

Table of Changes - INSTRUCTIONS
Form I-130, Petition for Alien Relative and Form I-130A, Supplemental Information for Spouse
Beneficiary
OMB No. 1615-0012
12/21/2015

Reason for Revision:

- U.S. Customs and Border Protection (CBP) has stopped issuing paper I-94 Arrival-Departure Records, except in limited circumstances, and will create an electronic record. The Form I-94 data will be available to entrants who have access to the internet to obtain their admission number and electronic I-94 record from the CBP Website at www.cbp.gov. Additional data collection fields are being incorporated into several USCIS forms to enable verification of status in the United States based upon passport or travel document details captured by CBP at the port of entry, rather than the I-94.
- ELIS Account Number data collections have been added for the petitioner, the beneficiary, and an attorney (if applicable), as well as any updates to the standard language since this form was last revised.

| Page Number and Section | Current Text | Proposed Revision |
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| Format | 2 column format Many individual headings. | Full page format, with standardized language in several sections. Standardized section headings have been added, and the paragraphs/sub sections of information have been organized under each respective heading, to make it easier for our customers to find information. Some sections have been switched around from the current version, but all information in the current version is in the revised version. The word “application” was revised to read “petition,” and the words husband/wife were revised to read “spouse” throughout the instructions. Some numbers have been revised to be lower case. |
| Page 1, What Is the Purpose of This Form? | [Page 1] What Is the Purpose of This Form? A citizen or lawful permanent resident of the United States may file Form I-130, Petition for Alien Relative with U.S. Citizenship and Immigration Services (USCIS) to establish the existence of a relationship to certain alien relatives who wish to immigrate to the United States. | [Page 1] What Is the Purpose of Form I-130? [no change] |
| Page 1, Who May File Form I-130? | [Page 1] Who May File Form I-130? 1. If you are a U.S. citizen you must file a separate Form I-130 for each eligible relative. | [Page 1] Who May File Form I-130? 1. If you are a U.S. citizen, you must file a separate Form I-130 for each eligible relative. |

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| | <p>You may file a Form I-130 for:</p> <p>A. Your spouse;</p> <p>B. Your unmarried child under age 21;</p> <p>C. Your unmarried son or daughter age 21 or older;</p> <p>D. Your married son or daughter of any age;</p> <p>E. Your brother(s) or sister(s) (<i>you must be age 21 or older</i>);</p> <p>F. Your mother or father (<i>you must be age 21 or older</i>).</p> <p>2. If you are a lawful permanent resident of United States, you must file a separate Form I-130 for each eligible relative. You may file this form for:</p> <p>A. Your spouse;</p> <p>B. Your unmarried child under age 21;</p> <p>C. Your unmarried son or daughter age 21 or older.</p> <p>NOTE:</p> <p>1. There is no visa category for married children of permanent residents. If an unmarried son or daughter of a permanent resident marries before the permanent resident becomes a U.S. citizen, any petition filed for that son or daughter will be automatically revoked.</p> | <p>You may file Form I-130 for:</p> <p>A. Your spouse;</p> <p>B. Your unmarried children under 21 years of age;</p> <p>C. Your unmarried sons or daughters 21 years of age or older;</p> <p>D. Your married sons or daughters of any age;</p> <p>E. Your brothers or sisters (you must be 21 years of age or older); and</p> <p>F. Your mother or father (you must be 21 years of age or older).</p> <p>2. If you are a lawful permanent resident of the United States, you must file a separate Form I-130 for each eligible relative. You may file Form I-130 for:</p> <p>A. Your spouse;</p> <p>B. Your unmarried child under 21 years of age; and</p> <p>C. Your unmarried son or daughter 21 years of age or older.</p> <p>NOTE:</p> <p>1. If you are filing for your spouse, he or she must complete and sign Form I-130A, Supplemental Information for Spouse Beneficiary. If your spouse is overseas, Form I-130A must still be completed, but your spouse does not have to sign Form I-130A. Form I-130A must be submitted with Form I-130.</p> <p>2. There is no visa category for married children of lawful permanent residents. If you are a lawful permanent resident and you filed a Form I-130 for your unmarried son or daughter, but your son or daughter marries before immigrating to the United States or adjusting status to lawful permanent resident, we will deny or automatically revoke your petition.</p> <p>3. Non-citizen U.S. nationals (as defined in the Immigration and Nationality Act (INA))</p> |
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| | <p>2. If you are the United States Citizen petitioner and your relative qualifies under paragraph 1(C), 1(D), or 1(E) above, separate petitions are not required for his or her spouse or unmarried children under 21 years of age.</p> <p>3. If you are the lawful permanent resident of the United States Citizen petitioner and your relative qualifies under paragraph 2(B) or 2(C) above, separate petitions are not required for his or her unmarried children under 21 years of age.</p> <p>4. The persons described in number 2 and 3 of the above NOTE will be able to apply for an immigrant visa along with your relative.</p> | <p>section 308) have the same rights as lawful permanent residents to petition for family members. If you are a U.S. national born in American Samoa or Swains Island (or who otherwise qualifies as a non-citizen U.S. national, as described in INA section 308), you should indicate in Part 2., Item Number 34. of the petition that you are a lawful permanent resident. You do not need to list an Alien Registration Number (A-Number) in Part 2., Item Number 1. of the petition.</p> <p>4. If the beneficiary qualifies under Items 1.C., 1.D., or 1.E. above, you are not required to file separate petitions for the beneficiary's spouse or unmarried children under 21 years of age. They are considered derivative beneficiaries and you should list them in Part 4. of this petition.</p> <p>5. If you are the lawful permanent resident petitioner and the beneficiary qualifies under Items 2.A., 2.B., or 2.C. above, you are not required to file separate petitions for the beneficiary's unmarried children under 21 years of age. They are considered derivative beneficiaries and you should list them in Part 4. of this petition.</p> <p>6. The derivative beneficiaries described in Items 4. and 5. above may apply for an immigrant visa along with the beneficiary.</p> |
| <p>Pages 1-2, Who May Not File Form I-130?</p> | <p>[Page 1]</p> <p>Who May Not File Form I-130?</p> <p>You may not file for a person in the following categories:</p> <p>1. An adoptive parent or adopted child, if the adoption took place after the child's 16th birthday, or if the child has not been in the legal custody and living with the parent(s) for at least 2 years prior to the filing of the petition.</p> <p>2. A natural parent, if the U.S. citizen son or daughter gained permanent residence through adoption.</p> <p>3. A stepparent or stepchild, if the marriage that created the relationship took place after</p> | <p>[Page 2]</p> <p>Who May Not File Form I-130?</p> <p>You may NOT file Form I-130 for a person in the following categories:</p> <p>1. An adoptive parent or adopted child, if the adoption took place after the child turned 16 years of age, or if the child has not been in the legal custody and has not lived with the parents for at least 2 years before filing the petition;</p> <p>2. A natural parent, if you gained lawful permanent resident status or U.S. citizenship through adoption or as a special immigrant juvenile;</p> <p>3. A stepparent or stepchild, if the marriage that created the relationship took place after</p> |

