

# I-130 Package for Immigrant Visa Petition

## Overview for Filing Form I-130

### ORDER#

PREPARED FOR

PREPARED ON

### Contact Us

786-551-1119

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## What is the objective of Form I-130?

An individual who is a lawful permanent resident or citizen of the United States can initiate the process of allowing certain alien relatives to immigrate to the country by filing Form I-130, which is a petition for an alien relative, with the US Citizenship and Immigration Services (USCIS). The primary aim of this form is to verify the existence of a familial relationship between the petitioner and the alien relative.

## Who is eligible to submit Form I-130?

1). If you are a US citizen, a separate Form I-130 must be submitted for each eligible relative. The form may be filed for the following individuals:

- A) Spouse
- B) Unmarried children under 21 years of age
- C) Unmarried sons or daughters aged 21 years or older
- D) Married sons or daughters of any age
- E) Brothers or sisters (the petitioner must be 21 years of age or older)
- F) Mother or father (the petitioner must be 21 years of age or older)

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:

- A) Your spouse;
- B) Your unmarried child under 21 years of age; and
- C) Your unmarried son or daughter 21 years of age or older.

**NOTE :**

1. If the petitioner is filing for their spouse, the spouse must complete and sign Form I-130A, which is a supplemental form for spouse beneficiaries. If the spouse is located overseas, Form I-130A must still be completed, but the spouse does not need to sign it. Form I-130A must be submitted along with Form I-130.
2. Its important to note that there is no visa category for married children of lawful permanent residents. If the petitioner is a lawful permanent resident and has filed Form I-130 for their unmarried son or daughter, and the son or daughter gets married before they immigrate to the United States or adjust their status to lawful permanent resident, then their petition will be denied or automatically revoked.
3. U.S. nationals who are not citizens (as defined in INA section 308) have the same family petition rights as lawful permanent residents. If you are a U.S. national born in American Samoa or Swains Island (or meet the requirements of a non-citizen U.S. national under INA section 308), indicate in Item Number 36 of Part 2 of the petition that you are a lawful permanent resident. You do not need to provide an Alien Registration Number in Item Number 1 of Part 2.
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. These family members are considered derivative beneficiaries and should be listed in Part 4 of the petition.
5. As a lawful permanent resident petitioner, if the beneficiary falls under Items 2.A, 2.B, or 2.C., you don't have to file separate petitions for their unmarried children under 21 years of age. These children are considered derivative beneficiaries and should be listed in Part 4 of the petition.
6. Derivative beneficiaries, as described in Items 4 and 5, can apply for an immigrant visa along with the beneficiary.

**Who May Not File Form I-130?**

citizenconciere commends that you make a copy of the application for your own records.

1. Adoptive parent or adopted child if the adoption occurred after the child turned 16 years of age, or if the child has not lived with the parents in legal custody for at least two years before filing the petition;
2. Natural parent, if the petitioner gained lawful permanent resident status or U.S. citizenship through adoption or as a special immigrant juvenile;
3. Stepparent or stepchild if the marriage that established the relationship occurred after the child turned 18 years of age;
4. Spouse, if both parties were not physically present during the marriage ceremony, unless the marriage was consummated.

5.If you gained lawful permanent resident status through a prior marriage to a U.S. citizen or lawful permanent resident, you may not file Form I-130 for a new spouse, unless you meet one of the following conditions:

You are now a naturalized U.S. citizen;

You have been a lawful permanent resident for at least five years;

You can prove with 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;

Your prior marriage through which you gained your immigrant status was terminated by the death of your former spouse.

6. You may not file Form I-130 for your spouse if you got married while your spouse was undergoing exclusion, deportation, removal, or rescission proceedings related to their eligibility to be admitted to or remain in the United States. However, you may be eligible for the bona fide marriage exemption under INA section 245(e)(3) if:

A. You provide written evidence of a bona fide marriage exemption and establish, through clear and convincing evidence, that your marriage is legally valid in the place where it took place, that you and your spouse got married in good faith and not just to obtain permanent residency for your spouse, and that no fee or other consideration (apart from attorney fees) was exchanged for filing this petition. You must submit the request along with Form I-130; or

B. Your spouse has resided outside the United States for at least two years after the marriage.

Anyone who entered into or attempted or conspired to enter into a marriage in order to evade U.S. immigration laws, as determined by USCIS; and

A grandparent, grandchild, nephew, niece, uncle, aunt, cousin, or parent-in-law.

