



Preparing Evidence for USCIS

This fact sheet talks about documents you might need to send to U.S. Citizenship and Immigration Services (USCIS). You might need to send documents if you are applying for some types of immigration status or work authorization. You might also need to bring evidence to an interview with an immigration officer at USCIS.

To read this fact sheet in other languages, go to lawhelpmn.org.



Gathering Evidence for USCIS

What is evidence?

Evidence is documents, photos, and other things that help you prove that what you are saying is true. You need to send evidence to USCIS to prove that you are eligible for the status you apply for.

You apply to USCIS for:

- Temporary Protected Status (TPS)
- Asylum if you are **not** in deportation proceedings
- Naturalization (citizenship)
- Permanent residence
- Status as a victim of certain crimes or abuse
- Status for certain family members
- Permission to work. This is called “work authorization.”



If you send an application to USCIS, you might need to tell them why:

- they should let you stay in the U.S.
- it is unsafe for you to return to your home country.
- you qualify for the type of immigration status or benefit you are applying for.

You might also need to prove:

- Who you are
- Where you live
- How you are related to your family members

Do I need to send evidence to USCIS when I send an application?

Yes. You must send different kinds of evidence with every application to USCIS. If you don't send the right evidence, your application could be rejected. This means that USCIS sends your application back to you without making a decision or accepting it for filing ontime. It could also be denied. If your application is denied because you did not send the correct evidence, you lose any money you sent for the filing fee. In some cases, USCIS asks for more evidence later in your application process. Go to the "How to Send Your Evidence to USCIS" part of this fact sheet for instructions on how to send your evidence.

What type of evidence do I need to send to USCIS?

Every application is different. Each application form says what you must send. Some need original documents, some will take copies. Some forms can be done online. Check out the full list and instructions for each form at <https://www.uscis.gov/forms/forms>.

The table below has **examples** of evidence that USCIS might for. These things can often change. Be sure to check the USCIS website and/or talk to an immigration professional before you submit your case.

Things USCIS Might Ask You to Prove	Examples of Evidence to Send to USCIS
Your identity. 	Examples of identity documents: • Passport that shows your picture, name, and date of birth. If you don't have a passport, talk to a lawyer. • Birth certificate if it has your photo on it. OR a birth certificate AND a photo ID. • Visa issued by a foreign consulate. • National ID document with photo and/or fingerprint. • State ID like a driver's license or ID.

Things USCIS Might Ask You to Prove	Examples of Evidence to Send to USCIS
Recent photo. Sometimes USCIS asks you to send 2 passport sized photos with an application. 	Passport photos must be: • 2 inches x 2 inches in size and taken on a white background. • New. They must have been taken in the last 6 months. • A clear picture of your face and shoulders only. You must look at the camera. You can't smile. You can't wear glasses. • Original. Don't send a photocopy. Don't change the photo using computer software, phone apps, or filters. You can take passport photos at Walmart, Walgreens, or many retail pharmacies.
You are related to a specific family member. This means you need to prove someone is your parent, child, or spouse. 	Examples of documents that can be used: • Your birth certificate with your parents' name on it. • Your child's birth certificate with your name listed as their parent. • A marriage certificate with you and your spouse's name on it. • A divorce decree with your name and your former spouse's name on it. • In some cases, affidavits from people who know about your relationship.
You have physically lived in the United States for several years. 	Documents that prove you lived in the U.S: • Lease agreements with your name and the dates you lived there. • Federal and state tax returns from every year you paid taxes. • Employment records that show the company you worked for and the dates you worked for them. • Mail that was delivered to you in the U.S. The mail must have the date on it and the address where it was mailed.

