

Read the instructions carefully. If you do not follow the instructions, we may have to return your petition, which may delay final action.

## 1. Who May File?

- A. You are a U.S. citizen, and
- B. You and your fiancé(e) intend to marry within 90 days of your fiancé(e) entering the United States, and are both free to marry, and have met in person within two years before your filing of this petition unless:
  - 1) The requirement to meet your fiancé(e) in person would violate strict and long-established customs of your or your fiancé(e)'s foreign culture or social practice; or
  - 2) It is established that the requirement to personally meet your fiancé(e) would result in extreme hardship to you.

**OR**

- C. You wish to have your alien spouse or child enter as a nonimmigrant. See Question 12.

**NOTE:** Unmarried children of your fiancé(e) or spouse who are under 21 years of age and listed on this form will be eligible to apply to accompany your fiancé(e) or spouse.

## 2. General Filing Instructions.

- A. Type or print legibly in black ink.
- B. If extra space is needed to complete any item, attach a continuation sheet, indicate the item number, and date and sign each sheet.
- C. Answer all questions fully and accurately. State that an item is not applicable with "N/A." If the answer is "none," write none.
- D. **Translations.** Any foreign language document must be accompanied by a full English translation, that the translator has certified as complete and correct, and by the translator's certification that he or she is competent to translate the foreign language into English.
- E. **Copies.** If these instructions state that a copy of a document may be filed with this petition and you choose to send us the original, the Bureau of Citizenship and Immigration Services (CIS) will keep that original for our records. If the CIS requires the original, we will request it.

**NOTE:** The CIS is comprised of offices of the former Immigration and Naturalization Service (INS).

## 3. What Documents Do You Need to Show That You Are a United States Citizen?

- A. If you were born in the United States, give the CIS a copy, front and back, of your birth certificate.

- B. If you were naturalized, give the CIS a copy, front and back, of your original Certificate of Naturalization.
- C. If you were born outside the United States, and you are a U.S. citizen through your parents, give the CIS:
  - 1) Your original Certificate of Citizenship, or
  - 2) Your Form FS-240 (Report of Birth Abroad of a United States Citizen).
- D. In place of any of the above, you may give the CIS a copy of your valid, unexpired U.S. passport that was issued for at least five years. You must submit copies of all pages in the passport.
- E. If you do not have any of the above and were born in the United States, see instruction under Number 4 below, "What If a Document Is Not Available?"

## 4. What If a Document Is Not Available?

If the documents needed above are not available, you can give CIS the following instead. However, the CIS may request in writing that you obtain a statement from the appropriate civil authority certifying that the needed document is not available. Any evidence submitted must contain enough information, such as a birth date, to establish the event you are trying to prove.

- A. **Baptismal certificate.** A copy, front and back, of the certificate under the seal of the church, synagogue or other religious entity showing where the baptism, dedication or comparable rite occurred, as well as the date and place of the child's birth, date of baptism and names of the child's parents. The baptism must have occurred within two months after the birth of the child.
- B. **School record.** A letter from the school authority (preferably from the first school attended), showing the date of admission to the school, child's date or age at that time, place of birth, and the names of the parents.
- C. **Census record.** State or Federal census record showing the name(s), date(s) and place(s) of birth or age(s) of the person(s) listed.
- D. **Affidavits.** Written statements sworn to, or affirmed by, two persons who were living at the time and who have personal knowledge of the event. For example, a birth, marriage or death. These persons may be relatives and do not have to be citizens of the United States. Each affidavit should contain the person's full name and address, date and place of birth, and relationship to you and must fully describe the event and explain how he or she acquired knowledge of the event.

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## 5. What Documents Do You Need to Prove That You Can Legally Marry?

- A. Provide copies of evidence that you and your fiancé(e) have personally met within the last two years, or if you have never met within the last two years, provide a detailed explanation and evidence of the extreme hardship or customary, cultural or social practices that have prohibited your meeting; and
- B. Provide original statements from you and your fiancé(e) whom you plan to marry within 90 days of his or her admission, and copies of any evidence you wish to submit to establish your mutual intent; and
- C. If either of you is of an age that requires special consent or permission for you to marry in the jurisdiction where your marriage will occur, give proof of that consent or permission; and
- D. If either you or your fiancé(e) were married before, give copies of documents showing that each prior marriage was legally terminated.

## 6. What Other Documents Do You Need?

- A. Give the CIS one color photo of you and one of your fiancé(e), taken within 30 days of the date of this petition. These photos must have a white background. The photos must be glossy, un-retouched and not mounted. The dimension of the facial image should be about one inch from your chin to the top of your hair in 3/4 frontal view, showing the right side of your face with your right ear visible. Using a pencil or felt pen, lightly print the name (and Alien Registration Number, if known) on the back of each photograph.
- B. Submit separate completed and signed Forms G-325A (Biographic Information) for you and your fiancé(e). Except for name and signature, you do not have to repeat on the Biographic Information forms the information given on your Form I-129F.
- C. If either you or the person you are filing for is using a name other than that shown on the relevant documents, you must give the CIS copies of the legal documents that made the change, such as a marriage certificate, adoption decree or court order.