The USCIS offers forms for free on their website. To view, print, or fill out the forms, it is recommended to use the latest version of Adobe Reader, which can be downloaded for free from <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 request to have a form mailed to you. For those who are deaf or hard of hearing, the TTY number is 1-800-767-1833.

It is mandatory to sign and file each petition correctly. USCIS does not accept stamped or typewritten names as a substitute for a signature. In the case of a mentally incompetent person, a legal guardian may sign on their behalf.

Every petition needs to be submitted with the applicable filing fee. For more information on the filing fee, please refer to the "What Is the Filing Fee" section of these instructions.

**Biometric Services Fee:** In case you file this petition with USCIS, you do not need to include a biometric services fee at the time of submitting your petition. However, if USCIS later notifies you to submit biometrics, you will receive a biometric services appointment notice along with instructions on how to submit the additional biometric services fee. If you file this petition with an agency other than USCIS, kindly check with that agency to confirm if and when you must submit a biometric services fee

**Evidence:** While filing, it is mandatory to submit all evidence and supporting documentation mentioned in the General Requirements section of these Instructions. In case of failure to provide the required supporting evidence, USCIS may issue a Notice of Intent to Deny (NOID) or a Denial Notice for the petition.

**Biometric Services Appointment:** USCIS may require you to appear for an interview or provide biometric information such as fingerprints, photograph, and/or signature at any time to verify your identity, obtain additional information, and conduct background and security checks, including a check of criminal history records maintained by the Federal Bureau of Investigation (FBI), before making a decision on your application, petition, or request. After USCIS receives your petition and confirms its completeness, you will be notified in writing if you need to attend a biometric services appointment. If required, the notice will provide you with the location of your local or designated USCIS Application Support Center (ASC) and the date and time of your appointment. If you are currently overseas, the notice will instruct you to contact a U.S. Embassy, U.S. Consulate, or USCIS office outside the United States to set up an appointment

During the appointment, you will be required to sign an oath confirming that you provided or authorized all information in the petition, reviewed and understood all the information contained in the petition and submitted with it, and that all the information was complete, true, and correct at the time of filing. If you fail to attend the biometric services appointment, USCIS may deny your petition.

**Copies:** Unless the Instructions specifically require you to submit an original document, you may provide legible photocopies of the requested documents. However, USCIS may request an original document at the time of filing or at any time during the processing of an application, petition, or request. If you submit original documents when they are not required, they may become a part of the record, and USCIS will not automatically return them to you.

**Translations:** If a document contains information in a foreign language, you must submit a complete English translation along with it. The translator must sign a certification affirming that the English language translation is complete and accurate and that they are competent to translate from the foreign language to English. The certification should also include the date, the translators signature and printed name, and may contain the translators contact information.

## **How To Fill Out Form I-130**

- 1 Type or print legibly in black ink.
- 2 In case you require additional space to complete any section of this petition, you can use the space provided in Part 9 - Additional Information or attach a separate sheet of paper. On each sheet, type or print your name and A-Number (if applicable) at the top, and specify the Page Number, Part Number, and Item Number that your answer pertains to. Finally, sign and date each sheet.

- 3 It is necessary to answer all questions in full and accurately. If a question is not applicable to you (e.g., "Provide the name of your current spouse" when you have never been married), type or print "N/A" unless otherwise instructed. When a question requiring a numerical response (e.g., "How many children do you have?" or "How many times have you left the United States?"), type or print "None" unless otherwise instructed.
- 4 Date Format: Please enter dates in the format mm/dd/yyyy. If you do not have an exact date, provide an approximate date in the same format and explain further in Part 9-Additional Information.
- 5 USCIS Online Account Number: If you have previously filed an application, petition, or request using the USCIS online filing system (formerly known as USCIS Electronic Immigration System (USCIS ELIS)), please provide the USCIS Online Account Number that was assigned to you by the system. You can find your USCIS Online Account Number by logging in to your account and navigating 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 that includes your USCIS Online Account Number. If you received such a notice, your USCIS Online Account Number can be found at the top of the notice. If you were given a USCIS Online Account Number, please enter it in the space provided in Part 2, Item Number 2. It is important to note that the USCIS Online Account Number is not the same as an A-Number.
- 6 Part 3 - Biographic Information: Please provide the requested biographic information in Part 3, Item Numbers 1-6. Including this information in your petition can help reduce the time spent at your USCIS ASC appointment, as explained in the Biometric Services Appointment section of these instructions.