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| | <p>the child's 18th birthday.</p> <p>4. A spouse, if you and your spouse were not both physically present at the marriage ceremony, and the marriage was not consummated;</p> <p>5. A spouse, if you gained lawful permanent resident status by virtue of a prior marriage to a U.S. citizen or lawful permanent resident, unless:</p> <p>A. A period of 5 years has elapsed since you became a lawful permanent resident;</p> <p>B. You can establish by clear and convincing evidence that the prior marriage through which you gained your immigrant status was not entered into for the purpose of evading any provision of the immigration laws; or</p> <p>C. Your prior marriage through which you gained your immigrant status was terminated by the death of your former spouse;</p> <p>[Page 2]</p> <p>6. A spouse, if you married your spouse while your spouse was the subject of an exclusion, deportation, removal, or rescission proceeding regarding his or her right to be admitted into or to remain in the United States, or while a decision in any of these proceedings was before any court on judicial review, unless:</p> <p>You prove by clear and convincing evidence that the marriage is legally valid where it took place and that you and your spouse married in good faith and not for the purpose of procuring the admission of your spouse as an immigrant, and that no fee or any other consideration (other than appropriate attorney fees) was given for your filing of this petition; OR</p> <p>Your spouse has lived outside the United States, after the marriage, for a period of at least 2 years;</p> | <p>the child turned 18 years of age;</p> <p>4. A spouse, if you and your spouse were not both physically present at the marriage ceremony, unless the marriage was consummated;</p> <p>5. A spouse, if you gained lawful permanent resident status through a prior marriage to a U.S. citizen or lawful permanent resident, unless:</p> <p>A. You are now a naturalized citizen;</p> <p>B. You have been a lawful permanent resident for at least five years;</p> <p>C. You can establish by clear and convincing evidence that you did not enter the prior marriage (through which you gained your lawful permanent resident status) in order to evade any U.S. immigration law; or</p> <p>D. Your prior marriage through which you gained your immigrant status was terminated by the death of your former spouse;</p> <p>6. A spouse, if you married your spouse while he or she was the subject of an exclusion, deportation, removal, or rescission proceeding regarding his or her right to be admitted into or to remain in the United States, or while a decision in any of these proceedings was before any court on judicial review. However, you may be eligible for the bona fide marriage exemption under INA section 245(e)(3) if:</p> <p>A. You prove by clear and convincing evidence that the marriage is legally valid where it took place and that you and your spouse married in good faith and not for the purpose of obtaining lawful permanent resident status for your spouse and that no fee or any other consideration (other than appropriate attorney fees) was given to you for your filing of this petition; or</p> <p>B. Your spouse has lived outside the United States, after the marriage, for a period of at least two years;</p> |
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| | <p>7. A spouse, if it has been legally determined that such an alien has attempted or conspired to enter into a marriage for the purpose of evading the immigration laws.</p> <p>8. A grandparent, grandchild, nephew, niece, uncle, aunt, cousin, or in-law.</p> | <p>7. Any person, if USCIS determines that he or she entered into or attempted or conspired to enter into a marriage in order to evade U.S. immigration laws; and</p> <p>8. A grandparent, grandchild, nephew, niece, uncle, aunt, cousin, or parent-in-law.</p> |
| <p>Pages 2-4, General Instructions</p> | <p>[Page 2]</p> <p>General Instructions</p> | <p>[Page 2]</p> <p>General Instructions</p> <p>USCIS provides forms free of charge through the USCIS Web site. In order to view, print, or fill out our forms, you should use the latest version of Adobe Reader, which can be downloaded for free at http://get.adobe.com/reader/. If you do not have Internet access, you may call the USCIS National Customer Service Center at 1-800-375-5283 and ask that we mail a form to you. For TTY (deaf or hard of hearing) call: 1-800-767-1833.</p> <p>Signature. Each petition must be properly signed and filed. For all signatures on this petition, 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.</p> <p>Filing Fee. Each petition must be accompanied by the appropriate filing fee. (See the What Is the Filing Fee section of these Instructions.)</p> <p>Biometric Services Fee. If you file this petition with USCIS, you do not need to include a biometric services fee at the time you submit your petition. 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 petition with an agency other than USCIS, please check with that agency to determine if and when you must submit a biometric services fee.</p> <p>[Page 3]</p> <p>Evidence. At the time of filing, you must submit all evidence listed in the General</p> |

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| | <p>Copies. Unless USCIS specifically requires that you file an original document with a petition, you may submit a legible photocopy. Original documents submitted when not required may remain a part of the record, and USCIS will not automatically return them to you.</p> | <p>Requirements section of these Instructions. USCIS may issue a Notice of Intent to Deny (NOID) or a Denial Notice for petitions filed without the required supporting evidence.</p> <p>Biometric Services Appointment. USCIS may require that you appear for an interview or provide 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 petition. After USCIS receives your petition and ensures it is complete, we will inform you in writing, 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 fail to attend your biometric services appointment, USCIS may deny your petition.</p> <p>Acknowledgement of Appointment at USCIS Application Support Center. Review the ASC Acknowledgement that appears in Part 6. of the petition. The purpose of this ASC Acknowledgement is to confirm that you have completed your petition, reviewed your responses, and affirmed that the information was provided by you and is complete, true, and correct. If someone helped you fill out your petition, that person must review the ASC Acknowledgement with you to make sure you understand it.</p> <p>Copies. You may 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, petition, or request. If you submit original documents when not required, the documents may remain a part of the record, and USCIS will not automatically return them</p> |
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| | <p>Translations. Any document you submit to USCIS with information in a foreign language must be accompanied by a full English translation. The translator must certify that the English language translation is complete and accurate, and that he or she is competent to translate from the foreign language into English.</p> <p>Step 1. Fill Out Form I-130</p> <ol style="list-style-type: none"> 1. Type or print legibly in black ink. 2. If extra space is needed to complete any item, attach a continuation sheet, indicate the item number, and date and sign each sheet. 3. Answer all questions fully and accurately. State that an item is not applicable with "N/A." If the answer is none, write "none." | <p>to you.</p> <p>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.</p> <p>How to Fill Out Form I-130</p> <ol style="list-style-type: none"> 1. Type or print legibly in black ink. 2. If you need extra space to complete any item within this petition, use the space provided in Part 9. Additional Information or attach a separate sheet of paper; type or print your name and A-Number (if any) at the top of each sheet; type or print 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. 4. USCIS Online Account Number (if any). If you have previously filed an application, petition, or request using the USCIS online filing system (previously called USCIS Electronic Immigration System (USCIS ELIS)), provide the USCIS Online Account Number you were issued by the system. You can find your USCIS Online Account Number by logging in to your account and going to the profile page. If you previously filed certain applications, petitions, or requests on a paper form via a USCIS Lockbox facility, you may have received a USCIS Online Account Access Notice issuing you a USCIS Online Account Number. If you received such a notice, your USCIS Online Account Number |
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| | | <p>can be found at the top of the notice. If you were issued a USCIS Online Account Number, enter it in the space provided at Part 2., Item Number 2. The USCIS Online Account Number is not the same as an A-Number.</p> <p>5. Part 3. Biographic Information. Provide the biographic information requested in Part 3., Item Numbers 1. - 6. Providing this information as part of your petition may reduce the time you spend at your USCIS ASC appointment as described in the Biometric Services Appointment section of these Instructions.</p> <p>A. Ethnicity and Race. Select the boxes that best describe your ethnicity and race.</p> <p>[Page 4]</p> <p>B. Categories and Definitions for Ethnicity and Race</p> <p>(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 3., Item Number 1.)</p> <p>(2) White. A person having origins in any of the original peoples of Europe, the Middle East, or North Africa.</p> <p>(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.</p> <p>(4) Black or African American. A person having origins in any of the black racial groups of Africa.</p> <p>(5) 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.</p> <p>(6) Native Hawaiian or Other Pacific</p> |
