



**Instructions for Form I-130, Petition for Alien Relative, and Form I-130A,
Contact Information, Certification, and Signature of Beneficiary**

Department of Homeland Security
U.S. Citizenship and Immigration Services

USCIS
Form I-130
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What Is the Purpose of Form I-130?

A U.S. citizen, U.S. national (who is not a U.S. 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 **recognize** the existence of a **qualifying** relationship to certain alien relatives (**beneficiaries**) who wish to immigrate to the United States. **An approved Form I-130 does not by itself grant the beneficiary lawful status or permission to immigrate to the United States.**

If Form I-130 is approved for the spouse, unmarried child under 21 years of age, or parent of a U.S. citizen, the beneficiary is classified as an immediate relative. Immigrant visas for immediate relatives are not subject to numerical limitations.

If a petition is approved for a U.S. citizen's sibling or married or adult child, or for a lawful permanent resident's spouse, unmarried child, it is assigned to the appropriate visa preference category. Each year, a limited number of immigrant visas are available for each preference category. Immigrant visas are available in the order in which the Form I-130 petitions are properly filed and accepted by USCIS. To be considered properly filed, Form I-130 must be fully completed and signed, and the filing fee must be paid.

For more information and a monthly report on the dates when immigrant visas are available, visit the USCIS website at uscis.gov/green-card/green-card-processes-and-procedures/visa-availability-and-priority-dates, and the Department of State (DOS) website at travel.state.gov/content/travel/en/legal/visa-law0/visa-bulletin.html to view the Visa Bulletin.

What Is the Purpose of Form I-130A?

If the alien beneficiary of your Form I-130 is currently residing in the United States and is 14 years of age or older, the beneficiary must complete Form I-130A, Contact Information, Certification, and Signature of Beneficiary. A legal guardian may complete the Form I-130A on behalf of a mentally incompetent person. By completing Form I-130A, the beneficiary certifies the information contained in **Parts 4., 10., and 12.** of Form I-130, as well as the **Part(s)** that pertain to your relationship to the beneficiary (**Parts 5. - 9.**). You must include the completed Form I-130A when you file Form I-130. If you do not include Form I-130A when required to do so, we will reject your Form I-130.

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. You may file Form I-130 for:
 - A. Your spouse;
 - B. Your unmarried children under 21 years of age;
 - C. Your unmarried **children** 21 years of age or older;
 - D. Your married **children** of any age;
 - E. Your brothers or sisters (you must be 21 years of age or older); and
 - F. Your mother or father (you must be 21 years of age or older).
2. If you are a lawful permanent resident of the United States or U.S. national (who is not a U.S. citizen), you must file a separate Form I-130 for each eligible relative, **unless the beneficiary qualifies as a derivative**. You may file Form I-130 for:
 - A. Your spouse;
 - B. Your unmarried **children** under 21 years of age; and
 - C. Your unmarried **children** 21 years of age or older.

NOTE:

1. There is no visa category for married children of lawful permanent residents. If you are a lawful permanent resident and you **file** Form I-130 for your unmarried **child**, but your **child** marries before immigrating to the United States or adjusting status to lawful permanent resident, **USCIS** will deny or automatically revoke your petition **(if approved)**.
2. U.S. nationals **(who are not U.S. citizens as defined in the Immigration and Nationality Act (INA) section 308)**, have **certain rights and privileges equal to** lawful permanent residents, **including the ability** to petition for certain family members. If you are a U.S. national born in American Samoa or Swains Island (or who otherwise qualifies as a U.S. national, **who is not a U.S. citizen**, as described in INA section 308), you should indicate **this** in **Part 1., Item Number 1.b**. You do not need to list an Alien Registration Number (A-Number) in **Part 2., Item Number 6**. of the petition.
3. If the beneficiary qualifies under Items **1.C., 1.D., or 1.E.** above, **the beneficiary's unmarried** children under 21 years of age **may qualify as derivative beneficiaries**. **If the beneficiary qualifies under Items 1.D. or 1.E. above, the beneficiary's spouse may qualify as a derivative beneficiary**. Derivative beneficiaries **do not require separate petitions**, and you should list them in **Part 4., Item Numbers 28. - 39.** of this petition.
4. If the beneficiary qualifies under **Items 2.A., 2.B., or 2.C.** above, **the beneficiary's unmarried** children under 21 years of age **are** considered derivative beneficiaries. **Derivative beneficiaries do not require separate petitions**, and you should list them in **Part 4., Item Numbers 28. - 39.** of this petition.
5. The derivative beneficiaries described in Items **3.** and **4.** above may **file their own application** for an immigrant visa or adjustment of status (if eligible) at the same time as the principal beneficiary. **Derivative beneficiaries must file their own application for an immigrant visa or adjustment of status and cannot be included on the principal beneficiary's application.**

Who May Not Be Eligible to Have Form I-130 Approved?

Your (the petitioner's) Form I-130 may **NOT** be eligible for approval:

1. If you are not a U.S. citizen, U.S. national, or lawful permanent resident;
2. If USCIS determines you have been convicted of a specified offense against a minor, unless USCIS determines that you pose no risk to the principal beneficiary and any derivative beneficiaries. "Specified offense against a minor" means an offense against a minor that involves kidnapping, false imprisonment, solicitation to engage in sexual conduct, sexual performance, solicitation to practice prostitution, video voyeurism, possession, production or distribution of child pornography, criminal sexual conduct involving a minor or the use of the internet to facilitate such conduct, or any conduct that by its nature is a sex offense against a minor;
3. For any person, if USCIS determines he or she previously entered into or attempted or conspired to enter into a marriage to evade U.S. immigration laws; or
4. For a grandparent, grandchild, nephew, niece, uncle, aunt, cousin, parent-in-law, or any other relative not listed under the **Who May File Form I-130** section.

