



Jewish  
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OF SAN FRANCISCO, THE PENINSULA,  
MARIN AND SONOMA COUNTIES



## Getting a Green Card as an Asylee

*Are you an asylee who has lived in the U.S. for at least one year?*

**You may be eligible** to apply for a green card.

### To be eligible, you must:

- Have lived in the U.S. for at least one year since becoming an asylee
- Currently be considered an asylee<sup>1</sup>
- Not have resettled in another foreign country; and
- Not have abandoned your asylee status<sup>2</sup>

### Why should you apply for a green card?

- Your status in the U.S. will be **more secure**
- You may **live and work in the U.S. permanently**
- Your **status won't change** even if conditions in your home country become safe<sup>3</sup>
- You will have **freedom to travel outside the U.S.**
- It's the **next step** toward becoming a **U.S. citizen**

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<sup>1</sup> To be eligible for a green card, you must continue to meet the definition of "refugee," e.g. someone who: (1) is outside any country in which the person last habitually resided; and (2) demonstrates that they are unable to avail themselves of the protection of that country based on persecution or fear of persecution due to race, religion, nationality, political opinion, or membership in a particular social group. INA § 101(a)(42). This definition also applies to derivative asylees i.e. a spouse or child [under 21] of an asylee.

<sup>2</sup> INA § 208(c)(2): the individual "voluntarily availed himself or herself of the protection of the country of nationality or last habitual residence by returning to such country with permanent resident status or the reasonable possibility of obtaining such status with the same rights and obligations pertaining to other permanent residents of that country;"

<sup>3</sup> If the conditions in your home country change and you no longer fit the definition of an asylee, you may no longer be permitted to remain in the U.S.; but as a green card-holder, you won't have to worry about how a change in circumstances there will affect you here in the U.S. INA § 208(c)(2)(A).

## Cost of Applying?

The USCIS fee for a green card application is \$1225<sup>4</sup>, **BUT**: Asylees may request a **fee waiver** for this application. Requesting a fee waiver will **not delay** your application.<sup>5</sup>

**If you are enrolled in any of these programs, you may be eligible** for a fee waiver:

- Medi-Cal (*known federally as Medicaid*)
- C.A.P.I. (*Cash Assistance Program for Immigrants*)
- W.I.C. (*Supplemental Nutrition Program for Women, Infants, and Children*)
- S.S.I. (*Supplemental Security Income*)
- Section 8 Housing
- CalFresh (*Food Stamps*)

## As an asylee, you will not be penalized for receiving public benefits<sup>6</sup>

- Receiving public benefits **may actually help you to save money** when filing your green card application
- Even if you do not qualify for a fee waiver, there are **other options available to finance** the filing fee<sup>7</sup>

# Ready to Apply?

## Contact JFCS Legal Services to schedule a consultation

with our immigration attorney. You can reach our office by calling **(415) 449-2917** or emailing **emigre@jfcs.org**.

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4 For applicants aged 14-78. Fees may vary depending on other ages.

5 Source: USCIS, "Additional Information on Filing a Fee Waiver," <https://www.uscis.gov/forms/filing-fees/additional-information-on-filing-a-fee-waiver#Eligibility>

6 Asylees are not subject to the public charge ground of inadmissibility. 8 CFR § 212.23 (a)(2).

7 For example, the Mission Asset Fund often offers 0% interest loans to finance a USCIS filing fee. To learn more, visit: <https://www.missionassetfund.org>