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| | | <p>Islander. A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.</p> <p>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.</p> <p>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.</p> <p>E. Eye Color. Select the box that best describes the color of your eyes.</p> <p>F. Hair Color. Select the box that best describes the color of your hair.</p> <p>6. Form I-94 Arrival-Departure Record. Complete Part 4., Item Numbers 46.b. - 50., of the petition regarding the admission or travel document for the beneficiary.</p> <p>If U.S. Customs and Border Protection (CBP) or USCIS issued the beneficiary a Form I-94, Arrival-Departure Record, provide the beneficiary’s Form I-94 number and date that his or her authorized period of stay expires or expired (as shown on Form I-94). The Form I-94 number also is known as the Departure Number on some versions of Form I-94.</p> <p>NOTE: If the beneficiary was admitted to the United States by CBP at an airport or seaport after April 30, 2013, he or she may have been issued an electronic Form I-94 by CBP, instead of a paper Form I-94. The beneficiary may visit the CBP Web site at www.cbp.gov/i94 to obtain a paper version of his or her electronic Form I-94. CBP does not charge a fee for this service. Some travelers admitted to the United States at a land border, airport, or seaport, after April 30, 2013 with a passport or travel document, who were issued a paper Form I-94 by CBP, may also be able to obtain a replacement Form I-94 from the CBP Web site without charge. If his or her Form I-94 cannot be obtained from the CBP Web site, it may be obtained by filing Form I-102, Application for</p> |
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| | | <p>Replacement/Initial Nonimmigrant Arrival-Departure Record, with USCIS. USCIS does charge a fee for this service.</p> <p>Passport and Travel Document Numbers. Complete Part 4., Item Numbers 45. - 50., as applicable, if the beneficiary relative 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 petition, even if the passport or travel document is currently expired.</p> <p>7. Part 6. Petitioner’s Statement, Contact Information, Acknowledgement of Appointment at USCIS Application Support Center, Certification, and Signature. Select the appropriate box to indicate that you either read this petition yourself or someone interpreted this petition for you from English to a language in which you are fluent. If applicable, select the box to indicate if someone prepared this petition for you. You must also affirm that you have read and understand or that an interpreter or preparer read to you, and you understand the Acknowledgement of Appointment at USCIS Application Support Center in Part 6. Further, you must sign and date your petition and provide your daytime telephone number, mobile telephone number (if any), and email address (if any). Every petition MUST contain the signature of the petitioner (or parent or legal guardian, if applicable). A stamped or typewritten name in place of a signature is not acceptable.</p> <p>[Page 5]</p> <p>8. Part 7. Interpreter’s Contact Information, Certification, and Signature. If you used anyone as an interpreter to read the instructions and questions on this petition to you in a language in which you are fluent, the interpreter must fill out this section, provide his or her name, the name and address of his or her business or organization (if any), his or her daytime telephone number, and his or her email address (if any). The interpreter must also certify that he or she has read the Acknowledgement of Appointment at USCIS Application Support Center in Part 6. to you in the same language in which you</p> |
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| | | <p>are fluent. The interpreter must sign and date the petition.</p> <p>9. Part 8. Contact Information, Statement, Certification, and Signature of the Person Preparing this Petition, If Other Than the Petitioner. This section must contain the signature of the person who completed your petition, if other than you, the petitioner. If the same individual acted as your interpreter and your preparer, that person should complete both Part 7. and Part 8. If the person who completed this petition is associated with a business or organization, that person should complete the business or organization name and address information. Anyone who helped you prepare this petition MUST sign and date the petition. A stamped or typewritten name in place of a signature is not acceptable. Anyone who helped you prepare your petition must also certify that he or she has read the Acknowledgement of Appointment at USCIS Application Support Center in Part 6. to you, and that you informed him or her that you understood the ASC Acknowledgement. If the person who helped you prepare your petition is an attorney or accredited representative, he or she must also submit a completed Form G-28, Notice of Entry of Appearance as Attorney or Accredited Representative, along with your petition.</p> |
| | | <p>We recommend that you print or save a copy of your completed petition to review in the future and for your records. We recommend that you review your copy of your completed petition before you come 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 petition is complete, true, and correct. If you are not able to make that attestation in good faith at that time, USCIS will require you to return for another appointment.</p> |
| Page 6, What Is The Filing Fee? | [Page 6, What Is the Filing Fee?] | [Page 5] General Requirements |

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| <p>And</p> <p>Page 6, Address Changes</p> <p>And</p> <p>Pages 2-4, General Instructions</p> | <p>When Will a Visa Become Available?</p> <p>When a petition is approved for the spouse, parent, or unmarried minor child of a United States citizen, these persons are classified as immediate relatives. They do not have to wait for a visa number because immediate relatives are not subject to the immigrant visa limit.</p> <p>For alien relatives in preference categories, a limited number of immigrant visas are issued each year. The visas are processed in the order in which the petitions are properly filed and accepted by USCIS. To be considered properly filed, a petition must be fully completed and signed, and the fee must be paid.</p> <p>For a monthly report on the dates when immigrant visas are available, call the U.S. Department of State at (202) 663-1541, or visit: www.travel.state.gov.</p> <p>If you have changed your address, you must inform USCIS of your new address. For information on filing a change of address go to the USCIS website at www.uscis.gov/addresschange or contact the National Customer Service Center at 1-800-375-5283.</p> <p>[Page 2, General Instructions]</p> <p>What Documents Do You Need to Show That You Are a U.S. Citizen?</p> <p>1. If you were born in the United States, a copy of your birth certificate, issued by a civil</p> | <p>1. Does approval of this petition mean that my family member is automatically a lawful permanent resident or they can immediately immigrate to the United States?</p> <p>No. An approved petition does not give the beneficiary automatic lawful permanent resident status or permission to immediately immigrate to the United States.</p> <p>2. When will a visa become available?</p> <p>When a petition is approved for the spouse, unmarried children under 21 years of age, or parents of a U.S. citizen, these persons are classified as immediate relatives, which means visas are immediately available to them.</p> <p>When a petition is approved for a U.S. citizen's sibling or married or adult son or daughter, or for a lawful permanent resident's spouse, child, or unmarried son or daughter, it is assigned to the appropriate visa preference category. Each year, a limited number of immigrant visas are available for each preference category. The visas are processed in the order in which the petitions are properly filed and accepted by us. To be considered properly filed, a petition must be fully completed and signed, and the filing fee must be paid.</p> <p>For a monthly report on the dates when immigrant visas are available, call the U.S. Department of State at 1-202-663-1541, or visit their Web site at www.travel.state.gov.</p> <p>[Delete]</p> <p>3. What documents do you need to show that you are a U.S. citizen?</p> <p>A. A copy of your birth certificate, issued by a civil registrar, vital statistics office, or other</p> |