Spouses

Your (the petitioner's) Form I-130 for a spouse may **NOT** be eligible for approval if:

1. You and your spouse were not both physically present at the marriage ceremony, unless the marriage was subsequently consummated;
2. You gained lawful permanent resident status through a prior marriage to a U.S. citizen or lawful permanent resident, unless:
 - A. You are now a naturalized U.S. citizen;
 - B. You have been a lawful permanent resident for at least five years before filing this petition for your current spouse;

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- 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
 - D. Your prior marriage through which you gained your immigrant status was terminated by the death of your former spouse;
3. You married your spouse while he or she was the subject of an exclusion, deportation, or removal 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:
- A. You request a bona fide marriage exemption under INA section 245(e)(3) (see the **Specific Instructions by Item Number** section, **Part 5., Bona Fide Marriage Exemption**), and 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
 - B. Your spouse has lived outside the United States for a period of at least two years, which began after the marriage.

Children, Parents, and Siblings

Your (the petitioner's) Form I-130 may **NOT** be eligible for approval for:

- 1. A birth parent or birth sibling if:
 - A. You were adopted before 16 years of age (or age 18 if the sibling exception applies, discussed below in the **Specific Instructions by Item Number** section, **Part 7., Adoptions, Item B. Beneficiary Age Requirements**) and you were in the legal custody of and jointly resided with the adoptive parent or parents for at least 2 years; or
 - B. You gained lawful permanent resident status or U.S. citizenship as an Orphan or Hague Convention adoptee;
- 2. A birth or prior adoptive parent if you:
 - A. Gained lawful permanent resident status or U.S. citizenship as an Orphan or Hague Convention adoptee; or
 - B. A Form I-360, Petition for Amerasian, Widow(er), or Special Immigrant, granting you Special Immigrant Juvenile classification was approved;
- 3. A father if you were born out of wedlock, you were not legitimated before 18 years of age, and you did not have a bona fide relationship with your father before you turned 21 years of age;
- 4. A child if you are the father, the child was born out of wedlock, the child was not legitimated before 18 years of age, and you did not have a bona fide relationship before he or she turned 21 years of age;
- 5. A stepparent or stepchild, if the marriage that created the relationship took place after the child turned 18 years of age;
- 6. A child who has already acquired U.S. citizenship. To learn if a child of a U.S. citizen has already acquired U.S. citizenship, please visit the USCIS websites at uscis.gov/N-600 for Form N-600, Application for Certificate of Citizenship, and uscis.gov/N-600K for Form N-600K, Application for Citizenship and Issuance of Certificate Under Section 322;
- 7. An adoptive parent or adopted child if:
 - A. The adoption took place after the child turned 16 years of age (unless the sibling exception applies, discussed below in the **Specific Instructions by Item Number** section, **Part 7., Adoptions, Item B. Beneficiary Age Requirements**);
 - B. The child has not been in the legal custody of and jointly resided with the adoptive parent(s) for at least 2 years before filing the petition; or
 - C. The Hague Adoption Convention applies to the adoption (see **Specific Instructions by Item Number, Part 7.** below or visit the USCIS website at uscis.gov/adoption);
- 8. A parent or sibling if you are under 21 years of age.

General Instructions

We provide free forms through the USCIS website. To ensure you are using the latest version of this petition, visit uscis.gov. To view, print, or complete our forms, you should use the latest version of Adobe Reader, which you can download for free at get.adobe.com/reader/.

Signature. You (or your signing authority) must properly complete your petition. USCIS will not accept a stamped or typewritten name in place of any signature on this petition. If you are under 14 years of age, your parent or legal guardian may sign the petition on your behalf. A legal guardian may also sign for a mentally incompetent person. If your petition is not signed, or if the signature is not valid, we will reject your petition. See 8 CFR 103.2(a)(7)(ii)(A). If USCIS accepts a request for adjudication and determines that it has a deficient signature, USCIS may deny the request. An example of a deficient signature is if the beneficiary signs **Part 13, Petitioner's Statement, Contact Information, and Signature** instead of the petitioner.

Validity of Signatures. USCIS will consider a photocopied, faxed, or scanned copy of an original handwritten signature as valid for filing purposes. The photocopy, fax, or scan must be of the original document containing the handwritten ink signature.

Filing Fee. See Form G-1055, available at uscis.gov/forms, for specific information about the fees applicable to this form.

Evidence. When you file your petition, you must submit all evidence and supporting documents listed in the **General Requirements** section of these Instructions.

Biometric Services Appointment. USCIS may require you, the beneficiary, or both you and the beneficiary appear for an interview or provide biometrics (fingerprints, photograph, and/or signature) at any time to verify 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 or petition. If we determine that a biometric services appointment is necessary, we will send you and/or the beneficiary, as applicable, an appointment notice with the date, time, and location of the appointment. If you and/or the beneficiary, as applicable, are currently overseas, the notice will include instructions to contact a U.S. Embassy, U.S. Consulate, or USCIS office outside the United States to schedule an appointment.

At your biometrics appointment, you must sign an oath reaffirming that:

1. You provided or authorized all information in the petition;
2. You reviewed and understood all of the information contained in, and submitted with, your petition; and
3. All of this information was complete, true, and correct at the time of filing.

If you or the beneficiary does not attend a scheduled biometric services appointment, we may deny your petition.

Copies. You should submit legible photocopies of requested documents unless the Instructions specifically instruct you to submit an original document. USCIS may request an original document at any time during our process. If we request an original document from you, we will return it to you after USCIS determines it no longer needs the original.

NOTE: If you submit original documents when they are not required or requested, USCIS may destroy them after we receive them.

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. The certification must also include the translator's signature, printed name, the signature date, and the translator's contact information.

USCIS Contact Center. For additional information on the petition and Instructions about where to file, change of address, and other questions, visit the USCIS Contact Center at uscis.gov/contactcenter or call at **800-375-5283** (TTY **800-767-1833**). The USCIS Contact Center provides information in English and Spanish.

Disability Accommodations/Modifications. To request a disability accommodation/modification, follow the instructions on your appointment notice or at uscis.gov/accommodationsinfo.

How To Complete Form I-130

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 16. Additional Information** or attach a separate sheet of paper. Type or print your name and Alien Registration Number (A-Number) (if any) at the top of each sheet; indicate 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. **Leaving a question unanswered may delay a final decision on your petition.**
4. Enter dates in mm/dd/yyyy format. If you cannot provide an exact date, provide an approximate date in the same format and include an explanation in **Part 16. Additional Information**.