A). Ethnicity and Race: Please select the boxes that most accurately describe your ethnicity and race. Below are the categories and definitions for ethnicity and race:

- 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 listed under Ethnicity in Part 3, Item Number 1.)
- 2 White: A person having origins in any of the original peoples of Europe, the Middle East, or North Africa.
- 3 Asian: A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent, including countries such as Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.
- 4 Black or African American: A person having origins in any of the black racial groups of Africa.
- 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.

6 Native Hawaiian or Other Pacific Islander: A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.

B). Height: Please select the values that most closely match your height in feet and inches. For instance, if you are 5 feet and 9 inches tall, select "5" for feet and "09" for inches. Avoid entering your height in meters or centimeters.

C). Weight: Please enter your weight in pounds. If you are unsure of your weight or need to enter a weight below 30 pounds or above 699 pounds, type "000." Do not enter your weight in kilograms.

D). Eye Color: Please choose the box that best represents the color of your eyes.

E). Hair Color: Please choose the box that most accurately represents the color of your hair.

7 Form I-94 Arrival-Departure Record: In Part 4, Item Numbers 46.b. - 50., please provide information regarding the admission or travel document for the beneficiary.

If the beneficiary was issued a Form I-94, Arrival-Departure Record, by CBP or USCIS, please provide their Form I-94 number and the date when their authorized period of stay expires or expired (as shown on Form I-94). The Form I-94 number is also known as the Departure Number on certain versions of Form I-94.

**NOTE:** If the beneficiary was admitted to the United States by CBP at an airport or seaport after April 30, 2013, they may have received an electronic Form I-94 from CBP, rather than a paper Form I-94. The beneficiary may visit the CBP website at [www.cbp.gov/i94](http://www.cbp.gov/i94) to get a paper copy of their electronic Form I-94 at no cost. 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 given a paper Form I-94 by CBP, may also be able to obtain a replacement Form I-94 from the CBP website without charge. If the Form I-94 cannot be obtained from the CBP website, it can be obtained by submitting Form I-102, Application for Replacement/Initial Nonimmigrant Arrival-Departure Record, to USCIS. USCIS does charge a fee for this service.

Passport and Travel Document Numbers: In Part 4, Item Numbers 45 - 50, as applicable, if the beneficiary relative used a passport or travel document to travel to the United States, please enter the passport or travel document information in the appropriate space on the petition, even if the passport or travel document has already expired.

8 Part 6 - Petitioners Statement, Contact Information, Declaration, and Signature: Please select the appropriate box to indicate whether you read the petition yourself or if you had an interpreters assistance. If someone helped you complete the petition, select the box that indicates you used a preparer. Additionally, its crucial to sign and date your petition and provide your daytime telephone number, mobile telephone number (if applicable), and email address (if applicable). Every petition **MUST** have the petitioners signature (or that of the parent or legal guardian, if applicable). A stamped or typewritten name instead of a signature is not acceptable.

- 9 Part 7 - Interpreters Contact Information, Certification, and Signature: If you utilized an interpreter to read the instructions and questions on this petition to you in a language you understand fluently, the interpreter must complete this section. They must provide their name, the name and address of their business or organization (if applicable), their daytime telephone number, mobile telephone number (if any), and email address (if any). The interpreter must sign and date the petition.
- 10 Part 8 - Contact Information, Declaration, 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 it was not you, the petitioner. If the same person acted as your interpreter and your preparer, they should complete both Part 7 and Part 8. If the person who completed this petition is associated with a business or organization, they 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. If the person who helped you prepare your petition is an attorney or accredited representative whose representation extends beyond preparation of this petition, they may be required to submit a completed Form G-28, Notice of Entry of Appearance as Attorney or Accredited Representative, along with your petition.

We suggest that you either print or save a copy of your completed petition for your future reference and record-keeping purposes. It is recommended that you review your copy of the completed petition before your biometric services appointment at a USCIS ASC. During your appointment, USCIS will only allow you to complete the petition process if you can confirm, under penalty of perjury, that all the information provided in your petition is accurate, true, and complete. If you cannot truthfully make that affirmation at that time, USCIS will require you to schedule another appointment.