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| | <p>registrar, vital statistics office, or other civil authority.</p> <p>2. A copy of your naturalization certificate or certificate of citizenship issued by USCIS or the former INS.</p> <p>3. A copy of Form FS-240, Report of Birth Abroad of a Citizen of the United States, issued by a U.S. Embassy or consulate.</p> <p>4. A copy of your unexpired U.S. passport; or</p> <p>5. An original statement from a U.S. consular officer verifying that you are a U.S. citizen with a valid passport.</p> <p>6. If you do not have any of the above documents and you were born in the United States, see instructions on Page 4, "What If a Document Is Not Available?"</p> <p>[Page 2, General Instructions]</p> <p>What Documents Do You Need to Show That You Are a Permanent Resident?</p> <p>If you are a permanent resident, you must file your petition with a copy of the front and back of your permanent resident card. If you have not yet received your card, submit copies of your passport biographic page and the page showing admission as a permanent resident, or other evidence of permanent resident status issued by USCIS or the former INS.</p> <p>[Page 2, General Instructions]</p> <p>What Documents Do You Need to Prove Family Relationship?</p> <p>You have to prove that there is a family relationship between you and your relative. If you are filing for:</p> <p>1. A spouse, submit the following documentation:</p> | <p>civil authority showing that you were born in the United States;</p> <p>B. A copy of your naturalization certificate or certificate of citizenship issued by USCIS or the former Immigration and Naturalization Service (INS);</p> <p>C. A copy of Form FS-240, Consular Report of Birth Abroad (CRBA), issued by a U.S. Embassy or U.S. Consulate;</p> <p>D. A copy of your unexpired U.S. passport; or</p> <p>E. An original statement from a U.S. consular officer verifying that you are a U.S. citizen with a valid passport.</p> <p>[Page 6]</p> <p>If you do not have any of the above documents and you were born in the United States, see the What if an official document is not available section of these Instructions.</p> <p>4. What documents do you need to show that you are a lawful permanent resident?</p> <p>If you are a lawful permanent resident, you must file your petition with a copy of the front and back of your Permanent Resident Card (Form I-551). If you have not yet received your card, submit copies of your passport biographic page and the page showing admission as a lawful permanent resident, or other evidence of permanent resident status issued by USCIS or the former INS.</p> <p>5. What documents do you need to prove family relationship?</p> <p>You have to prove that there is a family relationship between you and the beneficiary. If you are filing for a relative listed below, submit the following documentation to prove the family relationship.</p> <p>A. A spouse:</p> |
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| | <p>A. A copy of your marriage certificate.</p> <p>B. If either you or your spouse were previously married, submit copies of documents showing that all prior marriages were legally terminated.</p> <p>C. A passport-style color photo of yourself and a passport-style color photo of your spouse, taken within 30 days of the date of this petition. The photos must have a white background and be glossy unretouched and not mounted. The dimensions of the full frontal facial image should be about 1 inch from the chin to top of the hair. Using pencil or felt pen, lightly print the name (and Alien Registration Number, if known) on the back of each photograph.</p> <p>[Page 3, General Instructions]</p> <p>D. A completed and signed Form G-325A, Biographic Information, for you and a Form G-325A for your spouse. Except for your name and signature you do not have to repeat on Form G-325A the information given on your Form I-130 petition.</p> <p>NOTE: In addition to the required documentation listed above, you should submit one or more of the following types of documentation that may evidence the bona fides of your marriage;</p> <p>E. Documentation showing joint ownership or property;</p> <p>F. A lease showing joint tenancy of a common residence;</p> | <p>(1) A copy of your marriage certificate;</p> <p>(2) If either you were or your spouse was previously married, submit copies of documents showing that each of the prior marriages was legally terminated; and</p> <p>(3) You must submit two identical passport-style color photographs of yourself and your spouse (if he or she is in the United States) taken within 30 days of filing this petition. The photos must have a white to off-white background, be printed on thin paper with a glossy finish, and be unmounted and unretouched.</p> <p>The two identical passport-style color photos must be 2 by 2 inches. The photos must be in color with full face, frontal view on a white to off-white background. Head height should measure 1 to 1 3/8 inches from top of hair to bottom of chin, and eye height is between 1 1/8 to 1 3/8 inches from bottom of photo. Your head must be bare unless you are wearing headwear as required by a religious denomination of which you are a member. Using a pencil or felt pen, lightly print your name and A-Number (if any) on the back of the photo.</p> <p>[delete]</p> <p>NOTE: In addition to the required documentation listed above, you should submit one or more of the following types of documentation that may prove you have a bona fide marriage:</p> <p>(1) Documentation showing joint ownership of property;</p> <p>(2) A lease showing joint tenancy of a common residence, meaning you both live at</p> |
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| | <p>G. Documentation showing co-mingling of financial resources; or</p> <p>H. Birth certificates of children born to you, the petitioner, and your spouse together;</p> <p>I. Affidavits sworn to or affirmed by third parties having personal knowledge of the bona fides of the marital relationship. (Each affidavit must contain the full name and address, date and place of birth of the person making the affidavit, his or her relationship to the petitioner or beneficiary, if any, and complete information and details explaining how the person acquired his or her knowledge of your marriage); or</p> <p>J. Any other relevant documentation to establish that there is an ongoing marital union.</p> <p>NOTE: If you married your spouse while your spouse was the subject of an exclusion, deportation, removal, or rescission proceeding (including judicial review of the decision in one of these proceedings), this evidence must be sufficient to establish the bona fides of your marriage by clear and convincing evidence.</p> <p>2. A child and you are the mother: Submit a copy of the child's birth certificate showing your name and the name of your child.</p> <p>3. A child and you are the father: Submit a copy of the child's birth certificate showing both parents' names and your marriage certificate.</p> | <p>the same address together;</p> <p>(3) Documentation showing that you and your spouse have combined your financial resources;</p> <p>(4) Birth certificates of children born to you and your spouse together;</p> <p>(5) Affidavits sworn to or affirmed by third parties having personal knowledge of the bona fides of the marital relationship. Each affidavit must contain the full name and address; date and place of birth of the person making the affidavit; and complete information and details explaining how the person acquired his or her knowledge of your marriage; or</p> <p>(6) Any other relevant documentation to establish that there is an ongoing marital union.</p> <p>NOTE: You must submit clear and convincing evidence that you and your spouse entered into the marriage in good faith and not for immigration purposes if you married your spouse while your spouse was the subject of an exclusion, deportation, removal, or rescission proceeding (including during the judicial review of any one of these proceedings); or you are a lawful permanent resident that obtained your permanent residence through a prior marriage that was not determined by the death of your spouse and you are filing your petition for your spouse that you were married within five years of obtaining your permanent residence.</p> <p>B. A child and you are the mother: Submit a copy of the child's birth certificate showing your name and the name of your child.</p> <p>C. A child and you are the father: Submit a copy of the child's birth certificate showing both parents' names, your marriage certificate to the child's mother, and proof of legal termination of the parents' prior marriages, if any, issued by civil authorities.</p> <p>[Page 7]</p> |