Specific Instructions by Item Number

Part 1. Relationship (You are the Petitioner. Your relative is the Beneficiary.)

Item Numbers 1.a. - 1.b. Indicate your immigration status (U.S. Citizen, U.S. National Who Is Not a Citizen, or Lawful Permanent Resident).

Item Number 2. Indicate the beneficiary’s relationship to you (Spouse, Child, Parent, or Brother/Sister).

Part 2. Information About You (Petitioner)

Item Number 1. Your Full Legal Name (do not provide a nickname). Your current legal name is the name on your birth certificate unless it changed after birth by a marriage, divorce, court order, or after an adoption.

Item Number 2. Other Names Used. Provide all other names you have ever used, including aliases, maiden name, family name at birth, assumed names, nicknames, and alternate spellings or variations of names. Include any names used in previous immigration applications, petitions, or removal proceedings; any names provided to immigration officers, U.S. Customs and Border Protection, or U.S. Immigration and Customs Enforcement; and any names used in any Federal, state, or local criminal arrests, citations, or proceedings. Include the first, middle, and last name for each additional name used. If you need extra space to complete this section, use the space provided in **Part 16. Additional Information**.

Item Number 3. Date of Birth. (mm/dd/yyyy). In addition to providing your actual date of birth, include any other dates of birth you have ever used, including dates used in connection with any legal names or non-legal names, in the space provided in **Part 16. Additional Information**. Provide your date of birth in this order: Month, Day, Year. Use eight numbers to show your date of birth in the mm/dd/yyyy format. We will reject your Form I-130 if you do not provide your date of birth.

Item Number 4. Sex. Indicate whether you are male or female as provided on your birth certificate issued at the time of birth or issued closest to the time of birth, or in secondary evidence you provided to USCIS, if applicable.

Item Number 7. USCIS Online Account Number. You will only have a USCIS Online Account Number (OAN) if you previously filed a form that has a receipt number that begins with IOE. If you filed the form online, you can find your OAN in your account profile. If you mailed us the form, you can find your OAN at the top of the Account Access Notice we sent you. If you do not have a receipt number that begins with IOE, you do not have an OAN. If you were issued a USCIS Online Account Number, enter it in the space provided at **Part 2., Item Number 8.** The OAN is not the same as an A-Number.

Item Numbers 8. - 9. City/Town/Village and Country of Birth. Use the current officially recognized name of the city/town/village and country. Do not use historical, unofficial, or informal names.

Item Number 10. Country of Citizenship or Nationality. Type or print the name of the country of which you are currently a citizen or national. If the country's name has changed, type or print the current name of the country. If you are stateless, type or print the name of the country, as it currently exists, where you were last a citizen or national. If you are a citizen or national of more than one country, type or print the name of the foreign country that issued your last passport in this Item Number. Provide information about additional countries of citizenship or nationality using Part 16. Additional Information.

Item Number 11. Current Mailing Address (Safe Mailing Address, if applicable). You must provide a current mailing address. We will use your mailing address to mail notices. If you do not provide a current, complete, and valid mailing address, we may reject your Form I-130.

If you are residing in a shelter or safe house at the time of filing this application or you otherwise do not feel safe providing your current mailing address, you may provide a "safe address" where you are able to receive mail in **Part 2., Item Numbers 11.** You may provide a post office box (P.O. Box) or the address of a friend, your attorney, a community-based organization that is helping you, or any other address where you can safely and timely receive mail.

Item Number 13. Current Physical Address. If your mailing address is different from your physical address, you must provide a current physical address in **Item Numbers 13.** so that USCIS can schedule your biometric and interview appointments at the correct location. If you are currently homeless, you can indicate "homeless" in the Physical Address field; however, you will need to provide the city/town/village, state, ZIP code, and province and country (if you live outside the United States) where you live. You can then use Form G-1145, e-Notification of Application/Petition Acceptance, to request notification by text or email confirming receipt of your Form I-130.

If you are a victim of domestic violence, you are not required to disclose the confidential address of a shelter or safe house. If you are currently residing in a shelter or safe house or have resided in a shelter or safe house for part of the reporting period, you may provide just the name of the city and state of the location of the shelter or safe house in **Part 2., Item Number 11.** If we need further clarification, we will ask at the interview.

Item Number 18. Current Marital Status. Select the box that best describes your marital status.

Item Numbers 20. - 43. Provide information about your spouse(s) (if applicable), children (if applicable) and parents.

Item Numbers 20. - 21. If applicable, enter the full legal name, date of birth (mm/dd/yyyy format), and date of marriage to current spouse, and dates of termination of marriage for any prior spouses.

Item Numbers 24. - 42. Information About Your Parents. Provide information about your parents, even if deceased. Provide each parent's full legal name, date of birth in mm/dd/yyyy format, sex, place of birth (use the current officially recognized name of the city/town/village, state/province, and country and not the historical or unofficial/informal names), city/town/village of residence, and country of residence.

Item Numbers 33. and 43. Indicate if either of your parents was ever a foreign diplomatic officer (meaning a diplomatic officer working for a country other than the United States) accredited by the U.S. Department of State. Children born in the United States to accredited foreign diplomatic officers do not acquire citizenship automatically at birth because they are not born subject to the jurisdiction of the United States.

Item Numbers 47.a. - 47.d. If you are a lawful permanent resident, indicate your class, date and place of admission. If you went through inspection at a port of entry, you may be able to find this information on your passport admission stamp, a paper Form I-94, Arrival/Departure Record, or by downloading a copy of your electronic Form I-94, Arrival/Departure Record. You may visit the CBP website at cbp.gov/i94 to obtain an electronic copy of Form I-94 if needed. If you cannot obtain the Form I-94 from the CBP website, it may be obtained by filing Form I-102, Application for Replacement/Initial Nonimmigrant Arrival-Departure Record, with USCIS. See Form G-1055, available at uscis.gov/forms, for specific information about the fees applicable to Form I-102.

Item Numbers 48. - 55. Employment and Educational History. List where you have worked or attended school full time or part time during the last 5 years, whether inside or outside the United States. List your current or most recent employment first. If you are currently unemployed, type or print “Unemployed” in **Item Number 50**.