**Does the endorsement of this petition imply that my family member will become a lawful permanent resident automatically or be able to immigrate to the United States without delay?**

No. An endorsement of the petition does not automatically provide the beneficiary with lawful permanent resident status or immediate authorization to immigrate to the United States.

**When can a visa be obtained?**

When a petition for a spouse, unmarried children under 21 years of age, or parents of a U.S. citizen is approved, they are considered immediate relatives, which means that visas become available immediately. However, if a petition is approved for a U.S. citizen's sibling, 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. Every 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 correctly filed and accepted, including payment of the filing fee and completion of the petition. To find out when immigrant visas will become available on a monthly basis, contact the U.S. Department of State at 1-202-663-1541 or visit their website at [www.travel.state.gov](http://www.travel.state.gov).

**Which documents are required to prove that you are a U.S. citizen?**

- A To demonstrate that you were born in the United States, you may provide a copy of your birth certificate issued by a civil registrar, vital statistics office, or other civil authority;

- B To demonstrate that you have been naturalized as a citizen or have a certificate of citizenship issued by USCIS or the former Immigration and Naturalization Service (INS), you may provide a copy of your naturalization certificate or certificate of citizenship;
- C To demonstrate that you were born abroad to U.S. citizen parents, you may provide a copy of Form FS-240, Consular Report of Birth Abroad (CRBA), which is issued by a U.S. Embassy or U.S. Consulate;
- D To demonstrate your U.S. citizenship status, you may provide a copy of your unexpired U.S. passport;
- E Alternatively, you may present an original statement from a U.S. consular officer verifying that you are a U.S. citizen with a valid passport.

In the event that you do not possess any of the aforementioned documents and were born in the United States, please refer to the "What if an official document is not available" section of these instructions.

**Which documents are required to prove that you are a lawful permanent resident?**

As a lawful permanent resident, you must submit a copy of the front and back of your Permanent Resident Card (Form I-551) with your petition. In case you have not yet received your card, you may submit copies of your passport biographic page and the page demonstrating admission as a lawful permanent resident or other documentation indicating your status as a lawful permanent resident issued by USCIS or the former INS.

**What documents do you need to prove family relationship?**

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.

- A) If you are filing a petition for your spouse, you must provide the following documentation to prove the family relationship:
  - A A copy of your marriage certificate;
  - B If either you or your spouse was previously married, copies of documents showing that each of the prior marriages was legally terminated; and
  - C Two identical color passport-style 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.

The dimensions of the two identical color passport-style photos must be 2 by 2 inches and they must be in color with a full-face, frontal view on a white to off-white background. The height of the head in the photo should measure between 1 to 1 3/8 inches from the top of the hair to the bottom of the chin, and the height of the eyes should be between 1 1/8 to 1 3/8 inches from the bottom of the photo. Unless you are wearing headwear as required by a religious denomination of which you are a member, your head must be bare in the photo. On the back of the photo, lightly print your name and A-Number (if any) using a pencil or felt pen.



**Note:** Along with the required documentation mentioned above, it is advisable to submit one or more types of documentation that can prove the authenticity of your marriage.

- 1 Documentation indicating joint ownership of property should be submitted.
- 2 It is recommended that a lease that shows joint tenancy of a common residence, indicating that you and your spouse live at the same address together, be submitted.
- 3 Evidence demonstrating that you and your spouse have combined your financial resources should also be submitted
- 4 You should submit the birth certificates of any children born to you and your spouse together.
- 5 Affidavits sworn to or affirmed by third parties who have personal knowledge of your marriage should also be submitted. These affidavits must contain the full name and address of the person making the statement, date and place of birth, and complete information and details explaining how the person acquired knowledge of your marriage.
- 6 Any other relevant documentation that can establish that there is an ongoing marital union should also be submitted.

**Note:** If you got married to your spouse while they were undergoing an exclusion, deportation, removal, or rescission proceeding, or if you are a lawful permanent resident who obtained permanent residence through a previous marriage that was not determined by the death of your spouse, and you are submitting a petition for your current spouse whom you married within five years of obtaining permanent residence, you must provide clear and convincing evidence that your marriage was entered into in good faith and not for immigration purposes.

