you prove you were convicted based on a plea agreement made **before** November 29, 1990.

You may be eligible to apply for relief under former INA section 212(c) unless you:

1. Are inadmissible to the United States under INA section 212(a)(3)(A), (B), (C), and (E) (security related grounds) or INA section 212(a)(10)(C) (international child abduction); or
2. Failed, after proper notice, to appear for your deportation, exclusion, or removal proceedings; failed to comply with a voluntary departure order; or otherwise violated immigration laws relating to deportation proceedings.

***If You Pleaded Guilty or Were Convicted On or After November 29, 1990, But Before April 24, 1996***

The amendment to former INA section 212(c) made by IMMACT90 section 511(a) applies to you if you were convicted:

1. In a trial on or after November 29, 1990, but before April 24, 1996; or
2. Before, on, or after November 29, 1990 *and* before, on, or after April 24, 1996 *if* you prove you were convicted based on a plea agreement made before April 24, 1996.

You may be eligible for relief under former INA section 212(c) unless you:

1. Were convicted of one or more aggravated felonies, as defined in INA section 101(a)(43) **and** you served an aggregate five-year term of imprisonment for this/these aggravated felony or felonies;
2. Are inadmissible to the United States under INA section 212(a)(3)(A), (B), (C), and (E) (security related grounds) or INA section 212(a)(10)(C) (international child abduction); or
3. Failed, after proper notice, to appear for your deportation, exclusion, or removal proceedings; failed to comply with a voluntary departure order; or otherwise violated immigration laws relating to deportation proceedings.

***If You Pleaded Guilty or Were Convicted On or After April 24, 1996, But Before April 1, 1997***

Amendments to the former INA section 212(c) made by AEDPA section 440(d) applies to you if you were convicted:

1. On or after November 29, 1990, but before April 24, 1996, after a trial; or
2. Before, on, or after November 29, 1990, and before, on or after April 24, 1996, if you prove you were convicted based on a plea agreement made before April 24, 1996.

You may be eligible for relief under the former INA section 212(c) unless you:

1. Were convicted of one or more aggravated felonies;
2. Were convicted of an offense involving a controlled substance under 21 U.S.C. 802;
3. Were convicted of certain offenses involving firearms or destructive devices;
4. Were convicted of two or more crimes involving moral turpitude if each crime is an offense for which a sentence of one year or longer may be imposed;
5. Were convicted of any of the following offenses, including conspiracy or attempt to commit any of them:
  - A. Sabotage, espionage, treason or sedition, if a sentence of imprisonment for at least five years may be imposed;
  - B. Any violation of 18 U.S.C. 871 or 18 U.S.C. 960;
  - C. Any violation of the Military Selective Service Act;
  - D. Any violation of the Trading with the Enemy Act; or
  - E. Any violation of INA section 215 or 278.
6. Are inadmissible to the United States under INA section 212(a)(3)(A), (B), (C), and (E) (security related grounds) or INA section 212(a)(10)(C) (international child abduction); or
7. Failed, after proper notice, to appear for your deportation, exclusion, or removal proceedings; failed to comply with a voluntary departure order; or otherwise violated immigration laws relating to deportation proceedings.

**IMPORTANT:** Even if you meet the eligibility requirements to apply for relief under former INA section 212(c), USCIS or an immigration judge (if you are in deportation, exclusion, or removal proceedings) has discretion whether to grant your application for relief under former INA section 212(c). You must establish that your application warrants a favorable exercise of discretion. For more information on discretion, see **Part 8. Discretion** in the **Specific Instructions** section of these Instructions.

## General Instructions

USCIS provides forms free of charge through the USCIS website. To view, print, or fill out our forms, you should use the latest version of Adobe Reader, which you can download for free at <http://get.adobe.com/reader/>. If you do not have internet access, you may call the USCIS Contact Center at **1-800-375-5283** and ask that we mail a form to you. The USCIS Contact Center provides information in English and Spanish. For TTY (deaf or hard of hearing) call: **1-800-767-1833**.