Item Numbers 56. - 68. Criminal History. If you have ever been convicted of criminal conduct, under Federal, state, tribal, military, or foreign laws, that may be a specified offense against a minor under the Adam Walsh Act (including a delinquency adjudication for an offense comparable to or more severe than 18 USC 2241 – Aggravated sexual abuse), your Form I-130 is not eligible for approval unless USCIS determines you pose no risk to the beneficiary. USCIS adjudicates the applicability of the Adam Walsh Act and makes the “no risk” assessment after the petition is properly filed. Therefore, you must disclose **EACH** incident when you were detained, arrested, cited, charged, confined, convicted, or adjudicated delinquent for any offense against or involving a minor. You must disclose the incident even if it occurred when you were a minor. You must disclose this information even if someone, including a judge, law enforcement officer, or attorney, told you that it is no longer on your record, or told you that you do not have to disclose the information. You may be required to appear for biometric collection based on your criminal history. Refer to **Biometric Services Appointment** in the **General Instructions** section of these Instructions for more detail.

For instructions on what evidence to submit, see the **General Requirements** section of these Instructions, **Item Number 4. What documents do you need to submit if you have criminal history involving a minor?**

Part 3. Biographic Information of Petitioner. 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 **application support center (ASC)** appointment as described in the **Biometric Services Appointment** section of these Instructions.

Item Numbers 1. - 2. Ethnicity and Race. Select the boxes that best describe your ethnicity and race.

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 included under Ethnicity in **Part 3.**, **Item Number 1.**)
- (2) 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.
- (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.
- (4) Black or African American.** A person having origins in any of the black racial groups of Africa.

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

(6) White. A person having origins in any of the original peoples of Europe, the Middle East, or North Africa

Item Number 3. 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.

Item Number 4. 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.

Item Number 5. Eye Color. Select the box that best describes the color of your eyes.

Item Number 6. Hair Color. Select the box that best describes the color of your hair.

Part 4. Information About Beneficiary

Item Number 1. Beneficiary’s Full Legal Name (do not provide a nickname). The beneficiary’s current legal name is the name on his or her birth certificate unless it changed after birth by a marriage, divorce, or court order.

Item Number 2. Other Names Used (if any). Provide all other names the beneficiary has ever used, including aliases, maiden name, family name at birth, assumed names, nicknames, and alternate spellings or variations of names. Include any names used in previous immigration applications, petitions, or removal proceedings; any names provided to immigration officers, U.S. Customs and Border Protection, or U.S. Immigration and Customs Enforcement; and any names used in any Federal, state, or local criminal arrests, citations, or proceedings. Include the first, middle, and last name for each additional name used. If you need extra space to complete this section, use the space provided in **Part 16. Additional Information**.

Item Number 3. Date of Birth. (mm/dd/yyyy). In addition to providing the beneficiary’s actual date of birth, include any other dates of birth he or she has ever used, including dates used in connection with any legal names or non-legal names in the space provided in **Part 16. Additional Information**. Provide the beneficiary’s date of birth in this order: Month, Day, Year. Use eight numbers to show the beneficiary’s date of birth in the mm/dd/yyyy format. We will reject your Form I-130 if you do not provide the beneficiary’s date of birth.

Item Number 4. Sex. Indicate whether the beneficiary is male or female as provided on his or her birth certificate issued at the time of birth or issued closest to the time of birth or in secondary evidence provided to USCIS, if applicable.

Item Numbers 57.b. – 57.d. Form I-94 Arrival/Departure Record. Complete **Part 4., Item Numbers 57.b. - 62.,** of the petition regarding the admission or travel document for the beneficiary.

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 is also known as the Departure Number on some versions of Form I-94.

NOTE: You may visit the CBP website at cbp.gov/i94 to obtain a paper version of an electronic Form I-94 if needed. If you cannot obtain the Form I-94 from the CBP website, it may be obtained by filing Form I-102, Application for Replacement/Initial Nonimmigrant Arrival-Departure Record, with USCIS. See Form G-1055, available at uscis.gov/forms, for specific information about the fees applicable to Form I-102.

Passport and Travel Document Numbers. Complete **Part 4., Item Numbers 60. - 63.,** as applicable. If the beneficiary used a passport or travel document to travel to the United States, enter the passport or travel document information in the appropriate space on the petition, even if the passport or travel document is currently expired.

Part 5. Complete Only If Filing for a Spouse Beneficiary

Item Number 4. Bona Fide Marriage Exemption. Select the second box under **Item Number 4.** to request a bona fide marriage exemption if, at the time of marriage, the beneficiary was the subject of exclusion, deportation, or removal proceedings 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. Note that you must establish by clear and convincing evidence that your marriage is bona fide to be eligible for this exemption. You may wish to provide USCIS with a written statement, in addition to checking **Item Number 4.**, if you believe additional information or evidence would support your request. You do not need to request a bona fide marriage exemption if, after you married the beneficiary while in proceedings, the beneficiary has resided outside the United States for a two-year period beginning after the date of marriage.

Part 6. Complete Only If Filing for a Child Beneficiary

Item Number 2. Assisted Reproductive Technology (ART) refers to fertility treatments where either the egg or sperm, or both, is handled outside the body. ART includes intrauterine insemination and in vitro fertilization, among other reproductive technology procedures. A child conceived through ART may be considered a child for immigration purposes. USCIS considers a valid parent-child relationship to exist between a non-genetic gestational parent (the person who gave birth to the child) and a child if that non-genetic gestational parent is recognized as the child's legal parent under the law of the relevant jurisdiction at the time of the child's birth. In addition, a valid parent-child relationship exists between a non-genetic, non-gestational parent and a child if that parent is married to the child's genetic or gestational parent at the time of the child's birth and both parents are recognized by the relevant jurisdiction as the child's legal parents.

Part 7. Complete Only If Filing for an Adopted Child Beneficiary

If you are petitioning for your child based on adoption, provide the requested information.

For an adoption to qualify for immigration purposes, the adoption must be a final judicial or administrative act that establishes a permanent legal parent-child relationship between a child and an adoptive parent, terminates the legal parent-child relationship between the child and any prior legal parent(s), and complies with the law of the country or place granting the adoption.