- B If you are a mother of a child, you must submit a copy of the child's birth certificate that indicates your name and the name of your child.
- C If you are the father of a child, you must submit a copy of the child's birth certificate that shows both parents' names, your marriage certificate to the child's mother, and proof of legal termination of any prior marriages of the parents, if applicable, issued by civil authorities.
- D If you are the father of a child born out of wedlock, you must provide evidence that either you and the child's mother were married while the child was under 18 years of age, or that the child was legitimized 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. In case the child was not legitimated before turning 18 years of age, you must file your petition along with copies of evidence showing a bona fide parent-child relationship existed between you and the child before the child reached 21 years of age. This evidence may include proof that you lived with the child, supported the child, or otherwise showed continuing parental interest in the child's welfare.

- E If you are filing a petition for your brother or sister, you must provide a copy of your birth certificate and a copy of your brothers or sisters birth certificate showing that you have at least one common parent. If you and your brother or sister have the same father but different mothers, you must 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 as a stepparent, or if you have a common father and either of you were not legitimated before turning 18 years of age, refer to Items D, H, and I in these instructions for additional information on how to establish your family relationship.
- F If you are filing a petition for your mother, you must submit a copy of your birth certificate that indicates your name and your mothers name.

In either scenario, you must 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. Legal custody is usually granted at the time the adoption is finalized by a court or recognized government entity. If legal custody is granted by a court or recognized government entity before the adoption, that time may count towards fulfilling the 2-year legal custody requirement.

- G If you are filing a petition for your father, you must provide a copy of your birth certificate that shows the names of both parents. You must also submit a copy of your parents marriage certificate to prove that your father was legally married to your mother. If either your mother or father were previously married, you must provide 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, please refer to Items D, H, and I in these instructions for additional information on how to establish your family relationship.
- H If you are filing a petition based on a stepparent-stepchild relationship, you must submit a copy of the marriage certificate of the stepparent to the child's natural parent that shows the marriage took place before the child turned 18 years of age, copies of documents proving that any prior marriages were legally terminated (if applicable), and a copy of the stepchild's birth certificate.
- I If you and the person you are filing a petition for are related by adoption, you must submit a copy of the adoption decree indicating that the adoption took place before the child turned 16 years of age. If you adopted a child under 16 years of age and also adopted the child's older sibling, you may file a petition for the older sibling if the adoption occurred before the sibling turned 18 years of age. In this case, you must provide a copy of the adoption decree indicating that the adoption of the sibling occurred before the sibling turned 18 years of age.

**Notice to persons filing for spouses, if you have been married less than two years**

If your marriage is less than two years old on the date your spouse obtains permanent resident status, USCIS will grant your spouse conditional permanent resident status for two years under INA section 216. Both you and your spouse are then required to file Form I-751, Petition to Remove Conditions on Residence, during the 90-day period immediately before your spouses conditional permanent resident status expires.

Conditional permanent residents have the same rights, privileges, responsibilities, and duties as all other lawful permanent residents, including the right to apply for naturalization, file petitions for qualifying relatives, and reside permanently in the United States as an immigrant in accordance with U.S. immigration laws.

NOTE: It is crucial to note that if your spouse fails to file Form I-751 in a timely manner to remove the conditional basis of their permanent resident status, USCIS will terminate their permanent resident status and initiate removal proceedings.

### **What if a name has changed?**

If you or the person you are filing a petition for is currently using a name that differs from the name indicated on the relevant documents, you must submit the petition with copies of the legal documents that reflect the name change, such as a marriage certificate, adoption decree, or court order.

### **How should you proceed if an official document is unavailable?**

If an official document is not available, you must include a statement from the appropriate civil authority certifying its unavailability. Additionally, you must submit secondary evidence, which may consist of one or more records as listed below.