**Signature.** Each application must be properly signed and filed. For all signatures on this application, USCIS will not accept a stamped or typewritten name in place of a signature. A legal guardian may also sign for a mentally incompetent person. If the request is not signed or if the requisite signature on the request is not valid, USCIS will reject the request. See 8CFR 103.2(a)(7)(ii)(A). If USCIS accepts a request for adjudication and determines that it has a deficient signature, USCIS will deny the request.

**Validity of Signatures.** USCIS will consider a photocopied, faxed, or scanned copy of the original, handwritten signature valid for filing purposes. The photocopy, fax, or scan must be of the original document containing the handwritten, ink signature.

**Filing Fee.** Each application must be accompanied by the appropriate filing fee. (See the **What Is the Filing Fee** section of these Instructions.)

**Biometric Services Fee.** If you file this application with USCIS, you do not need to include a biometric services fee at the time you submit your application. If you are later notified that you must submit biometrics, you will receive a biometric services appointment notice with instructions on how to submit the additional biometric services fee. If you file this application with an agency other than USCIS, please check with that agency to determine if and when you must submit a biometric services fee.

**Evidence.** At the time of filing, you must submit all evidence and supporting documentation listed in the **Specific Instructions** section of these Instructions.

**Biometric Services Appointment.** USCIS may require that you appear for an interview or provide biometrics (fingerprints, photograph, and/or signature) at any time to verify your identity, obtain additional information, and conduct background and security checks, including a check of criminal history records maintained by the Federal Bureau of Investigation (FBI), before making a decision on your application or petition. After USCIS receives your application and ensures it is complete, we will inform you if you need to attend a biometric services appointment. If an appointment is necessary, the notice will provide you the location of your local or designated USCIS Application Support Center (ASC) and the date and time of your appointment or, if you are currently overseas, instruct you to contact a U.S. Embassy, U.S. Consulate, or USCIS office outside the United States to set up an appointment.

If you are required to provide biometrics, at your appointment you must sign an oath reaffirming that:

1. You provided or authorized all information in the application;
2. You reviewed and understood all of the information contained in, and submitted with, your application; and
3. All of this information was complete, true, and correct at the time of filing.

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If you fail to attend your biometric services appointment, USCIS may deny your application. For applicants and dependents who appear before an immigration judge, failure to attend a biometric services appointment, without good cause, may result in the immigration judge finding that your application was abandoned, and USCIS may also deny any other application you filed with USCIS.

**Copies.** You should submit legible photocopies of documents requested, unless the Instructions specifically state that you must submit an original document. USCIS may request an original document at the time of filing or at any time during processing of an application or petition. If USCIS requests an original document from you, it will be returned to you after USCIS determines it no longer needs your original.

**NOTE:** If you submit original documents when not required or requested by USCIS or the immigration judge, **your original documents may be immediately destroyed after we receive them.**

**Translations.** If you submit a document with information in a foreign language, you must also submit a full English translation. The translator must sign a certification that the English language translation is complete and accurate, and that he or she is competent to translate from the foreign language into English. The certification must also include the translator's signature, printed name, the signature date, and the translator's contact information.

### How To Fill Out the Form I-191

1. Type or print legibly in black ink.
2. If you need extra space to complete any item within this application, use the space provided in **Part 12. Additional Information** or attach a separate sheet of paper, type or print your name and Alien Registration Number (A-Number) (if any) at the top of each sheet; indicate the **Page Number, Part Number, and Item Number** to which your answer refers, and sign and date each sheet.
3. Answer all questions fully and accurately. If a question does not apply to you (for example, if you have never been married and the question asks "Provide the name of your current spouse"), type or print "N/A," unless otherwise directed. If your answer to a question which requires a numeric response is zero or none (for example, "How many children do you have" or "How many times have you departed the United States"), type or print "None."

### Specific Instructions

You must submit all evidence requested in these Instructions with your application. If you fail to submit required evidence, USCIS may reject or deny your application for failure to submit requested evidence or supporting documents in accordance with 8 CFR 103.2(b)(1) and these Instructions.

Form I-191 is divided into **Parts 1. - 13.** The following information will help you fill out the form.

#### Part 1. Information About You

The individual applying for permission to return to the United States under former INA section 212(c) completes this section.

**Item Number 1. Your Full Legal Name.** Provide your full legal name as shown on your birth certificate or legal name change document in the spaces provided.