USCIS also assesses whether the adoptive relationship is bona fide. USCIS evaluates the petition to determine if the intent of the adoption was to form a genuine parent-child relationship and not solely for immigration purposes.

If you are petitioning for an adopted child, you may use this form if your child meets the requirements for a family-based adoption petition because you adopted the child before he or she reached age 16 (or age 18 if the sibling exception applies), and the child has been in your legal custody and has jointly resided with you for at least two years. For more information on requirements for adopted children, see our adoptions webpages at uscis.gov/adoption and **USCIS Policy Manual Volume 5, Part E.**

A. Hague Adoption Convention Restrictions

If your child is from a Hague Adoption Convention country and you are a U.S. citizen or you are married to a U.S. citizen, you cannot petition for your adopted child using Form I-130 unless you establish that the Hague Adoption Convention does not apply. To see a list of Convention countries, go to the U.S. Department of State's Convention Countries webpage at travel.state.gov. Generally, the U.S. Hague Adoption Convention process does not apply if:

1. The petitioner was not a U.S. citizen at the time of the adoption (**NOTE:** If the petitioner was married at the time of adoption, the Hague Adoption Convention may apply if either spouse was a U.S. citizen at the time of the adoption);
2. The petitioner completed the adoption before the Hague Adoption Convention went into effect for the United States (April 1, 2008), or for the country where the child was habitually resident;
3. The petitioner (and U.S. citizen spouse, if married at the time of adoption) was not habitually resident in the United States at the time of the adoption; or

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4. The child was not habitually resident in another Hague Adoption Convention country at the time of the adoption. (NOTE: A child who is present in the United States is generally considered habitually residing in his or her country of origin.) For additional information on determining whether the Hague Adoption process applies, see [The USCIS Policy Manual, Volume 5, Adoptions, Part A, Adoption Processes](#) and [Part E, Family-Based Adoption Petitions, Chapter 3, Hague Restrictions on Family-Based Petitions](#) (uscis.gov/policy-manual).

If you are adopting a child through the orphan process, see Form I-600, Petition to Classify Orphan as an Immediate Relative. If you are adopting a child through the Hague Adoption Convention process, see Form I-800, Petition to Classify Convention Adoptee as an Immediate Relative.

B. Beneficiary Age Requirements

You must have adopted the child while the child was under the age of 16 unless the sibling exception applies. The sibling exception applies if:

1. You adopted the child before his or her 18th birthday;
2. You also adopted the child's birth sibling; and
3. You adopted the child's birth sibling before 16 years of age and the birth sibling qualifies as an adopted child, OR you filed an orphan petition on behalf of the child's birth sibling before 16 years of age and the birth sibling qualifies as an orphan.

C. Legal Custody and Joint Residence

You must establish that the child has been in your legal custody and jointly resided with you for at least 2 years at the time of filing this petition. Only a court or recognized government entity may grant legal custody, and it is usually granted at the time the adoption becomes final. However, if legal custody is granted by a court or recognized government entity prior to the adoption, that time counts toward fulfilling the 2-year legal custody requirement.

The only exception to the 2-year legal custody and joint residency requirements is if the child was battered or subject to extreme cruelty by the adoptive parent(s) or a member of the adoptive parent's household residing in the same household. For information on filing a Violence Against Women Act (VAWA) self-petition for a battered child, see the Form I-360, Petition for Amerasian, Widow(er), or Special Immigrant.

You must provide all addresses of the adopted child beneficiary. In addition, you must provide information about individual(s) that the child lived with and/or the legal entities caring for the child at each address. If the child lived in the care of one or more individuals (such as family or friends), you must list the name of each person over 18 years of age living at the address while the child lived there, and each person's relationship to the child (for example: birth parent, adoptive parent, birth sibling, adoptive sibling, legal guardian, caregiver, etc.). If the child was living in the care of a separate legal entity, such as a group home provider, list the name of the legal entity that the child lived with, and the type of entity. You must also include the name(s) of the individual(s) or legal entity who had legal custody of the child while he or she lived at each address. "Legal entity" refers to an organization (for example, government body, non-profit organization, or company) caring for the adopted child.

D. Stepchildren and Adopted Children

Even if you are both the child beneficiary's stepparent and adoptive parent, you may only check one box for **Part 6.**, Item 1. However, USCIS will assess whether you meet the eligibility requirements for either category. There may be different advantages to requesting that USCIS consider your relationship as a stepparent first or your relationship as an adoptive parent first. While an adoptive relationship must be established before the child turns 16 years of age (unless the sibling exception applies), a stepparent relationship may be established before the child turns 18 years of age. In addition, for the petitioner to be considered an adoptive parent for immigration purposes, he or she must meet the legal custody and joint residency requirements and obtain a final adoption before the child turns 16 years of age (or 18 years of age if the sibling exception applies). However, legal custody and joint residence are not required to establish a qualifying step-relationship. Adopted children and stepchildren may be subject to different USCIS filing fees later during the immigration process. See Form G-1055, available at uscis.gov/g-1055. For additional information, see uscis.gov/adoption/immigration-through-adoption/family-based-petition-process/immigration-adoption-and-citizenship-for-stepchildren-of-us-citizens-and-lpr. If you are unsure which category to file under, you may wish to consult an immigration attorney.

Part 12. Processing Information

If you select **Item Number 2.** on the form (beneficiary is in the United States and will apply for adjustment of status), we will retain your approved petition to await the filing of the beneficiary's Form I-485, Application to Register Permanent Residence or Adjust Status. If you select Item Number 1., but the beneficiary decides to pursue consular processing after we have already approved your petition, you must file Form I-824, Application for Action on an Approved Application or Petition, and request that USCIS send your approved immigrant visa petition to the Department of State's National Visa Center (NVC).

If you select **Item Number 2.a.** (beneficiary will apply for an immigrant visa at the U.S. Embassy or U.S. Consulate), we will transfer your approved petition to the NVC for consular processing. If, after approval of the petition, the beneficiary decides that he or she wishes to adjust status in the United States instead, you should notify USCIS of this change so that USCIS can request your petition back from the Department of State. Please note, the Department of State may terminate the registration of the beneficiary if the beneficiary fails to apply for an immigrant visa within one year of being notified of its availability. The termination of registration would result in the automatic revocation of your petition.