- A Religious record: You may provide a copy of a document bearing the seal of the religious organization that indicates the baptism, dedication, or equivalent ceremony took place within two months of the child's birth. This record should include the date and place of the child's birth, the date of the religious ceremony, and the names of the child's parents.
- B School record: You may provide a letter from the authority, preferably the first school the child attended, which shows the date of admission to the school, the child's date of birth or age at the time of admission, the place of birth, and the names of the parents. Regenerate response
- C Census record: You may submit state or federal census records that indicate the names, place of birth, date of birth, or age of the person in question
- D If the aforementioned records are not available, you may provide two or more written statements from individuals who had personal knowledge of the event in question, such as the date and place of birth, marriage, or death. These individuals are not required to be U.S. citizens. Each written statement must contain the full name, address, date and place of birth of the individual making the statement, complete information about the event, and detailed explanation of how the individual acquired personal knowledge of the event

EParent-child relationships only: If other forms of evidence have not yielded conclusive results, the petitioner may, on a voluntary basis, provide additional evidence of a birth parent and birth child relationship, which may 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). To view a list of accredited laboratories, please visit [www.aabb.org/sa/facilities/Pages/RTestAccrFac.aspx](http://www.aabb.org/sa/facilities/Pages/RTestAccrFac.aspx).

## What is the cost of filing a petition?

To file Form I-130, a fee of \$535 is required, which cannot be waived. It is important to note that the filing fee is non-refundable, even if USCIS takes no action on the petition. Please DO NOT MAIL CASH and ensure that all fees are submitted in the exact amounts.

## When preparing your check or money order for the Form I-130, please follow these guidelines:

- 1 The check or money order should be issued by a bank or financial institution within the United States and should be payable in U.S. currency.
- 2 The payee should be "U.S. Department of Homeland Security."

NOTE: It is important to spell out the full name (U.S. Department of Homeland Security) and not use the initials "USDHS" or "DHS"

- 3 If you are residing outside of the United States, please contact the nearest U.S. Embassy or U.S. Consulate for specific instructions on the payment method.

Important information for those making payments by check: When you send a check to USCIS, it will be converted into an electronic funds transfer (EFT). This means that USCIS will create an electronic copy of your check and use the account information on it to electronically debit your account for the check amount.

Please note that you will not receive your original check back, as USCIS will destroy it but keep a copy. If USCIS is unable to process the EFT for technical reasons, you authorize us to use the copy in place of the original check. In the event that your check is returned as unpayable, USCIS will attempt to submit the payment to your financial institution one more time. If the check is returned as unpayable again, we will reject your petition and charge you a returned check fee.

To ensure that the fees you have submitted for Form I-130 are correct, you can follow one of these steps:

- 1 Visit the USCIS website at [www.uscis.gov](http://www.uscis.gov), select "FORMS," and verify the appropriate fee for your application.
- 2 Contact the USCIS National Customer Service Center at 1-800-375-5283 and request the fee information. If you are deaf or hard of hearing, please use the TTY number: 1-800-767-1833.

For the most up-to-date information regarding where to file Form I-130, please visit our website at [www.uscis.gov/i-130](http://www.uscis.gov/i-130) or contact our National Customer Service Center at 1-800-375-5283. If you are deaf or hard of hearing, please use the TTY number: 1-800-767-1833.

If you are a petitioner who is not a U.S. citizen, it is important to inform USCIS of your new address within 10 days of moving from your previous residence. You can file a change of address request by visiting the USCIS website at [www.uscis.gov/addresschange](http://www.uscis.gov/addresschange) or by contacting the USCIS National Customer Service Center at 1-800-375-5283. For those who are deaf or hard of hearing, please use the TTY number: 1-800-767-1833.

Please note that change of address requests should not be submitted to USCIS Lockbox facilities as they do not process these requests.

After submitting your petition, USCIS will begin the initial processing by reviewing it for completeness. Incomplete petitions will not be accepted, and failure to fill out the petition completely may result in rejection or denial.

In some cases, USCIS may require additional information or evidence to support your petition, and may ask you to provide original copies of submitted documents. Once the requested originals are no longer necessary, they will be returned to you.

After the initial processing, USCIS may request more information or evidence to support the petition. If necessary, they may also request an interview and may require the petitioner to provide fingerprints, photographs, or a signature to verify identity and conduct security checks.

The decision on Form I-130 will be based on whether the petitioner has met the eligibility requirements for the immigration benefit sought. USCIS will notify the petitioner of their decision in writing.

To access the most updated version of the Form I-130 and to obtain the latest information related to immigration, please visit the USCIS website at [www.uscis.gov](http://www.uscis.gov). If you do not have internet access, you can order USCIS forms by calling the USCIS Contact Center at 1-800-375-5283. The USCIS Contact Center is available in English and Spanish. For TTY (deaf or hard of hearing), you can call 1-800-767-1833.