**Item Number 2. Other Names Used.** Provide any other names you have used since birth, including your maiden name, any nicknames, and any names that appear in your documents. If you need extra space, use **Part 12. Additional Information** to provide other names used.

**Item Number 3. Current Mailing Address.** Provide the address where you would like to receive written correspondence regarding your application.

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**Item Number 5. Current Physical Address.** Provide your physical address if different from your mailing address.

**Item Number 6. Date of Birth.** Enter your date of birth in mm/dd/yyyy format in the space provided as shown on your birth certificate or other government-issued identity document. For example, type or print October 5, 1967 as 10/05/1967.

**Item Number 7. Alien Registration Number (A-Number).** Provide your A-Number. Your A-Number is the number used to identify your immigration records. It begins with an "A" and can be found on correspondence that has been received from the Department of Homeland Security (DHS) or USCIS. If you do not have an A-Number, or if you cannot remember it, leave this space blank.

**Item Number 9. Your Country of Citizenship or Nationality.** Provide the name of the country where you are a citizen and/or national. This is not necessarily the country where you were born. If you do not have citizenship in any country, type or print "stateless" and provide an explanation in **Part 12. Additional Information**.

**Item Number 10. Place of Birth.** Enter the name of the city, town, or village; state or province; and country where you were born. Type or print the name of the country as it was named when you were born, even if the country's name has changed or the country no longer exists.

**Item Number 11. Information About Your Lawful Permanent Resident (LPR) Status.** Provide the date you obtained your LPR status in mm/dd/yyyy format in the space provided as shown on your Permanent Resident Card (also known as a Green Card). Also select **only one** box to indicate how you obtained your LPR status and provide the requested information.

**Item Number 15. Passport and Travel Document Numbers.** If you used a passport or travel document to travel to the United States, enter either the passport or travel document information in the appropriate space on the application, even if the passport or travel document is currently expired.

**Item Number 18. Date of Your Last Arrival Into the United States, On or About.** Provide the date on which you last entered the United States in mm/dd/yyyy format.

**Item Numbers 19. - 21. Information About Your Travels From and To the United States.** Provide the information requested about your travels from and to the United States since you were admitted as, or adjusted your status to, an LPR. You must list each trip separately. For each trip, include the cities and states of your departure and arrival, your departure and arrival dates, the means of transportation used for your departure and arrival, and the purpose of your trip. Indicate if the information you provided is approximate (for example, if you do not remember the exact dates and/or details for a trip). If you need extra space to complete this section, use the space provided in **Part 12. Additional Information**.

## **Part 2. Biographic Information**

Provide the biographic information requested in **Part 2., Item Numbers 1. - 6.** Providing this information as part of your application may reduce the time you spend at your USCIS ASC appointment as described in the **Biometric Services Appointment** section of these Instructions.

**A. Ethnicity and Race.** Select the boxes that best describe your ethnicity and race.

### **B. Categories and Definitions for Ethnicity and Race**

- (1) Hispanic or Latino.** A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race. (**NOTE:** This category is only included under Ethnicity in **Part 2., Item Number 1.**)
- (2) American Indian or Alaska Native.** A person having origins in any of the original peoples of North and South America (including Central America), and who maintains tribal affiliation or community attachment.
- (3) Asian.** A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.

(4) **Black or African American.** A person having origins in any of the black racial groups of Africa.

(5) **Native Hawaiian or Other Pacific Islander.** A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.

(6) **White.** A person having origins in any of the original peoples of Europe, the Middle East, or North Africa.

**C. Height.** Select the values that best match your height in feet and inches. For example, if you are five feet and nine inches, select "5" for feet and "09" for inches. Do not enter your height in meters or centimeters.

**D. Weight.** Enter your weight in pounds. If you do not know your weight or need to enter a weight under 30 pounds or over 699 pounds, enter "000." Do not enter your weight in kilograms.