If your Form I-130 is still pending with USCIS and you wish to change your selection of whether the beneficiary will adjust status or consular process, you should request that USCIS update your Form I-130 as soon as possible by contacting the USCIS Contact Center or by notifying USCIS using your myUSCIS account using the receipt number on your Form I-130.

Part 13. Petitioner's Statement, Contact Information, and Signature

Item Numbers 1. - 4. You must sign and date your petition and, if applicable, provide your daytime telephone number, mobile telephone number, and email address. The signature of a parent or legal guardian, if applicable, is acceptable. A stamped or typewritten name in place of a signature is not acceptable.

Part 14. Interpreter's Contact Information, Certification, and Signature

Item Numbers 1. - 6. 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 and sign and date the petition.

Part 15. Contact Information, Certification, and Signature of the Person Preparing this Petition, if Other Than the Petitioner

Item Numbers 1. - 6. The person who completed your petition, if other than the petitioner, must sign this section. If the same individual acted as your interpreter and your preparer, then that person should complete both **Part 14.** and **Part 15.** A stamped or typewritten name in place of a signature is not acceptable.

Form I-130A, Contact Information, Certification, and Signature of Beneficiary

If the beneficiary is currently present in the United States and is 14 years of age or older, he or she must complete Form I-130A, Contact Information, Certification, and Signature of Beneficiary.

Part 1. Information About You (Beneficiary). Item Number 3. Beneficiary's Full Legal Name (do not provide a nickname). The beneficiary's current legal name is the name on his or her birth certificate unless it changed after birth by a marriage, divorce, or court order.

Part 2. Beneficiary's Contact Information, Certification, and Signature. The beneficiary must sign and date the Form I-130A and, if applicable, provide his or her daytime telephone number, mobile telephone number, and email address. The signature of a legal guardian, if applicable, is acceptable. A stamped or typewritten name in place of a signature is not acceptable.

The beneficiary must clearly indicate the Parts of the Form I-130 that he or she is certifying. In addition to **Parts 4., 10., and 12.** of the Form I-130, the beneficiary must indicate **Part 5., 6., 7., 8., and/or 9.** based the Part(s) of Form I-130 that you completed and that correspond to your (the petitioner's) relationship to the beneficiary. If the beneficiary does not complete this portion of the I-130A, we will reject your Form I-130.

We recommend that you review your copy of your completed petition before you go to your biometric services appointment at a USCIS ASC. At your appointment, USCIS will allow you to complete the petition 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, we will require you to return for another appointment.

General Requirements

1. What documents do you need to show that you are a U.S. citizen?

- A. A copy of your birth certificate, issued by a civil registrar, vital statistics office, or other civil authority showing that you were born in the United States;
- B. A copy of your naturalization certificate or certificate of citizenship issued by USCIS or the former Immigration and Naturalization Service (INS);
- C. A copy of Form FS-240, Consular Report of Birth Abroad (CRBA), issued by a U.S. Embassy or U.S. Consulate;
- D. A copy of your unexpired U.S. passport; or
- E. An original statement from a U.S. consular officer verifying that you are a U.S. citizen with a valid passport.

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.

2. What documents do you need to show that you are a lawful permanent resident?

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.

3. What documents do you need to prove a **qualifying** family relationship?

You have to prove that there is a **qualifying** 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.

NOTE:

(1) If you are submitting evidence of birth, adoption, marriage, or termination of marriage that took place outside the United States, see the U.S. **Department of State's Reciprocity Schedule**, travel.state.gov/content/travel/en/us-visas/Visa-Reciprocity-and-Civil-Documents-by-Country.html, to determine the primary document(s) to submit.

(2) If you submit a document with information in a foreign language, you **must** also submit a **full English translation**. See **Translations** in the **General Instructions** section of these Instructions on how to submit a proper translation.

A. A spouse:

- (1) A copy of your marriage certificate **issued by the appropriate civil authority;**

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- (2) If either **you or** your spouse was previously married, submit copies of documents showing that each of the prior marriages was legally terminated (**final decree of divorce, final decree of annulment, or death certificate of the prior spouse issued by the appropriate civil authority**); and
 - (3) **You must submit 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 two identical color passport-style 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, **be printed on thin paper with a glossy finish, and be unmounted and unretouched.** 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.

NOTE: In addition to the required documentation listed above, you must submit evidence establishing your marriage is bona fide. A marriage is bona fide if the spouses married in good faith and not primarily for immigration purposes. USCIS does not consider a marriage bona fide if it was not entered into with the consent of both spouses. Evidence of a bona fide marriage may include, but is not limited to:

- (1) Birth certificates of children born to you and your spouse together;
- (2) Documentation showing joint ownership of property;
- (3) A lease showing joint tenancy of a common residence, meaning you both live at the same address together;
- (4) Documentation showing that you and your spouse have combined your financial resources;
- (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 of the person making the affidavit; 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
- (6) (Any other relevant documentation to establish that there is an ongoing marital union.

NOTE: If you married your spouse while your spouse was the subject of an exclusion, deportation, or removal proceeding (including during the judicial review of any one of these proceedings) and request a bona fide marriage exemption, 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 are a lawful permanent resident who obtained permanent residence through a prior marriage that was not terminated by the death of your spouse and you are filing your petition for a new spouse within five years of obtaining your permanent residence, you must submit clear and convincing evidence that the marriage through which you gained permanent residence was entered into in good faith and not for immigration purposes.

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

If you have been married less than two years on the date your spouse or stepchild has obtained permanent resident status, USCIS will grant your spouse or stepchild conditional permanent resident 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.** You and your spouse may include the stepchild on the Form I-751, or you and the stepchild may file a separate Form I-751.

Conditional permanent residents generally 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.

NOTE: If your spouse fails to timely file Form I-751 to remove the conditional basis of his or her permanent resident status, USCIS will terminate his or her permanent resident status and begin removal proceedings.

