



Instructions for Request for Cancellation of Public Charge Bond

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

USCIS
Form I-356
OMB No.1616-0141
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What Is the Purpose of Form I-356?

You should use this form to request cancellation of the public charge bond that was submitted on behalf of an alien on Form I-945, Public Charge Bond.

Who Should Complete and File Form I-356?

Form I-356 can be submitted to request cancellation of the public charge bond by the alien on whose behalf the public charge bond was posted, the alien's attorney or accredited representative, if any, or, if the alien is deceased, the executor of the alien's estate. Form I-356 can also be filed by the obligor (the person who posted the bond for the alien) or the obligor's authorized agent (co-obligor, for surety companies only).

This request must be submitted according to the instructions provided in this request and the direct filing instructions posted on www.uscis.gov.

NOTE: This request does not have to be filed if a substitute bond is submitted to release an obligor from the current liability of a public charge bond posted with U.S. Citizenship and Immigration Services (USCIS) on the alien's behalf. For more information about substitution of a public charge bond, please see Form I-945, Public Charge Bond, and its Instructions.

When Will USCIS Cancel a Public Charge Bond?

A public charge bond will be cancelled once the alien dies, has permanently departed from the United States, is naturalized, or after the fifth anniversary of the alien becoming a lawful permanent resident (LPR). See Immigration and Nationality Act (INA) section 213 and 8 CFR 103.6(c)(1).

Regardless of the reason cancellation of the public charge bond is requested, USCIS will only cancel the public charge bond if:

1. The obligor (or agent/co-obligor) or the alien (or the alien's attorney or accredited representative, if any, or if the alien is deceased, the executor of the alien's estate) files this form to request cancellation of the public charge bond;
2. The public charge bond was not breached. A bond is breached when there has been a substantial violation of the stipulated conditions **such as the receipt of any means-tested public benefit**.
3. If requesting cancellation of the public charge bond after the fifth anniversary of becoming a lawful permanent resident, the requestor demonstrates that the alien did not become a public charge prior to the fifth anniversary.

When examining whether the public charge bond can be cancelled, USCIS evaluates whether there has been a breach of the bond and all requirements for cancellation are met.

If this request and the evidence does not establish that the bond can be cancelled, the bond will remain in effect until the conditions for cancellation of the bond are met, **unless the bond is breached**. USCIS will inform the obligor and the alien of the decision. The obligor, but not the alien (or the alien's representative, if applicable), may appeal the decision in accordance with 8 CFR 103, Subpart A.

General Instructions

We provide free forms through the USCIS website. To view, print, or complete 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 and ask that we mail a form to you.

Signature. You (or your signing authority) must properly complete your request. USCIS will not accept a stamped or typewritten name in place of any signature on this request. If you are under 14 years of age, your parent or legal guardian may sign the request on your behalf. A legal guardian may also sign for a mentally incompetent person. If your request is not signed, or if the signature is not valid, we will reject your request. See 8 CFR 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 an original, handwritten signature as valid for filing purposes. The photocopy, fax, or scan must be of the original document containing the handwritten, ink signature. Executors signing on behalf of a deceased alien must submit a certified copy of the document that establishes the legal authority to act on behalf of the alien's estate, such as a small estate affidavit, a will, or a court order.

Evidence. When you file your request, you must submit all evidence and supporting documentation listed in the Instructions.

Biometric Services Appointment. USCIS may require you to 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. If we determine that a biometric services appointment is necessary, we will send you an appointment notice with the date, time, and location of your appointment. If you are currently overseas, your notice will instruct you to contact a U.S. Embassy, U.S. Consulate, or USCIS office outside the United States to schedule an appointment.

At your biometrics appointment, you must sign an oath reaffirming that:

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

If you do not attend your biometric services appointment, we may deny your request.

Copies. You should submit legible photocopies of requested documents unless the Instructions specifically instruct you to submit an original document. USCIS may request an original document at any time during our process. If we request an original document from you, we will return it to you after USCIS determines it no longer needs the original.

NOTE: If you submit original documents when they are not required or requested, **USCIS may destroy them 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.

USCIS Contact Center. For additional information on the form and instructions about where to file, change of address, and other questions, visit the USCIS Contact Center at www.uscis.gov/contactcenter or call **800-375-5283** (TTY **800-767-1833**). The USCIS Contact Center provides information in English and Spanish.

How to Complete Form I-356

1. Type or print legibly in black ink.
2. If you need extra space to complete any item within this form, use the space provided in **Part 8. Additional Information** or attach a separate sheet of paper. Type or print the alien's name and Alien Registration Number (A-Number) (if any), and the obligor's name and bond receipt number 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" unless otherwise directed.

