Immigration History

How did the applicant obtain their green card?
- **Through Family**?
  - ➢ Who petitioned for the applicant?
    - ▪ If <u>spouse (code IR1 or IR6)</u>:
      - • Was the marriage bona fide?
        - ○ If no, the applicant is <u>ineligible</u> for naturalization and could face removal proceedings
          - ▪ A bona fide marriage is a marriage that is NOT entered into for the primary purpose of circumventing the immigration laws.
        - ○ If yes, continue.
    - ▪ If <u>parent</u>:
      - • Was the applicant married when residency granted?
        - ○ If yes, verify the category under which the applicant received their green card. If petition was filed as unmarried son/daughter of U.S. citizen (Code: F16 or F11) and then married prior to grant of residency, they are <u>ineligible</u> for naturalization and could face removal proceedings
        - ○ If no, continue.
- **Through Employment**?
  - ➢ Did the applicant work for the employer that petitioned for them?
    - ▪ If no, the applicant is <u>ineligible</u> for naturalization and could face removal proceedings
    - ▪ If yes, continue.
  - ➢ Did they applicant have at least two years of experience when the employer petitioned form them?
    - ▪ If no, the applicant is not eligible for naturalization and could face removal proceedings
    - ▪ If yes, continue.
- **Through asylum**?
  - ➢ Has the applicant return to their country of origin?
    - ▪ If yes, the applicant is <u>ineligible</u> for naturalization and could face removal proceedings
    - ▪ If no, continue.
  - ➢ Did the applicant have a credible fear of returning to their country of origin?
    - ▪ If no, the applicant is <u>ineligible</u> for naturalization and could face removal proceedings
    - ▪ If yes, continue.

- **Through diversity lottery?**
  - ➢ The code for Diversity Visa is DV1-8
  - ➢ If Applicant adjusted through Diversity Visa, there should be no problems proceedings unless they were not truthful on the initial visa application.

Has the applicant ever had any contact with any Immigration authorities or seen an Immigration Judge?

- If yes, use the 9 digit Alien Registration Number (A#) located on the front of permanent residency card and call 1-800-898-7180 to determine if applicant was ever placed into removal proceedings.
  - ➢ If the A# appears on 1-800 system, refer to Legal.
  - ➢ If A# does NOT appear but Applicant maintains that they had contact with immigration authorities, we must do FBI prints prior to proceeding.
- If no, continue.