- 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.
- C. A child born in wedlock 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 **the appropriate** civil authorities.
- D. A child born out of wedlock and you are the father:** Submit a copy of the child's birth certificate showing both parents' names (If not available, see **What if an official document is not available in the General Requirements** section of these Instructions). In addition, 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. **A father-child relationship is bona fide if the father showed genuine, active concern for the child's support, instruction, and general welfare.** Evidence of a bona fide relationship may include evidence that you lived with the child, supported him or her, or otherwise showed continuing parental interest in the child's welfare.

NOTE: If a birth certificate was not registered at or near the time of a child's birth, USCIS may find that it is not sufficiently reliable proof of a parent-child relationship. If you are submitting a late registration birth certificate, also submit a written explanation or evidence showing why the child's birth was not registered at or near the time of birth or additional evidence (for example, evidence of a parent-child relationship at or near the time of birth).

- 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 **was** 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.
- F. A mother:** Submit a copy of your birth certificate showing your name and your mother's name.
- 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 was previously married, submit copies of documents showing that all prior marriages were 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 information on proving your family relationship.
- 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.

- I. Adoptive parent, adopted child, or adopted sibling:** 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, or before the child turned 18 years of age if the sibling exception applies.

NOTE: Certain retroactive or amended court orders that meet specific requirements may establish that the beneficiary meets age at the time of adoption requirements. Please see uscis.gov/policy-manual/volume-5-part-e-chapter-2 for additional information on amended or retroactive court orders.

You must also submit evidence to establish that the child was in the legal custody of and jointly resided with the parents who adopted him or her for at least two years before you filed this petition. In addition, if you or your spouse (if married) are U.S. citizens who adopted a child habitually resident in a Hague Adoption Convention country, you must submit evidence that the Hague Adoption Convention does not apply to the adoption.

- J. Parent-Child Relationships Involving Assisted Reproductive Technology (ART).** If your child was born through ART and:

- You are a non-genetic gestational parent (person who gave birth to the child), submit evidence that you were the legal parent of a child under the law of the relevant jurisdiction at the time of the child's birth.
- You are the non-genetic, non-gestational parent, submit evidence that you were married to the child's genetic or gestational parent at the time of the child's birth and both parents were recognized by the relevant jurisdiction as the child's legal parents.

Generally, the child's birth certificate that lists the names of the parents is sufficient evidence. In the absence of a birth certificate, or if the parent's name is not listed in the birth certificate, you may provide other evidence such as a court order or a government-issued document showing legal parentage.

- 4. What documents do you need to submit if you have criminal history involving a minor?**

You must submit certified police and court records for any criminal charges, arrests, convictions, or juvenile delinquency adjudications that involve a minor (person under the age of 18 years of age). You may provide photocopies of the documents listed below.

- A.** If you were **EVER** arrested, detained, or confined by a law enforcement officer for any reason anywhere in the world, including the United States, and no criminal charges were filed, you must submit:

- An original or certified copy of the complete arrest report; and
- Either an official statement by the arresting, detaining, or confining agency or prosecutor's office **OR** an applicable court order that indicates the final disposition of your arrest or detention;

- B.** If you were **EVER** charged or cited for any reason (even if you were not arrested) anywhere in the world, including the United States, you must submit:

- Original or certified copy of the complete arrest report(s) (if you were arrested); and
- Certified copies of **BOTH** the indictment, information, or other formal charging document **AND** the final disposition of each charge (for example, a dismissal order or acquittal order);

- C.** If you were **EVER** convicted or placed in an alternative sentencing, rehabilitative program (such as probation, drug treatment, deferred adjudication, or community service program), or adjudicated delinquent, **anywhere** in the world, including the United States, you must submit:

- An original or certified copy of the complete arrest report;
- Certified copies of the following: the indictment, information, or other formal charging document; any plea agreement, whether in the form of a court filing or recording in a hearing transcript; and the final disposition for each incident (for example, conviction record, deferred adjudication order, probation order, juvenile delinquency order); and

- Either an original or certified copy of your probation or parole record showing that you completed the mandated sentence, conditions set for the deferred adjudication, rehabilitative program, or juvenile delinquency adjudication **OR** documentation showing that you completed the alternative sentencing or rehabilitative program or juvenile delinquency requirements; or

D. If you **EVER** had any arrest, detention, confinement, citation, charge, juvenile delinquency adjudication, or conviction vacated, set aside, sealed, expunged, or otherwise removed from your record anywhere in the world, or received a pardon, you must submit:

- An original or certified copy of the complete arrest report; the indictment, information, or other formal charging document; any plea agreement, whether in the form of a court filing or recording in a hearing transcript; and the final disposition for each incident (for example, conviction record, deferred adjudication order, probation order);
- Any motion or petition to vacate, set aside, seal, expunge, pardon, or remove the offense from your record and court order vacating, setting aside, sealing, expunging, or otherwise removing the arrest, conviction, or other disposition from your record; and
- A certified copy of the pardon or court order vacating, setting aside, sealing, expunging, or otherwise removing the arrest, conviction, or juvenile delinquency adjudication.

If you are not able to obtain certified copies of any court disposition relating to your response to **Part 2. Item Number 58**, please submit all three items below:

- A written explanation on government letterhead from the custodian of the documents of why the documents are not available, unless the documents are generally unavailable from the custodian of the document;
- A written statement from the petitioner that explains why the record is not available and describes the criminal charge, citation, arrest, detention, confinement, conviction, or juvenile delinquency finding; the final outcome or disposition; and
- Any other secondary evidence that shows the disposition of the criminal case; or if secondary evidence is also not available, one or more written statements, signed under penalty of perjury under 28 U.S.C. section 1746 by someone other than the petitioner, who has direct personal knowledge of the disposition of the criminal case.

5. What if a name has changed?

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.

6. What if an official document is not available?

In this situation, submit a statement from the appropriate civil authority certifying that the document or documents are not available, **unless the Department of State indicates that this type of document generally does not exist (see travel.state.gov/content/travel/en/us-visas/Visa-Reciprocity-and-Civil-Documents-by-Country.html)**. In either case, **you must submit** secondary evidence, which may include one or more of the following records listed below.

- A. Religious record:** A copy of a document bearing the seal of the religious organization showing **the date of the baptism, dedication, religious ceremony, or comparable rite, and showing the date and place of the child's birth and the names of the child's parents. The religious record must have been issued contemporaneously with the event that it documents (the baptism, dedication, or comparable rite).**
- 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.
- C. Census record:** State or Federal census records showing the names, place of birth, date of birth, or the age of the person listed.