Specific Instructions

Part 1. Obligor and Agent/Co-Obligor Information (To Be Completed by the Obligor or Agent/Co-Obligor)

Provide the obligor's, agent/co-obligor's, and bond information as requested in the request. For surety bonds, please include the name of the surety company.

Part 2. Obligor's or Agent/Co-Obligor's Contact Information, Certification, and Signature (To Be Completed By the Obligor or Agent/Co-Obligor)

Choose the appropriate statement and complete the needed entries. Then sign and date the certification in the appropriate spaces.

Part 3. Information about the Alien for Whom the Public Charge Bond Was Issued (To Be Completed By the Alien or the Alien's Executor)

Item Number 1. Alien Registration Number (A-Number) (if any). An Alien Registration Number, otherwise known as an "A-Number," is typically issued to people who apply for, or are granted, certain immigration benefits. Your A-Number appears on the front of Form I-551, your Permanent Resident Card. If you have more than one A-Number, use the space provided in **Part 8. Additional Information** to provide the information. If you do not have the A-Number, leave this space blank.

Item Number 2. U.S. Social Security Number (SSN) (if any). Provide the U.S. Social Security Number, if you have one.

Item Number 3. USCIS Online Account Number (if any). Providing your unique USCIS Online Account Number (OAN) helps you manage your online account. You have an Online Account Number if you previously filed an application, petition, or request online or by mail and were issued a receipt number that begins with IOE. If you filed a form online, you can find your OAN in your USCIS Online Account profile. If you mailed your form, you can find your OAN at the top of the USCIS Account Access Notice we sent you. The OAN is not the same as an A-Number. If you do not have a receipt number beginning with IOE, you do not have an OAN.

Item Number 4. Current Legal Name. Provide your legal name, as shown on your birth certificate or legal name change document. If you have two last names, include both and use a hyphen (-) between the names, if appropriate. Type or print your last, first, and middle names in each appropriate field.

Item Number 5. Other Names You May Have Used Since Birth. Provide all the names you have used since birth, including maiden name, any nicknames, and any names that appear in your documents. If you need extra space, use **Part 8. Additional Information** to provide other names used.

Item Number 6. Sex. Indicate whether you are male or female as provided on your birth certificate issued at the time of birth or issued closest to the time of birth or in secondary evidence you provided to USCIS, if applicable.

Item Number 7. Date of Birth. Enter your date of birth in mm/dd/yyyy format in the space provided. For example, type or print October 5, 1967 as 10/05/1967.

Item Number 8. Place of Birth. Enter the name of the city or town, 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 9. 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 8. Additional Information.**

Item Number 10. Mailing Address. Provide a valid mailing address.

Item Number 11. Physical Address. If the place where you live is different from your mailing address, type or print the physical address where you currently live.

Part 4. Reason for Cancellation of the Bond

Answer the questions below and provide the information requested. You should indicate whether any of the circumstances addressed in the questions have occurred since you adjusted your status to that of a lawful permanent resident (for which a bond was submitted on your behalf).

Item Number 2. Became a U.S. Citizen. Indicate whether or not you have become a U.S. citizen. If yes, please provide proof of your citizenship.

Item Number 3. Permanently Departed the United States. Indicate that you permanently departed the United States. For the specific purpose of cancelling a bond, evidence of such permanent departure may include:

1. Evidence that you have submitted Form I-407, Record of Abandonment of Lawful Permanent Resident Status, from outside the United States or at a port of entry and have actually departed the United States;
2. Evidence that you departed or were physically removed from the United States after you received a final order of removal, exclusion, or deportation; or
3. Evidence that an immigration judge granted you voluntary departure under INA section 240B, and that you departed while the voluntary departure order was in effect.

Provide all information that is requested in **Item Number 3.** and attach the evidence that is requested in each **Item Number.**

USCIS will not cancel a bond in certain situations, even if you may have abandoned or lost your lawful permanent resident status. These situations include the following:

1. You left the United States to live abroad permanently and with the intention to abandon your LPR status but did not submit Form I-407 from outside the United States and according to its Instructions;
2. Your lawful permanent resident status was rescinded or revoked, whether in removal proceedings or not, but you are unable to show that you have left the United States; or
3. You have an outstanding voluntary departure order or outstanding removal (or exclusion or deportation) order but you have not yet departed the United States or have not yet been removed, excluded, or deported.

Item Number 4. Deceased. If the alien for whom the public charge bond was posted died since the bond was posted, and you are the executor of the alien's estate, please answer the questions and provide the information requested in **Items A.** through **B.** in **Item Number 4.**, including your relationship to the deceased. Please attach a certified copy of the document that establishes your legal authority to act on behalf of the alien's estate, such as a small estate affidavit, will, or a court order, or your relationship to the deceased. Please also provide a certified copy of the death certificate.