**E. Eye Color.** Select the box that best describes the color of your eyes.

**F. Hair Color.** Select the box that best describes the color of your hair.

### **Part 3. Information About Your Criminal Convictions**

**Item Numbers 1 - 3.** Provide the requested information for each of your criminal convictions. You can find the requested information on the court documents related to each conviction. You must list **ALL** of your convictions in the United States and abroad. If you need extra space to complete this section, use the space provided in **Part 12. Additional Information** to provide the requested information about each additional conviction.

For each conviction, include the date of the conviction, the name of the court, the city or town and state of the court, and the court case number. You must also indicate whether you were convicted after a trial or based on a guilty or no contest plea and the date the plea agreement was signed or the date you entered your guilty or no contest plea in court. Further, you must describe the specific offense or offenses as stated in the conviction judgment; the citation to Federal, state, or local law, as stated in the conviction judgment; and the sentence, probation, or other punishment imposed.

For each conviction, you must include certified copies of the following documents

1. The indictment, information, complaint, citation or other formal charging document;
2. Any plea agreement, showing the date it was signed; and
3. The court judgment.

### **Part 4. Information About Your Residences**

**Item Numbers 1 - 4.** Provide information about where have you lived during the last seven years, including the dates you resided at each residence. List your most recent residence first and then list every other residence where you have lived during the last seven years. You should not have any gaps in time. If you need extra space to complete this section, use the space provided in **Part 12. Additional Information**.

### **Part 5. Information About Your Employment**

**Item Numbers 1 - 4.** Provide information about where you have worked full time or part time during the last seven years, including the name of your employer, the employer's address, the dates you worked for that employer, and your occupation. List your most recent employer first and then list every other employer where you worked during the last seven years. If you were unemployed, type or print "Unemployed" in the "Name of Employer" field and provide applicable information. If you need extra space to complete this section, use the space provided in **Part 12. Additional Information**.

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## Part 6. Information About Your Family

**Item Numbers 1 - 56.** Provide information about your spouse, **all** children, and your parents, including **their** current legal name, A-number, USCIS online account number, date of birth, country of birth, country of citizenship or nationality, and physical address. If you need extra space to complete this section, use the space provided in **Part 12. Additional Information**.

## Part 7. Other Grounds of Removal

**Item Number 1.** Provide an explanation in the space provided why you may be subject to removal on any grounds besides the criminal convictions listed in **Part 3. Information About Your Criminal Convictions**. The other grounds of removal may include any inadmissibility grounds in INA section 212(a) or any deportability grounds in INA section 237(a).

**Item Number 2.** In addition to the criminal convictions listed in **Part 3.**, also list any criminal offenses you committed or were accused of committing, whether inside or outside of the United States, as well as any other time you were arrested, cited, detained, charged, investigated, received deferred adjudication of guilt, withholding of adjudication of guilt, or pretrial diversion, or plead guilty to or were convicted of, a criminal offense, whether inside or outside of the United States. Provide an explanation for those incidents in the space provided. If you need extra space to complete this section, use the space provided in **Part 12. Additional Information**.

You must also include evidence as follows:

1. If you were ever arrested, detained, or investigated, by any law enforcement officer for any reason, and no charges were filed, include an original official statement by the arresting or detaining agency or applicable court order confirming that no charges were filed.
2. If you were ever arrested or detained by any law enforcement officer for any reason and charges were filed, or if charges were filed against you without an arrest, submit an original or court-certified copy of the complete arrest record and/or disposition for each incident (for example, a dismissal order or an acquittal order).

## Part 8. Discretion

Even if you meet the eligibility requirements for relief under former INA section 212(c), USCIS or an immigration judge can only approve your Form I-191 if it warrants a favorable exercise of discretion. This means that you have to establish that the favorable factors in your case outweigh the unfavorable factors.

Unfavorable factors are any facts that could give a reasonable person a sound basis for deciding that you should not remain in the United States as an LPR. These unfavorable factors include, but are not limited to:

1. Your criminal record, including its nature, and how recent and serious your crimes were;
2. The nature and underlying circumstances of any other ground of removal that may apply to you;
3. Other significant violations of immigrations laws; or
4. Other evidence that supports a finding of bad character or undesirability as an LPR.

**NOTE:** The criminal history that makes you subject to removal is, by itself, an unfavorable factor that weighs against a favorable exercise of discretion.