- 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.

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]."

- E. For parent-child or sibling relationships only:** If other forms of evidence have proven inconclusive, you may voluntarily submit other evidence of a biological parent-child relationship or biological sibling relationship (full or half-sibling) to include deoxyribonucleic acid (DNA) testing. USCIS will only consider DNA test results from parentage-testing laboratories accredited by the American Association of Blood Banks (AABB). A list of laboratories can be viewed at aabb.org/sa/facilities/Pages/RTestAccrFac.aspx

Where To File?

Please see our website at uscis.gov/i-130 for the most current information about where to file this petition.

Address Change

If you are not a U.S. citizen, you must notify USCIS of your new address within 10 days of moving from your previous residence. For information on changing your address, go to our website at uscis.gov/addresschange, or call the USCIS Contact Center.

NOTE: Do not submit a change of address request to the USCIS Lockbox.

Processing Information

Initial Processing. Once USCIS accepts your petition we will check it for completeness. If you do not properly complete this petition, you will not establish a basis for your eligibility and we may reject or deny your petition.

Requests for More Information. USCIS 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. If we request an original document from you, we will return it to you after USCIS determines it is no longer needed.

Requests for Interview. We may request that you, the beneficiary (if present in the United States), or both you and the beneficiary (if present in the United States) appear at a USCIS office for an interview based on your petition. During the interview, USCIS may require you and/or the beneficiary, as applicable, to provide biometrics to verify identity and/or update background and security checks. Before conducting an interview, USCIS will place you and/or the beneficiary, as applicable, under oath and take testimony regarding your Form I-130. At the interview, USCIS may also take a written sworn statement from you and/or the beneficiary, as applicable.

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 our decision in **writing**.

Penalties

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 **petition**. In addition, you will face severe penalties provided by law and may be subject to criminal prosecution.

USCIS Compliance Review and Monitoring

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.

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.

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.

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.

DHS Privacy Notice

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.

ROUTINE USES: DHS may share the information you provide on this form with other Federal, state, local and foreign government agencies and authorized organizations. DHS follows approved routine uses 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/PIA-003 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 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

USCIS may not conduct or sponsor an information collection, and you are 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 2.3 hours per response and Form I-130A is estimated at 24 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, Office of Policy and Strategy, Regulatory Coordination Division, 5900 Capital Gateway Drive, Mail Stop #2140, Camp Springs, MD 20588-0009; OMB No. 1615-0012. **Do not mail your completed Form I-130 or Form I-130A to this address.**

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Checklist

For all Form I-130 petitioners:

- ☐ Did you answer each question on Form I-130?
- ☐ Did you sign and date the petition?
- ☐ Did you enclose the correct filing fee for each petition?
- ☐ Did you submit proof of your U.S. citizenship or lawful permanent resident status?
- ☐ Did you submit proof of legal name changes for you or the beneficiary (if applicable)?
- ☐ Did you submit other required supporting evidence?
- ☐ Did you include Form I-130A, signed by the beneficiary (if 14 years of age or older and inside the U.S.)?
- ☐ If you have an attorney or accredited representative, did you include a completed Form G-28?

For Form I-130 petitioning for a spouse beneficiary:

- ☐ Did you include a copy of your marriage certificate?
- ☐ Did you include evidence that any prior marriages you or your spouse had (if applicable) ended through death of the prior spouse or were otherwise terminated?
- ☐ Did you submit evidence of a bona fide marriage? Examples include:
 - Birth certificates of children born to you and your spouse together;
 - Documentation showing joint ownership of property;
 - A lease showing joint tenancy of a common residence;
 - Documentation showing that you and your spouse have combined your financial resources;
 - Affidavits from third parties having personal knowledge of the bona fides of your marital relationship; or
 - Any other relevant documentation to establish that there is an ongoing marital union.
- ☐ Did you include two photographs of your spouse beneficiary?
- ☐ Did you include two photographs of you (spouse petitioner)?

For Form I-130 petitioning for a child beneficiary:

- ☐ Did you submit a copy of the beneficiary's birth certificate(s)?
- ☐ If you are the beneficiary's father, did you include a copy of your marriage certificate to the beneficiary's mother, other evidence that the beneficiary was legitimated, or evidence of your bona fide relationship with the beneficiary before he or she turned 21 years of age?
- ☐ If filing for a stepchild did you submit a copy of your marriage certificate to the beneficiary's other parent and evidence of termination of any prior marriages?
- ☐ Did you note the beneficiary's marital status on the form, and if ever married, did you provide evidence of the beneficiary's marital status?

For Form I-130 petitioning for an adopted child beneficiary:

- ☐ Did you submit a copy of the adoption decree?
- ☐ Did you include evidence of 2 years of legal custody of the adopted child?
- ☐ Did you include evidence that you resided with the adopted child for 2 years?
- ☐ Did you submit evidence that the Hague Adoption Convention process does not apply (if potentially applicable)?

For Form I-130 petitioning for a parent beneficiary:

- ☐ Did you submit a copy of your birth certificate?
- ☐ If filing for your father, did you include your parents' marriage certificate, other evidence that you were legitimated, or evidence of a bona fide relationship with your father before you turned 21 years of age?
- ☐ If filing for a stepparent, did you submit a copy of the marriage certificate of your stepparent and other legal parent and evidence of termination of any prior marriages?

For Form I-130 petitioning for a brother or sister beneficiary:

- ☐ Did you include copies of birth certificates for you and your brother or sister?
- ☐ If filing for a stepbrother or stepsister, did you submit a copy of the marriage certificate of your respective parents, and documentation showing termination of prior marriages of your parents (if applicable)?
- ☐ If your common parent is your father, did you include for you and the beneficiary, as applicable:
 - A copy of your father's marriage certificate to your mother or the beneficiary's mother, and documentation of termination of prior marriages (if applicable),
 - Evidence that your father legitimated you or the beneficiary, or
 - Evidence of a bona fide relationship with your father before you or the beneficiary turned 21 years of age?

See the **General Requirements** section above for further guidance on evidence.