Item Number 5. Five Years After Becoming a Lawful Permanent Resident. Answer "Yes" if you have been a lawful permanent resident for at least five years. Provide the date when you became a lawful permanent resident, in mm/dd/yyyy format. Provide a copy of your lawful permanent resident card.

Answer "Yes" if you have received any public benefits defined in 8 CFR 212.21(b)-(d). Provide a description of the public benefits received and the dates when the benefits were received.

Part 5. Alien's (or Alien Executor's) Contact Information, Certification, and Signature

You must sign and date your request 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 6. Interpreter's Contact Information, Certification, and Signature

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

Part 7. Contact Information, Declaration, and Signature of the Person Preparing the Alien's Parts of Form I-356, if Other Than the Alien (or the Alien's Executor)

The person who completed your request, if other than the alien or the alien's executor, must sign this section. If the same individual acted as your interpreter and your preparer, then that person should complete both **Part 6.** and **Part 7.** A stamped or typewritten name in place of a signature is not acceptable.

Part 8. Additional Information

If you need extra space to provide any additional information within this Form I-356, use the space provided in **Part 8. Additional Information.** If you need more space than what is provided in **Part 8.**, you may make copies of **Part 8.** to complete and submit with Form I-356. Type or print the alien's name and A-Number (if any), and the obligor's name and bond receipt number 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 request for your records.

What Evidence Must You Submit?

You must submit all evidence requested in these Instructions. If you, the obligor or agent/co-obligor, or the alien, fail to submit required evidence, USCIS may deny the request to cancel the bond in accordance with 8 CFR 103.2 and these Instructions.

What Is the Filing Fee?

See USCIS Form G-1055, Fee Schedule, available at www.uscis.gov/G-1055, for all information on filing fees.

Where To File?

Please see our website at www.uscis.gov/I-356 for the most current information about where to file this request.

Processing Information

USCIS will reject any Form I -356 that is not signed or is incomplete. You may resubmit the Form I-356 once it is completed and signed.

Requests for More Information. If USCIS cannot make a cancellation determination based on the Form I-356 and initial evidence submitted, USCIS may request that you provide additional information or evidence. 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. 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.

USCIS Forms and Information

To ensure you are using the latest version of this request, visit www.uscis.gov.

Penalties

If you, the obligor, co-obligor, or the alien, knowingly and willfully falsify or conceal a material fact or submit a false document with your Form I-356, USCIS may deny the request to cancel the bond. In addition, you will face severe penalties provided by law and may be subject to criminal prosecution.

USCIS Compliance Review and Monitoring

By signing this request, you, the obligor, co-obligor, and alien, have stated under penalty of perjury (28 U.S.C. section 1746) that all information and documentation submitted with this form are complete, true, and correct. You also authorize the release of any information from your records that USCIS may need to determine your eligibility for the immigration benefit you are seeking and consent to USCIS verifying such information.

The Department of Homeland Security (DHS) has the authority to verify any information you submit to establish that the bond should be cancelled. Our legal authority to verify this information is in Title 8 U.S.C. sections 1103, 1182, and 1183, and 8 CFR Parts 103 and 213, as well as Title 26 U.S.C. 6109, Title 31 U.S.C. 7701 and Executive Order 9397. To ensure compliance with applicable laws and authorities, we may verify information before or after your case is decided.

Agency verification methods may include, but are not limited to: reviewing public records and information; contacting through written correspondence; using the internet, fax, other electronic transmission, or telephone; making unannounced physical site inspections of residences and locations of employment; and interviewing people. USCIS will use the information we obtain to assess your compliance with the laws and to determine your eligibility for an immigration benefit.

Subject to the restrictions under 8 CFR 103.2(b)(16), USCIS will provide you with an opportunity to address any adverse or derogatory information that may result from a compliance review, verification, or site visit before a decision is made on your request. For a visit after your request is approved, USCIS will provide you with an opportunity to address any adverse or derogatory information which may result in revocation or termination of an approval.

DHS Privacy Notice

AUTHORITIES: USCIS is collecting the information requested on this form, and the associated evidence, under the Immigration and Nationality Act sections 103, 212(a)(4), and 213, as well as Title 26 U.S.C. 6109, Title 31 U.S.C. 7701 and Executive Order 9397.

PURPOSE: The primary purpose for providing the requested information on this form is to determine whether the public charge bond should be cancelled. USCIS uses the information you provide to grant or deny the request for cancellation of the public charge bond.

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

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

Paperwork Reduction Act

USCIS may not conduct or sponsor an information collection, and **you are** 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 **0.75 hours** per response, including the time for reviewing instructions, gathering the required documentation and information, completing the **application**, preparing statements, **and** attaching necessary **documentation**. **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. 1615-0136. Do not mail your completed Form I-945 to this address.