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| | <p>4. A child born out of wedlock and you are the father: If the child was not legitimated before reaching 18 years old, you must file your petition with copies of evidence that a bona fide parent-child relationship existed between the father and the child before the child reached 21 years. This may include evidence that the father lived with the child, supported him or her, or otherwise showed continuing parental interest in the child's welfare.</p> <p>5. A brother or sister: Submit a copy of your birth certificate and a copy of your brother's or sister's birth certificate showing that you have at least one common parent. If you and your brother or sister have a common father but different mothers, submit copies of the marriage certificates of the father to each mother and copies of documents showing that any prior marriages of either your father or mothers were legally terminated. If you and your brother or sister are related through adoption or through a stepparent, or if you have a common father and either of you were not legitimated before your 18th birthday, see also numbers 8 and 9 below.</p> <p>6. A mother: Submit a copy of your birth certificate showing your name and your mother's name.</p> <p>7. A father: Submit a copy of your birth certificate showing the names of both parents. Also give a copy of your parents' marriage certificate establishing that your father was married to your mother before you were born, and copies of documents showing that any prior marriages of either your father or mother were legally terminated. If you are filing for a stepparent or adoptive parent, or if you are filing for your father and were not legitimated before your 18th birthday, also see numbers 4, 8, and 9.</p> | <p>D. A child born out of wedlock and you are the father: Submit evidence that you and the mother were married while the child was under 18 years of age, or submit evidence that the child was legitimated under the law of the child's residence or domicile, or under the law of your residence or domicile, before the child reached 18 years of age. If your child was not legitimated before reaching 18 years of age, you must file your petition with copies of evidence that a bona fide parent-child relationship existed between you and the child before the child reached 21 years of age. This may include evidence that you lived with the child, supported him or her, or otherwise showed continuing parental interest in the child's welfare.</p> <p>E. A brother or sister: Submit a copy of your birth certificate and a copy of your brother's or sister's birth certificate showing that you have at least one common parent. If you and your brother or sister have a common father but different mothers, submit copies of the marriage certificates showing that your father was married to each mother, as well as copies of documents showing that any prior marriages of either your father or mothers were legally terminated. If you and your brother or sister are related through adoption or a stepparent, or if you have a common father and either of you were not legitimated before you turned 18 years of age, see Items D., H., and I. in these Instructions for additional information on proving your family relationship.</p> <p>F. A mother: Submit a copy of your birth certificate showing your name and your mother's name.</p> <p>G. A father: Submit a copy of your birth certificate showing the names of both parents. Also submit a copy of your parents' marriage certificate establishing that your father was married to your mother. If either your mother or father were previously married, submit copies of documents showing that each of the prior marriages was legally terminated. If you are filing for a stepparent or adoptive parent, or if you are filing for your father and you were born out of wedlock, see Items D., H., and I. in these Instructions for additional</p> |
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| | <p>8. Stepparent/Stepchild: If your petition is based on a stepparent-stepchild relationship, you must file your petition with a copy of the marriage certificate of the stepparent to the child's natural parent showing that the marriage occurred before the child's 18th birthday, copies of documents showing that any prior marriages were legally terminated and a copy of the stepchild's birth certificate.</p> <p>9. Adoptive parent or adopted child: If you and the person you are filing for are related by adoption, you must submit a copy of the adoption decree(s) showing that the adoption took place before the child turned 16 years old.</p> <p>If you adopted the sibling of a child you already adopted, you must submit a copy of the adoption decree(s) showing that the adoption of the sibling occurred before that child's 18th birthday.</p> <p>[Page 4, General Instructions]</p> <p>In either case, you must also submit copies of evidence that each child was in the legal custody of and resided with the parent(s) who adopted him or her for at least 2 years before or after adoption. Legal custody may only be granted by a court or recognized government entity and is usually granted at the time the adoption is finalized. However, if legal custody is granted by a court or recognized government agency prior to the adoption, that time may count toward fulfilling the 2-year legal custody requirement.</p> <p>[Page 6, Address Changes]</p> <p>Notice to Persons Filing for Spouses, if Married Less Than 2 Years</p> <p>Pursuant to section 216 of the Immigration and Nationality Act, your alien spouse may be granted conditional permanent resident status in the United States as of the date he or she is</p> | <p>information on proving your family relationship.</p> <p>H. Stepparent/Stepchild: If your petition is based on a stepparent-stepchild relationship, you must file your petition with a copy of the marriage certificate of the stepparent to the child's natural parent showing that the marriage occurred before the child turned 18 years of age, copies of documents showing that any prior marriages were legally terminated (if applicable), and a copy of the stepchild's birth certificate.</p> <p>I. Adoptive parent or adopted child: If you and the person you are filing for are related by adoption, you must submit a copy of the adoption decree showing that the adoption took place before the child turned 16 years of age.</p> <p>If you adopted a child under 16 years of age, and you also adopted the older sibling of that child, you may file a petition for the older child if the adoption occurred before the older child turned 18 years of age. You must submit a copy of the adoption decree showing that the adoption of the sibling occurred before the sibling turned 18 years of age.</p> <p>In either case, you must also submit copies of evidence that each child was in the legal custody of and resided with the parents who adopted him or her for at least two years before or after adoption. Only a court or recognized government entity may grant legal custody, and it is usually granted at the time the adoption is finalized. However, if legal custody is granted by a court or recognized government entity prior to the adoption, that time may count toward fulfilling the 2-year legal custody requirement.</p> <p>6. Notice to persons filing for spouses, if you have been married less than two years.</p> <p>If you have been married less than two years on the date your spouse has obtained permanent resident status, USCIS will grant your spouse conditional permanent resident</p> |
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| | <p>admitted or adjusted to conditional status by a USCIS officer. Both you and your conditional resident spouse are required to file Form I-751, Joint Petition to Remove Conditional Basis of Alien's Permanent Resident Status, during the 90-day period immediately before the second anniversary of the date your alien spouse was granted conditional permanent resident status.</p> <p>Otherwise, the rights, privileges, responsibilities, and duties that apply to all other permanent residents apply equally to a conditional permanent resident. A conditional permanent resident is not limited to the right to apply for naturalization, file petitions on behalf of qualifying relatives, or reside permanently in the United States as an immigrant in accordance with our Nation's immigration laws.</p> <p>NOTE: Failure to file the Form I-751 joint petition to remove the conditional basis of the alien spouse's permanent resident status will result in the termination of his or her permanent resident status and initiation of removal proceedings.</p> <p>[Page 4, General Instructions]</p> <p>What If Your Name Has Changed?</p> <p>If either you or the person you are filing for is using a name other than that shown on the relevant documents, you must file your petition with copies of the legal documents that effected the change, such as a marriage certificate, adoption decree or court order.</p> <p>[Page 4, General Instructions]</p> <p>What If a Document Is Not Available?</p> <p>In such a situation, submit a statement from the appropriate civil authority certifying that the document or documents are not available. You must also submit secondary evidence, including:</p> <p>A. Church record: A copy of a document bearing the seal of the church, showing the</p> | <p>status for two years under INA section 216. USCIS then requires both you and your spouse to file Form I-751, Petition to Remove Conditions on Residence, during the 90-day period immediately before your spouse's conditional permanent resident status expires.