Favorable factors that USCIS or an immigration judge (if you are in deportation, exclusion, or removal proceedings) considers include, but are not limited to:

1. Family ties in the United States;
2. Length of lawful residence in the United States;
3. Hardship to you or your family members who are living in the United States;
4. Honorable service in the U.S. Armed Forces;



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5. History of lawful employment in the United States;
  6. Property or business ties in the United States;
  7. Value or service to the community in the United States;
  8. Proof of genuine rehabilitation or reform;
  9. Absence of other violations of U.S. laws (Federal or State); and
  10. Good moral character.

You must submit information or documentary evidence showing that you are eligible for this type of relief and why USCIS or an immigration judge should approve your Form I-191 because the favorable factors in your case outweigh the unfavorable factors.

**Item Number 1.** In the space provided, explain why USCIS or the immigration judge should approve your Form I-191 as a matter of discretion, with the favorable factors outweighing the unfavorable factors in your case. If you need extra space to complete your statement, use the space provided in **Part 12. Additional Information**.

**Item Number 2.** You may provide your explanation on a separate sheet of paper. List your name and A-Number at the top of each separate sheet. If you use a separate sheet, select the box and include that sheet with your Form I-191. You must submit your explanation at the same time as your Form I-191.

#### **Part 9. Applicant's Contact Information, Certification, and Signature**

You must sign and date your application and, if applicable, provide your daytime telephone number, mobile telephone number, and email address. The signature of a parent or legal guardian, if applicable, is acceptable. A stamped or typewritten name in place of a signature is not acceptable.

#### **Part 10. Interpreter's Contact Information, Certification, and Signature**

If you used anyone as an interpreter to read the instructions and questions on this application to you in a language in which you are fluent, the interpreter must fill out this section and sign and date the application.

#### **Part 11. Contact Information, Declaration, and Signature of the Person Preparing this Application, if Other Than the Applicant**

The person who completed your application, if other than the applicant, must sign this section. If the same individual acted as your interpreter and your preparer, then that person should complete both **Part 10.** and **Part 11.** A stamped or typewritten name in place of a signature is not acceptable.

#### **Part 12. Additional Information**

Item Numbers **1. - 7.** If you need extra space to provide any additional information within this application, use the space provided in **Part 12. Additional Information**. If you need more space than what is provided in **Part 12.**, you may make copies of **Part 12.** to complete and file with your application, or attach a separate sheet of paper. Type or print your name and A-Number (if any) at the top of each sheet; indicate the **Page Number, Part Number,** and **Item Number** to which your answer refers, and sign and date each sheet.

**We recommend that you print or save a copy of your completed application to review in the future and for your records. We recommend that you review your copy of your completed application before you go to your biometric services appointment at a USCIS ASC.** At your appointment, USCIS will permit you to complete the application process only if you are able to confirm, under penalty of perjury, that all of the information in your application is complete, true, and correct. If you are not able to make that attestation at that time, USCIS will require you to return for another appointment.

**NOTE TO ALL APPLICANTS: Do not complete Part 13. USCIS will complete this section.**

**Part 13. USCIS Decision (For Official Use Only)**

**Item Numbers 1. - 3.** Do NOT fill out this part. It is for official use only.

### What Is the Filing Fee?

The filing fee for Form I-191 is **\$930**. If USCIS notifies you that you must submit biometrics, a biometric services fee of **\$85** may also be required.

#### Payments by Check or Money Order

Use the following guidelines when you prepare your check or money order for the Form I-191 filing fee:

1. The check or money order must be drawn on a bank or other financial institution located in the United States and must be payable in U.S. currency; **and**
2. Make the check or money order payable to **U.S. Department of Homeland Security**.

**NOTE:** Spell out U.S. Department of Homeland Security; do not use the initials "USDHS" or "DHS."

3. If you live outside the United States, contact the nearest U.S. Embassy or U.S. Consulate for instructions on the method of payment.

**Notice to Those Paying by Check.** If you send USCIS a check, we will convert it into an electronic funds transfer (EFT). This means we will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will usually take 24 hours and your bank will show it on your regular account statement.