To save time and avoid waiting in line at a USCIS office, you can schedule an appointment online at [www.uscis.gov](http://www.uscis.gov). Click on "Schedule an appointment online" and follow the instructions to set up your appointment. The system will generate an appointment notice once you have finished scheduling your appointment.

Submitting false information or documents with your Form I-130 can result in the denial of your petition and may prevent you from obtaining any other immigration benefit in the future. USCIS takes falsification and concealment of material facts very seriously, and you may face severe legal penalties, including criminal prosecution. It is important to be truthful and provide accurate information when submitting your petition to USCIS.

## USCIS Compliance Review and Monitoring

When signing the Form I-130 petition, you declare under penalty of perjury that all the information and documents submitted with the petition are accurate, complete, and true. You also give permission for USCIS to access any necessary information from your records to assess your eligibility for the immigration benefit you are seeking.

Verification methods employed by USCIS may include reviewing public records and information, reaching out through written correspondence, internet, fax, other electronic transmissions, or telephone, conducting unannounced physical site inspections of your residence or place of employment, and conducting interviews. The information obtained through these verification methods will be used to determine your compliance with the laws and regulations and assess your eligibility for the immigration benefit.

After a formal decision is made on your case or if the agency has initiated an adverse action that may result in revocation or termination of an approval, USCIS will give you a chance to respond to any adverse or derogatory information resulting from a compliance review, verification, or site visit. However, this opportunity is subject to restrictions under 8 CFR 103.2(b)(16).

**AUTHORITIES:** The information requested on this petition, and the associated evidence, is collected under the Immigration and Nationality Act (INA) section 204.

**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 will use the information you provide to grant or deny the immigration benefit you are seeking.

**DISCLOSURE:** The information you provide is voluntary. However, failure to provide the requested information, including your Social Security number, and the requested evidence, may delay a final decision in your case or result in denial of your petition. USCIS may also disclose the information you provide to other governmental agencies, as permitted by law and policy, for law enforcement, national security, or administrative purposes.

**ROUTINE USES:** DHS has the authority to share the information you provide on this form with other federal, state, local, and foreign government agencies and authorized organizations. The routine uses are described in the associated published system of records forms [DHS/USCIS-001 – Alien File, Index, and National File Tracking System and DHS/USCIS-007 – Benefits Information System] and the published privacy impact assessments [DHS/USCIS/PIA003 Integrated Digitization Document Management Program (IDDMP), DHS/USCIS/PIA-016(a) Computer Linked Application Information Management System and Associated Systems, and DHS/USCIS/PIA-051 Case and Activity Management for International Operations], which you can find at [www.dhs.gov/privacy](http://www.dhs.gov/privacy). DHS may also share the information, as appropriate, for law enforcement purposes or in the interest of national security.

## Paperwork Reduction Act

The Office of Management and Budget (OMB) control number is required for any information collection that an agency may conduct or sponsor, and individuals are not obligated to respond to such information collection unless the OMB control number is displayed. For Form I-130, the estimated public reporting burden is 2 hours per response, while Form I-130A is estimated

at 50 minutes per response, including the time spent reviewing instructions, gathering required documentation, completing forms, preparing statements, attaching necessary documentation, and submitting forms. Biometric collection is estimated to require 1 hour and 10 minutes. Comments and suggestions for reducing the burden of information collection should be directed to the U.S. Citizenship and Immigration Services, Regulatory Coordination Division, Office of Policy and Strategy, 5900 Capital Gateway Drive, Mail Stop #2140, Camp Springs, MD 20588-0009; OMB No. 1615-0012. However, completed forms should not be sent to this address.

### **For all Form I-130 petitioners:**

Have you completed all questions on Form I-130?

Have you signed and dated the petition?

Have you included the appropriate filing fee for each petition?

Have you included evidence of your U.S. citizenship or lawful permanent resident status?

Have you included all necessary supporting evidence?

If you are represented by an attorney or accredited representative, have you included a completed Form G-28?

### **For Form I-130 spouse petitioners:**

Did you include two photographs of your spouse beneficiary?

Did you include a completed and signed Form I-130A?

Did you include two photographs of you (spouse petitioner)?