</p> <p>Conditional permanent residents have the same rights, privileges, responsibilities, and duties as all other lawful permanent residents. A conditional permanent resident is not limited in his or her right to apply for naturalization, file petitions on behalf of qualifying relatives, or reside permanently in the United States as an immigrant in accordance with U.S. immigration laws.</p> <p>NOTE: If your spouse fails to timely file Form I-751 to remove the conditional basis of his or her spouse's permanent resident status, USCIS will terminate his or her permanent resident status and begin removal proceedings.</p> <p>7. What if a name has changed?</p> <p>If either you or the person you are filing for is using a name that is not the same name shown on the relevant documents, you must file your petition with copies of the legal documents reflecting the name change, such as a marriage certificate, adoption decree, or court order.</p> <p>[Page 8]</p> <p>8. What if an official document is not available?</p> <p>In this situation, submit a statement from the appropriate civil authority certifying that the document or documents are not available. You must also submit secondary evidence, which may include one or more of the following records listed below.</p> <p>A. Religious record: A copy of a document bearing the seal of the religious organization</p> |
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| | <p>baptism, dedication or comparable rite occurred within two months after birth, and showing the date and place of the child's birth, date of the religious ceremony, and the names of the child's parents.</p> <p>B. School record: A letter from the authority (preferably the first school attended) showing the date of admission to the school, the child's date of birth or age at that time, place of birth, and names of the parents.</p> <p>C. Census record: State or Federal census record showing the names, place of birth, date of birth, or the age of the person listed.</p> <p>D. Affidavits: Written statements sworn to or affirmed by two persons who were living at the time and who have personal knowledge of the event you are trying to prove. For example, the date and place of birth, marriage or death. The person making the affidavit does not have to be a U.S. citizen. Each affidavit should contain the following information regarding the person making the affidavit: his or her full name, address, date and place of birth, and his or her relationship to you, if any, full information concerning the event, and complete details explaining how the person acquired knowledge of the event.</p> | <p>showing that the baptism, dedication, or comparable rite occurred within two months after birth, and showing the date and place of the child's birth, date of the religious ceremony, and the names of the child's parents.</p> <p>[no change]</p> <p>C. Census record: State or Federal census records showing the names, place of birth, date of birth, or the age of the person listed.</p> <p>D. If records like those described above are not available, then you may submit two or more written statements from individuals who were living at the time and who have personal knowledge of the event you are trying to prove, such as the date and place of birth, marriage, or death. The individuals making the written statements do not have to be U.S. citizens. Each written statement must contain the following information regarding the individual making the written statement: his or her full name, address, date and place of birth, full information concerning the event, and complete details explaining how the individual acquired personal knowledge of the event.</p> <p>Finally, each individual's written statement must include the following declaration, "I declare (or certify, verify, or state) under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on [date], [signature]."</p> <p>E. For parent-child relationships only: If other forms of evidence have proven inconclusive, the petitioner may submit on a voluntary basis other evidence of a birth parent and birth child relationship to include deoxyribonucleic acid (DNA) testing. DNA test results will only be accepted by USCIS from parentage-testing laboratories accredited by the American Association of Blood Banks (AABB). A list of laboratories can be viewed at www.aabb.org/sa/facilities/Pages/RTestAccrFac.aspx.</p> |
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| <p>Page 5, What Is the Filing Fee?</p> | <p>[Page 5]</p> <p>What Is the Filing Fee?</p> <p>The filing fee for a Form I-130 is \$420.</p> <p>Use the following guidelines when you prepare your check or money order for Form I-130</p> <ol style="list-style-type: none"> 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. <p>NOTE: Spell out U.S. Department of Homeland Security; do not use the initials "USDHS" or "DHS."</p> <p>Notice to Those Making Payment by Check. If you send us a check, it will be converted 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 will be shown on your regular account statement.</p> <p>You will not receive your original check back. We will destroy your original check, but we will keep a copy of it. If the EFT cannot be processed for technical reasons, you authorize us to process the copy in place of your original check. If the EFT cannot be completed because of insufficient funds, we may try to make the transfer up to two times.</p> | <p>[Page 8]</p> <p>What Is the Filing Fee?</p> <p>The filing fee for Form I-130 is \$420. The filing fee for this petition cannot be waived.</p> <p>NOTE: The filing fee is not refundable, regardless of any action USCIS takes on this petition. DO NOT MAIL CASH. You must submit all fees in the exact amount.</p> <p>Use the following guidelines when you prepare your check or money order for the Form I-130 filing fee:</p> <p>[no change]</p> <p>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.</p> <p>Notice to Those Making Payment by Check. If you send us a check, USCIS 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.</p> <p>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 USCIS cannot complete the EFT because of insufficient funds, we may try to make the transfer two additional times.</p> |
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| | <p>How To Check If the Fees Are Correct</p> <p>The fee on this form is current as of the edition date appearing in the lower right corner of this page. However, because USCIS fees change periodically, you can verify if the fees are correct by following one of the steps below:</p> <ol style="list-style-type: none"> 1. Visit our Web site at www.uscis.gov, select "FORMS," and check the appropriate fee; 2. Telephone our National Customer Service Center at 1-800-375-5283 and ask for the fee information. <p>If you live outside of the United States please note that you may have to dial an international code to access the National Customer Service Center and that your calls may not be toll free.</p> | <p>[Page 9]</p> <p>How To Check If the Fees Are Correct</p> <p>Form I-130's filing fee is current as of the edition date in the lower left corner of this page. However, because USCIS fees change periodically, you can verify that the fees are correct by following one of the steps below.</p> <ol style="list-style-type: none"> 1. Visit the USCIS Web site at www.uscis.gov, select "FORMS," and check the appropriate fee; or 2. Call the USCIS National Customer Service Center at 1-800-375-5283 and ask for fee information. For TTY (deaf or hard of hearing) call: 1-800-767-1833. <p>[Deleted]</p> |
| <p>Pages 4-5, Where To File?</p> | <p>[Page 4]</p> <p>Where To File?</p> <p>The filing addresses provided on this form reflect the most current information as of the last edition of this form. If you are filing Form I-130 more than 30 days after the latest edition date shown in the lower right corner of this form, visit our Web site at www.uscis.gov before you file and check the "FORMS" page to confirm the correct filing address and version currently in use. Check the edition date located in the lower right corner of the form.</p> <p>If the edition date on your Form I-130 matches the edition date listed for Form I-130 on the "FORMS" page, your version is current. If the edition date on the online version is later, download a copy and use it.</p> <p>If you do not have Internet access, call the USCIS National Customer Service Center at 1-800-375-5283 to verify the current filing address and edition date.</p> | <p>[Page 9]</p> <p>Where To File?</p> <p>Please see our Web site at www.uscis.gov/I-130 or call our National Customer Service Center at 1-800-375-5283 for the most current information about where to file this petition. For TTY (deaf or hard of hearing) call: 1-800-767-1833.</p> <p>[Deleted]</p> <p>[Deleted]</p> |