You will not receive your original check back. We will destroy your original check, but will keep a copy of it. If USCIS cannot process the EFT for technical reasons, you authorize us to process the copy in place of your original check. If your check is returned as unpayable, we will re-submit the payment to the financial institution one time. If the check is returned as unpayable a second time, we will reject your application and charge you a returned check fee.

**NOTE:** By completing this transaction, you agree that you have paid for a government service and that the filing fee, biometric services fee and all related financial transactions are final and not **refundable**.

**NOTE:** The filing **fee and** biometric services **fee are** not refundable, regardless of any action USCIS takes on this application. **DO NOT MAIL CASH.** You must submit all fees in the exact amounts.

**NOTE:** When filing Form I-191 with an immigration judge during deportation, exclusion, or removal proceedings, you must submit the payment as instructed by the immigration judge with jurisdiction over your case. For more information, visit the Executive Office for Immigration Review (EOIR) website at [www.justice.gov/eoir](http://www.justice.gov/eoir).

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## How to Check If the Fees Are Correct

Form I-191 filing fee and biometric services fee are current as of the edition date in the lower left corner of this page. However, because USCIS fees change periodically, you should verify that the fees are correct by following one of the steps below.

1. Visit the USCIS website at [www.uscis.gov](http://www.uscis.gov), select "FORMS," and check the appropriate fee; or
2. Visit the USCIS Contact Center at [www.uscis.gov/contactcenter](http://www.uscis.gov/contactcenter) to get answers to your questions and connect with a live USCIS representative. The USCIS Contact Center provides information in English and Spanish. For TTY (deaf or hard of hearing) call: **1-800-767-1833**.

## Fee Waiver

You may be eligible for a fee waiver under 8 CFR 103.7(c). If you believe you are eligible for a fee waiver, complete Form I-912, Request for Fee Waiver, and submit it and any required evidence of your inability to pay the filing fee with this application. You can review the fee waiver guidance at [www.uscis.gov/feewaiver](http://www.uscis.gov/feewaiver).

If you are in deportation, exclusion, or removal proceedings in Immigration Court, an immigration judge has the discretion to waive a filing fee for an application for relief upon a showing that the filing party is unable to pay the fee. See 8 CFR 1003.24. If you believe you are eligible for a fee waiver, file a written request with the immigration judge, along with any required evidence of your inability to pay the filing fee with this application. For additional information on filing a request for a fee waiver, see the Immigration Court Practice Manual at [www.justice.gov/eoir/office-chief-immigration-judge-0](http://www.justice.gov/eoir/office-chief-immigration-judge-0).

## Where To File?

Please see our website at [www.uscis.gov/I-191](http://www.uscis.gov/I-191) or visit the USCIS Contact Center at [www.uscis.gov/contactcenter](http://www.uscis.gov/contactcenter) to connect with a USCIS representative for the most current information about where to file this application. For TTY (deaf or hard of hearing) call: **1-800-767-1833**.

If you are in deportation, exclusion, or removal proceedings (that is, if you have been served with Form I-221, Order to Show Cause and Notice of Hearing; Form I-122, Notice to Applicant for Admission Detained for Hearing Before an Immigration Judge; Form I-862, Notice to Appear; or Form I-863, Notice of Referral to Immigration Judge, that DHS filed with the immigration judge), you should file this application with the immigration judge. The DHS attorney will provide you with pre-order filing instructions regarding background and security investigations.

## Address Change

An applicant who is not a U.S. citizen must notify USCIS of his or her new address within 10 days of moving from his or her previous residence. For information on filing a change of address, go to the USCIS website at [www.uscis.gov/addresschange](http://www.uscis.gov/addresschange) or reach out to the USCIS Contact Center at [www.uscis.gov/contactcenter](http://www.uscis.gov/contactcenter) for help. The USCIS Contact Center provides information in English and Spanish. For TTY (deaf or hard of hearing) call: **1-800-767-1833**.

**NOTE:** Do not submit a change of address request to the USCIS Lockbox facilities because the Lockbox does not process change of address requests.

If you are already in proceedings before an immigration judge, you must also notify the immigration judge on Form EOIR-33/IC, Alien's Change of Address Form/Immigration Court, of any changes of address within five days of the change in address. The EOIR- 33/IC is available on the EOIR website at [www.justice.gov/eoir/form-eoir-33-eoir-immigration-court-listing](http://www.justice.gov/eoir/form-eoir-33-eoir-immigration-court-listing).