Things USCIS Might Ask You to Prove	Examples of Evidence to Send to USCIS
	• Education records that show you attended school in the U.S. It must have your name on it. It must also have the dates you went to school. • Medical records that show the date and location you went to the doctor.
It would cause extreme hardship to a family member if you were deported. This means you have a child or a sick family member who has no one else to care for them. 	Gather documents that show: • You are the caretaker for a family member with a severe illness. These could be medical records. It could also be a letter from a doctor or social worker. • You are the primary caregiver or financial provider for a child with U.S. citizenship or a green card. This could be your child's birth certificate and proof of immigration status. It could also be a custody order or guardianship order. It could be a letter from a teacher, doctor, or other professional. • Why the whole family can't be deported. This could be a document that shows a medication isn't available in your home country. It could also be the birth certificate of a U.S. born child that you are the primary caregiver for.
You have good moral character. This means you help your family and community. It also means you follow the law. 	Gather documents that show you: • Volunteer in your community. This could be a letter from a church, synagogue, mosque, or non-profit organization. • Don't have certain criminal convictions. This could be police clearance letters from each city where you have lived. It could be a name search for criminal court records for each state where you have lived. It could also be an FBI background check. • Support your children. This could be letters from your children's teachers. It could be proof that your children live with you. It could also be proof you are paying any required child support or sending money if your children don't live with you.

Things USCIS Might Ask You to Prove	Examples of Evidence to Send to USCIS
	• Pay taxes. This could be copies of past federal and state tax returns. • Are in recovery from alcohol or drug use disorders. This could be a letter from a doctor or treatment program. • Are recommended by people in your community. These could be letters from people in your community that say how they know you and why you are a good person. Friends, family members, and neighbors can write these letters.
It is dangerous for you to return to your home country. This means that you could be tortured or killed if you were sent home. 	Gather documents that show: • Evidence of conditions in your country. These could be reports that explain the conditions in your country. The reports could come from government and non-profit organizations or news articles. • Evidence of past harm you have suffered in your country. This could be police reports or medical records. It could be copies of threats you got. It could also be an affidavit from family and friends that say your story is true. An affidavit is a formal letter someone writes to share what they know with the court. They have to sign the letter in front of another person called a notary to make it official. • Evidence of harm suffered by people similar to you in your country. This could be news articles or reports by non-governmental organizations (NGOs). It could also be letters from experts or professionals.

Things USCIS Might Ask You to Prove	Examples of Evidence to Send to USCIS
You looked for treatment after criminal charges. If you were charged with or convicted of a crime, send proof of steps you have taken to recover and follow the law. 	Gather documents that prove you've taken steps to follow the law such as: • Medical records that show you got treatment for a mental health issue or substance use. • Receipts that show you paid all your fines. • Copy of a court record from your case that shows you are off probation.
You were a victim of a crime in the United States. If you are applying for status based on being a victim, you need to provide evidence of that harm. 	• Your own affidavit detailing what happened • Letters from other people who are familiar • Police reports that show the crime or that you tried to contact the police • Medical records, including records from mental health professionals • Photographs, correspondence like texts or letters

What is good evidence?

Any evidence you send to USCIS must meet the following requirements:



The evidence must be relevant to what your application is about.



The evidence must be in English or translated into English.

If the original document is not in English, someone must translate it. You don't need to use a professional interpreter or translator. A bilingual family member, friend, or acquaintance can do it. They must fill out a translator form that says they are competent to translate the language in the document. They must also say the interpretation was accurate. Get a blank translator form at:

[lawhelpmn.org/sites/default/files/2025-02/Immigration Certificate of Translation.pdf](http://lawhelpmn.org/sites/default/files/2025-02/Immigration%20Certificate%20of%20Translation.pdf)



The evidence should be “primary sources” when possible.

Primary sources are original, official documents that prove something happened. Primary sources are the best type of evidence.

Examples of primary sources:

- Government-issued birth certificate
- Government-issued marriage certificate
- Hospital-issued medical records
- Police reports
- Reports from governments, newspapers, or academia
- Employment records like paystubs or tax documents

If you don’t have a primary source, you can send “secondary sources.” Secondary sources are unofficial records of an event.

Examples of secondary sources:

- Marriage records kept by a religious or faith-based organization
- Birth records kept by a religious or faith-based organization

You can send 2 affidavits if you don’t have a primary or secondary source. An affidavit is a formal letter someone writes to share what they know with USCIS. They have to sign the letter in front of another person called a **notary** to make it official.