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| | <p>If you are the petitioner and are filing only the Form I-130, file it at either the USCIS Chicago or Phoenix Lockbox facility, depending on your residence.</p> <p>If you are filing a Form I-130, and you live in: Alaska, American Samoa, Arizona, California, Colorado, the Commonwealth of the Northern Mariana Islands, Florida, Guam, Hawaii, Idaho, Kansas, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, Puerto Rico, South Dakota, Texas, Utah, Virgin Islands, Washington, Wyoming.</p> <p>Mail your application to:</p> <p>USCIS Phoenix Lockbox For U.S. Postal Service (USPS) deliveries: USCIS ATTN: I-130 PO Box 21700 Phoenix, AZ 85036</p> <p>For Express mail and commercial courier deliveries: USCIS Attn: I-130 1820 E Skyharbor Circle S Suite 100 Phoenix, AZ 85034</p> <p>If you are filing a Form I-130, and you live in: Alabama, Arkansas, Connecticut, Delaware, Georgia, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, Washington, D.C., West Virginia, Wisconsin, and outside the United States</p> <p>Mail your application to:</p> <p>USCIS Chicago Lockbox For U.S. Postal Service (USPS) deliveries: USCIS PO Box 804625 Chicago, IL 60680-4107</p> | <p>[Deleted]</p> <p>[Deleted]</p> <p>[Deleted]</p> <p>[Deleted]</p> |
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| | <p>For Express mail and commercial courier deliveries:</p> <p>USCIS Attn: I-130 131 South Dearborn-3rd Fl Chicago, IL 60603-5517</p> <p>Filing Form I-130 with Form I-485</p> <p>If the beneficiary resides in the United States and is filing Form I-485, Application to Register Permanent Residence or Adjust Status along with Form I-130, submit both forms with the fee in the same envelope to the UCIS Chicago Lockbox facility at the address below:</p> <p>For U.S. Postal Service: USCIS PO Box 805887 Chicago, IL 60680-4120</p> <p>For Express mail and commercial courier deliveries: USCIS Attn: FBAS 131 South Dearborn - 3rd Floor Chicago, IL 60603-5517</p> <p>Note: If you reside outside of the United States where USCIS has an international office, you may file at the USCIS Chicago Lockbox facility or at the USCIS international office in the country in which you reside. If you reside outside of the United States where USCIS does not have an international office, you may file at the U.S. Embassy or consulate having jurisdiction over the area where you live only if exceptional circumstances exist and the USCIS Field Office Director with jurisdiction over that location determines that the Embassy or consulate may accept and adjudicate the case. For a list of USCIS international offices and filing instructions please visit www.uscis.gov</p> <p>E-Notification: If you are filing your Form I-130 at a USCIS Lockbox facility, you may elect to receive an email and/or text message notifying you that your application has been accepted. You must complete Form G-1145, E-Notification of Application/Petition Acceptance, and clip it to the first page of</p> | <p>[Deleted]</p> <p>[Deleted]</p> <p>[Deleted]</p> |
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| | <p>your application. To download a copy of Form G-1145, including the instructions, refer to www.uscis.gov "FORMS." The G-1145 is activated and the acceptance message is sent after your application has been successfully processed at the Lockbox and your receipt notice has been issued.</p> | |
| <p>Page 6, Address Changes</p> | <p>[Page 6]</p> <p>Address Changes</p> <p>If you have changed your address, you must inform USCIS of your new address. For information on filing a change of address go to the USCIS website at www.uscis.gov/addresschange or contact the National Customer Service Center at 1-800-375-5283.</p> | <p>[Page 9]</p> <p>Address Change</p> <p>You must notify USCIS of your new address within 10 days of moving from your previous residence. For information on filing a change of address go to the USCIS Web site at www.uscis.gov/addresschange or contact the USCIS National Customer Service Center at 1-800-375-5283. For TTY (deaf or hard of hearing) call: 1-800-767-1833.</p> <p>NOTE: Do not submit a change of address request to USCIS Lockbox facilities because these facilities do not process change of address requests.</p> |
| <p>Page 6, Processing Information</p> | <p>[Page 5]</p> <p>Processing Information</p> <p>Acceptance. Any Form I-130 that is not properly signed or accompanied by the correct fee will be rejected with a notice that the petition is deficient. A photocopy of a signed petition or a typewritten name in place of a signature is not acceptable. You may correct the deficiency and resubmit the petition. However, a rejected petition does not retain a filing date. A petition is not considered properly filed until accepted by USCIS.</p> <p>Initial Processing. Once the petition has been accepted, it will be checked for completeness, including submission of the required initial evidence. If you do not completely fill out the form or file it without the required initial</p> | <p>[Page 9]</p> <p>Processing Information</p> <p>[Deleted]</p> <p>Initial Processing. Once USCIS accepts your petition we will check it for completeness. If you do not completely fill out this petition, you will not establish a basis for your eligibility and USCIS may reject or deny your</p> |

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| | <p>evidence, you will not establish a basis for eligibility, and USCIS may deny your petition.</p> <p>Requests for More Information. We may request more information or evidence, or we may request that you appear at a USCIS office for an interview. We may also request that you submit the originals of any copy. We will return these originals when they are no longer needed.</p> <p>Decision. The decision on Form I-130 involves a determination of whether you have established eligibility for the requested benefit. You will be notified of the decision in writing.</p> | <p>petition.</p> <p>Requests for More Information. We may request that you provide more information or evidence to support your petition. We may also request that you provide the originals of any copies you submit. USCIS will return any requested originals when they are no longer needed.</p> <p>Requests for Interview. We may request that you appear at a USCIS office for an interview based on your petition. At the time of any interview or other appearance at a USCIS office, we may require that you provide your fingerprints, photograph, and/or signature to verify your identity and/or update background and security checks.</p> <p>Decision. The decision on Form I-130 involves a determination of whether you have established eligibility for the immigration benefit you are seeking. USCIS will notify you of the decision in writing.</p> |
| <p>Page 6, USCIS Forms and Information</p> | <p>[Page 6]</p> <p>USCIS Forms and Information</p> <p>You can get USCIS forms and immigration-related information on the USCIS Web site at www.uscis.gov. You may order USCIS forms by calling our toll-free number at 1-800-870-3676. You may also obtain forms and information by telephoning our USCIS National Customer Service Center at 1-800-375-5283.</p> <p>As an alternative to waiting in line for assistance at your local USCIS office, you can now schedule an appointment through the USCIS Internet-based system, InfoPass. To access the system, visit the USCIS Web site. Use the InfoPass appointment scheduler and follow the screen prompts to set up your appointment. InfoPass generates an electronic appointment notice that appears on the screen.</p> | <p>[Page 9]</p> <p>USCIS Forms and Information</p> <p>To ensure you are using the latest version of this petition, visit the USCIS Web site at www.uscis.gov where you can obtain the latest USCIS forms and immigration-related information. If you do not have Internet access, you may order USCIS forms by calling our toll-free number at 1-800-870-3676. You may also obtain forms and information by calling the USCIS National Customer Service Center at 1-800-375-5283. For TTY (deaf or hard of hearing) call: 1-800-767-1833.</p> <p>Instead of waiting in line for assistance at your local USCIS office, you can now schedule an appointment through our online system, InfoPass, at infopass.uscis.gov. Use the InfoPass appointment scheduler and follow the screen prompts to set up your appointment. InfoPass generates an electronic appointment notice that appears on the screen.</p> |

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| <p>Page 7, Penalties</p> | <p>[Page 7]</p> <p>Penalties</p> <p>If you knowingly and willfully falsify or conceal a material fact or submit a false document with this request, we will deny the benefit you are filing for, and may deny any other immigration benefit.</p> <p>In addition, you will face severe penalties provided by law, and may be subject to criminal prosecution.</p> | <p>[Page 10]</p> <p>Penalties</p> <p>If you knowingly and willfully falsify or conceal a material fact or submit a false document with your Form I-130, we will deny your Form I-130 and may deny any other immigration benefit. In addition, you will face severe penalties provided by law and may be subject to criminal prosecution.</p> |