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## Processing Information

You must have a United States address to file this application.

**Initial Processing.** Once USCIS accepts your application, we will check it for completeness. If you do not completely fill out this application, you will not establish a basis for your eligibility and USCIS may reject or deny your application.

**Requests for More Information.** USCIS may request that you provide more information or evidence to support your application. We may also request that you provide the originals of any copies you submit. If we request an original document from you, it will be returned to you after USCIS determines it no longer needs your original.

**Requests for Interview.** We may request that you appear at a USCIS office for an interview based on your application. At the time of any interview or other appearance at a USCIS office, we may require that you provide your biometrics to verify your identity and/or update background and security checks.

**Decision.** The decision on Form I-191 involves a determination of whether you have established eligibility for the immigration benefit you are seeking. USCIS or an immigration judge will notify you of the decision in writing.

## USCIS Forms and Information

To ensure you are using the latest version of this application, visit the USCIS website at [www.uscis.gov](http://www.uscis.gov) where you can obtain the latest USCIS forms and immigration-related information. If you do not have Internet access, you may call the USCIS Contact Center at **1-800-375-5283** and **ask that we mail a form to you**. The USCIS Contact Center provides information in English and Spanish. For TTY (deaf or hard of hearing) call: **1-800-767-1833**.

Please visit us at [www.uscis.gov/contactcenter](http://www.uscis.gov/contactcenter) to get information about immigration services and ask questions about a pending case. Through our digital self-help tools and live assistance, the USCIS Contact Center provides a pathway for you to get consistent, accurate information and answers to immigration case questions.

## Penalties

If you knowingly and willfully falsify or conceal a material fact or submit a false document with your Form I-191, we or U.S. Department of Justice (DOJ) will deny your Form I-191 and may deny any other immigration benefit. In addition, you will face severe penalties provided by law and may be subject to criminal prosecution.

## DHS Privacy Notice

**AUTHORITIES:** The information requested on this application, and the associated evidence, is collected under the Immigration and Nationality Act (INA) section 101.

**PURPOSE:** The primary purpose for providing the requested information on this application is to apply for relief under the former INA section 212(c). DHS and DOJ use the information you provide to grant or deny the immigration benefit you are seeking.

**DISCLOSURE:** The information you provide is voluntary. However, failure to provide the requested information, **including your Social Security number (if applicable)**, and any requested evidence, may delay a final decision **or result in denial** of your application.

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**ROUTINE USES:** DHS may where allowable under relevant confidentiality provisions, share the information you provide on this application and any additional requested evidence with other Federal, state, local, and foreign government agencies and authorized organizations. DHS follows approved routine uses described in the associated published system of records notices [[DHS/USCIS/ICE/CBP-001 Alien File, Index, and National File Tracking System of Records](#), [DHS/USCIS-007 Benefits Information System](#), and [DHS/USCIS-018 Immigration Biometric and Background Check](#)] and the published privacy impact assessments [[DHS/USCIS/PIA-016\(a\) Computer Linked Application Information Management System and Associated Systems](#)] which you can find at [www.dhs.gov/privacy](http://www.dhs.gov/privacy). DHS may also share this information, as appropriate, for law enforcement purposes or in the interest of national security.

### Paperwork Reduction Act

An agency may not conduct or sponsor an information collection, and a person is not required to respond to a collection of information, unless it displays a currently valid Office of Management and Budget (OMB) control number. The public reporting burden for this collection of information is estimated at 1 hour and 23 minutes per response, including the time for reviewing instructions, gathering the required documentation and information, completing the application, preparing statements, attaching necessary documentation, and submitting the application. The collection of biometrics is estimated to require 1 hours and 10 minutes. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to: U.S. Citizenship and Immigration Services, Office of Policy and Strategy, Regulatory Coordination Division, 5900 Capitol Gateway Drive, Mail Stop #2140, Camp Springs, MD 20588-0009; OMB No. 1615-0016. **Do not mail your completed Form I-191 to this address.**

06/27/2023