Example: Maria does not have a government issued birth certificate for her son, Carlos. There also isn’t a record of the birth from a faith-based organization. She can send 2 affidavits from people who witnessed Carlos’ birth as evidence.



The evidence must come from “respected sources.”

Examples of good sources:

- U.S. State Department
- Governments of other countries
- Non-governmental organizations (like human rights organizations, Human Rights Watch, the United Nations, Amnesty International)
- Police reports
- Medical records
- Employment records.

Examples of bad sources:

- Wikipedia
- Blogs
- Social media, in many cases

How to Send Your Evidence to USCIS



Make copies of all evidence before you send it to USCIS. Keep it for your records!

It is important to keep copies of everything you send to USCIS for your records. You get receipt notices and other letters from USCIS about your case. Keep all of these documents together in one safe place.

When and where do I give my evidence to USCIS?

There are 4 times when you might give evidence to USCIS.

01 When you send an application to USCIS.

Gather supporting documents and send them with your completed application form. You can mail your completed application form and supporting documents. If you complete your application online, you must upload the evidence documents.

- **Include a cover letter.** If you are mailing the application and evidence to USCIS, write a cover letter. There is a sample cover letter in the “Sample Cover Letter” part of this fact sheet.
- **Find the correct mailing address.** Each type of application is sent to a different address. Check uscis.gov to find out where to send your application and supporting evidence. Search for the type of application you are filing. The page for that application has the mailing address.

02 When you go to an interview with an immigration officer at USCIS.

You might have to go to an interview with an immigration officer before USCIS makes a decision about some types of applications. USCIS mails you a letter with the date and time of your interview.

- **Bring the evidence that USCIS asked for to the interview.** That letter has a list of documents that you need to bring with you. You can also bring any other evidence that you want USCIS to have. **Note:** the rules for asylum interviews are different. You have to send your documents 14 days before the interview.

03 If you get a letter from USCIS asking for more information.

USCIS might send you a letter that asks for more supporting documents. The letter could be called a “Request for Evidence” or a “Notice of Continuance.” This happens if you sent USCIS enough information to start reviewing your case, but not enough information for them to decide. This letter might come before or after an interview with an immigration officer.

- **Send the evidence that USCIS asked for.** The letter tells you the specific evidence and documents that USCIS wants you to send. It also gives you a deadline for sending the evidence. If you don’t send all the information they ask for by the deadline, your application may be denied.
- **Mailing address.** The letter tells you where to mail the evidence. If you have an online account with USCIS, you might be able to submit your evidence by uploading it to your USCIS account. The notice tells you if this is an option.

04 If you get more evidence that you didn’t have before.

You can sometimes “supplement” your application if you now have evidence that you didn’t have before. For example, if you are applying for status as a victim of a crime and the case proceeds to a hearing or conviction while you are waiting for your application to process, or if you have new medical records, you may share those with USCIS.

05 If your application is denied and you want to appeal the decision.

When USCIS denies an application, they send a denial notice. You can appeal that decision or send more evidence to show that you should have been approved. The denial letter gives you a deadline and tells you where to send additional information.

This fact sheet was developed in collaboration with the Immigrant Law Center of Minnesota, Mid-Minnesota Legal Aid, Southern Minnesota Regional Legal Services, The Advocates for Human Rights, and the Volunteer Lawyers Network. It was supported by funding from the State of Minnesota Department of Human Services

Fact Sheets are legal information NOT legal advice. See a lawyer for advice.

Don’t use this fact sheet if it is more than 1 year old. Ask us for updates, a fact sheet list, or alternate formats.

© 2027 Minnesota Legal Services Coalition. This document may be reproduced and used for non-commercial personal and educational purposes only. All other rights reserved. This notice must remain on all copies. Reproduction, distribution, and use for commercial purposes are strictly prohibited.

Sample Cover Letter

Date:

USCIS

(find the address you need to put here.

See "When and where do I give
my evidence to USCIS?" Step 01, in this fact sheet)

Re:

Applicant:

A#:

Dear Sir or Madam:

Please find the following:

-
-
-
-

Thank you for your consideration of my application.

Sincerely,

(Signature)

(Full Name)

(Your Phone #)

(Your Address)