| <p>Page 7, USCIS Compliance Review and Monitoring</p> | <p>[Page 7]</p> <p>USCIS Compliance Review and Monitoring</p> <p>By signing this form, you have stated under penalty of perjury (28 U.S.C 1746) that all information and documentation submitted with this form is true and correct. You also have authorized the release of any information from your records that USCIS may need to determine eligibility for the benefit you are seeking and consented to USCIS verification of such information.</p> <p>The Department of Homeland Security has the right to verify any information you submit to establish eligibility for the immigration benefit you are seeking at any time. Our legal right to verify this information is in 8 U.S.C. 1103, 1155, 1184, and 8 CFR parts 103, 204, 205, and 214. To ensure compliance with applicable laws and authorities, USCIS may verify information before or after your case has been decided. Agency verification methods may include, but are not limited to: review of public records and information; contact via written correspondence, the Internet, facsimile, or other electronic transmission, or telephone; unannounced physical site inspections of residences and places of employment; and interviews. Information obtained through verification will be used to assess your compliance with the laws and to determine your eligibility for the benefit sought.</p> | <p>[Page 10]</p> <p>USCIS Compliance Review and Monitoring</p> <p>By signing this petition, you have stated under penalty of perjury (28 U.S.C. section 1746) that all information and documentation submitted with this petition 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.</p> <p>The Department of Homeland Security (DHS) has the authority to verify any information you submit to establish eligibility for the immigration benefit you are seeking at any time. USCIS' legal authority to verify this information is in 8 U.S.C. sections 1103, 1155, and 1184, and 8 CFR Parts 103, 204, 205, and 214. To ensure compliance with applicable laws and authorities, USCIS may verify information before or after your case is decided.</p> <p>Agency verification methods may include, but are not limited to: review of public records and information; contact via written correspondence, the Internet, facsimile, other electronic transmission, or telephone; unannounced physical site inspections of residences and locations of employment; and interviews. USCIS will use information obtained through verification to assess your compliance with the laws and to determine your eligibility for an immigration benefit.</p> |

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| | <p>Subject to the restrictions under 8 CFR part 103.2(b)(16), you will be provided an opportunity to address any adverse or derogatory information that may result from a USCIS compliance review, verification, or site visit after a formal decision is made on your case or after the agency has initiated an adverse action which may result in revocation or termination of an approval.</p> | <p>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 USCIS compliance review, verification, or site visit after a formal decision is made on your case or after the agency has initiated an adverse action which may result in revocation or termination of an approval.</p> |
| <p>Page 7, USCIS Privacy Act Statement</p> | <p>[Page 7]</p> <p>USCIS Privacy Act Statement</p> <p>AUTHORITIES: The information requested on this form, and the associated evidence, is collected under the Immigration and Nationality Act, section 101, et seq.</p> <p>PURPOSE: The primary purpose for providing the requested information on this form is to determine if you have established eligibility for the immigration benefit for which you are filing. The information you provide will be used to grant or deny the benefit sought.</p> <p>DISCLOSURE: The information you provide is voluntary. However, failure to provide the requested information, and any requested evidence, may delay a final decision or result in denial of your form.</p> <p>ROUTINE USES: The information you provide on this form may be shared with other Federal, <i>State, local, and foreign government agencies and authorized organizations following approved routine uses described in the associated published system of records notices [DHS-USCIS-007 - Benefits Information System and DHS-USCIS-001 - Alien File, Index, and National File Tracking System of Records, which can be found at www.dhs.gov/privacy]. The information may also be made available, as appropriate, for law enforcement purposes or in the interest of national security.</i></p> | <p>[Page 10]</p> <p>USCIS Privacy Act Statement</p> <p>AUTHORITIES: The information requested on this petition, and the associated evidence, is collected under INA section 101.</p> <p>PURPOSE: The primary purpose for providing the requested information on this petition is to determine if you have established eligibility for the immigration benefit for which you are filing. DHS and the Department of Justice (DOJ) will use the information you provide to grant or deny the immigration benefit you are seeking.</p> <p>DISCLOSURE: The information you provide is voluntary. However, failure to provide the requested information, and any requested evidence, may delay a final decision in your case or result in denial of your petition.</p> <p>ROUTINE USES: DHS and/or DOJ may share the information you provide on this petition with other Federal, state, local, and foreign government agencies and authorized organizations. DHS and DOJ follow approved routine uses described in the associated published system of records notices [DHS-USCIS-007 - Benefits Information System and DHS-USCIS-001 - Alien File, Index, and National File Tracking System of Records] which you can find at www.dhs.gov/privacy and EOIR-001, Records and Management Information System, 69 Fed. Reg. 26,179 (May 11, 2004) or its successors, which you can find at www.justice.gov/opcl/doj-systems-records. DHS and/or DOJ may also share the information, as appropriate, for law</p> |

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| | | enforcement purposes or in the interest of national security. |
| Page 7, Paperwork Reduction Act | <p>[Page 7]</p> <p>Paperwork Reduction Act</p> <p>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 OMB control number. The public reporting burden for this collection of information is estimated at 90 minutes per response, including the time for reviewing instructions and completing and submitting the form. 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, Regulatory Coordination Division, Office of Policy and Strategy, 20 Massachusetts Ave NW, Washington, DC 20529-2140. OMB No. 1615-0012. Do not mail your completed Form I-130 petition to this address.</p> | <p>[Page 11]</p> <p>Paperwork Reduction Act</p> <p>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 Form I-130 is estimated at 2 hours per response and Form I-130A is estimated at 50 minutes per response, including the time for reviewing instructions, gathering the required documentation and information, completing the forms, preparing statements, attaching necessary documentation, and submitting the forms. The collection of biometrics is estimated to require 1 hour 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, Regulatory Coordination Division, Office of Policy and Strategy, 20 Massachusetts Ave NW, Washington, DC 20529-2140; OMB No. 1615-0012. Do not mail your completed Form I-130 or Form I-130A to this address.</p> |
| Page 7, Checklist | <p>[Page 7]</p> <p>Checklist</p> <p>Did you answer each question on the Form I-130 petition?</p> <p>Did you sign and date the petition?</p> <p>Did you enclose the correct filing fee for each petition?</p> <p>Did you submit proof of your U.S. citizenship or lawful permanent residence?</p> <p>Did you submit other required supporting evidence?</p> | <p>[Page 11]</p> <p>Checklist</p> <p>For all Form I-130 petitioners:</p> <p>Did you answer each question on Form I-130?</p> <p>Did you sign and date the petition?</p> <p>Did you enclose the correct filing fee for each petition?</p> <p>Did you submit proof of your U.S. citizenship or lawful permanent resident status?</p> <p>Did you submit other required supporting evidence?</p> |

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| | <p>If you are filing for your spouse, did you include:</p> <p>His or her photograph?</p> <p>Your completed Form G-325A?</p> <p>His or her Form G-325A?</p> | <p>If you have an attorney or accredited representative, did you include a completed Form G-28?</p> <p>For Form I-130 spouse petitioners:</p> <p>Did you include two photographs of your spouse?</p> <p>[delete]</p> <p>[delete]</p> <p>Did you include a completed and signed Form I-130A?</p> |
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