## 7. Where Should You File This Form?

- A. If you are filing for your fiancé(e), submit this application according to your place of residence, as listed below:
  - If you live in Connecticut, Delaware, District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Puerto Rico, Rhode Island, Vermont, U.S. Virgin Islands, Virginia or West Virginia, mail this petition to: **USCIS Vermont Service Center, 75 Lower Welden Street, St. Albans, VT 05479-0001**

- If you live in Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, New Mexico, North Carolina, Oklahoma, South Carolina, Tennessee or Texas, mail this petition to: **USCIS Texas Service Center, P.O. Box 850965, Mesquite, TX 75185-0965.**
- If you live in Arizona, California, Guam, Hawaii or Nevada, mail this petition to: **USCIS California Service Center, P.O. Box 10130, Laguna Niguel, CA 92607-1013.**
- If you live in Alaska, Colorado, Idaho, Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Montana, Nebraska, North Dakota, Ohio, Oregon, South Dakota, Utah, Washington, Wisconsin or Wyoming, mail the petition to: **USCIS Nebraska Service Center, P.O. Box 87130, Lincoln, NE 68501-7130.**
- If you live outside the United States, mail your petition to the CIS Service Center listed above that has jurisdiction over the last place you lived in the United States. **NOTE:** Your petition cannot be adjudicated at a CIS office abroad.

- B. If you are filing for your spouse under the K nonimmigrant visa program, mail your application to: **USCIS, P.O. Box 7218, Chicago, IL 60680-7218.**

## 8. What Is the Fee?

You must pay **\$165.00** to file this form. **The fee will not be refunded, whether the petition is approved or not. Do not mail cash.** All checks or money orders, whether U.S. or foreign, must be payable in U.S. currency at a financial institution in the United States. When a check is drawn on the account of a person other than yourself, write your name on the face of the check. If the check is not honored, the CIS will charge you \$30.00.

Pay by check or money in the exact amount. Make the check or money order payable to **U.S. Department of Homeland Security**, unless:

- A. If you live in Guam and are filing your petition in Guam, make the check or money order payable to "Treasurer, Guam" or
- B. If you live in the U.S. Virgin Island and are filing your petition in the U.S. Virgin Islands, make the check or money order payable to "Commissioner of Finance of the Virgin Islands."

## 9. How Does Your Alien Fiancé(e) Obtain Permanent Resident Status?

Your alien fiancé(e) may apply for conditional permanent resident status after you have entered into a valid marriage to each other within 90 days of your fiancé(e)'s entry into the United States. Your alien spouse should then apply promptly to the BCIS for adjustment of status to conditional permanent resident, using Form I-485, Application to Register or Adjust Status.

## 10. How Does Your Conditional Permanent Resident Spouse Become a Lawful Permanent Resident Without Conditions?

Both you and your conditional permanent resident spouse are required to file a petition, Form I-751, Petition to Remove the Conditions on Residence, during the 90-day period immediately before the second anniversary of the date your alien spouse was granted conditional permanent residence. Children who were admitted as conditional permanent residents with your spouse may be included in the joint petition to remove the conditions.

The rights, privileges, responsibilities and duties that apply to all other permanent residents apply equally to a conditional permanent resident to file petitions on behalf of qualifying relatives, or to reside permanently in the United States as an immigrant in accordance with the immigration laws.

### NOTICE

**Failure to file Form I-751, Petition to Remove the Conditions on Residence, will result in termination of permanent residence status and initiation of removal proceedings.**

## 11. How Do You Use This Form for Your Spouse or Child Seeking Entry Using a K-3/K-4 visa?

This form may be used to obtain a K-3/K-4 visa for your alien spouse or child. Fill out the form as directed, except assume that "fiancé" or "fiancé(e)" means "spouse." In addition, omit Questions **B.18** and **B.19** by entering "N/A." Note that this form is only necessary to facilitate the entry of your spouse or child as a **nonimmigrant**.

You must submit the documents required in Questions **3**, **4** and **6** of the instructions, but may omit the documents required in Question **5**. In addition, citizens petitioning for K-3 visas for their alien spouses must also include evidence that they have filed Form I-130 on behalf of the alien spouse listed on this form, and a marriage certificate evidencing the legal marriage between the citizen and alien.

The LIFE Act requires applicants to apply for a K-3/K-4 visa in the country where their marriage to the U.S. citizen petitioner took place. Petitioners should make sure to identify the appropriate consulate, in the same country where they married the alien for whom they are petitioning, in block **20** to avoid lengthy delays. In the event the petitioner and alien were married in the United States, they should list the country of the alien's current residence. See U.S. State Department regulations at 21 CFR 41.81.

## 12. Processing Information.

Any petition that is not signed or accompanied by the correct fee will be rejected with a notice that it is deficient. You may correct the deficiency and resubmit the petition. However, a petition is not considered properly filed until accepted by the CIS. Once the petition has been accepted,

it will be checked for completeness, including submission of the required evidence. If you do not completely fill out the form or file it without required initial evidence, you will not establish a basis for eligibility and we may deny your petition.

We may request more information or evidence or we may request that you appear at a CIS office for an interview.

## 13. What Are the Penalties for Committing Marriage Fraud or Submitting False Information or Both?

Title 18, United States Code, Section 100 states that whoever willfully and knowingly falsifies a material fact, makes a false statement, or makes use of a false document will be fined up to \$10,000 or imprisoned up to five years, or both.

Title 8, United States Code, Section 1325 states that any individual who knowingly enters into a marriage contract for the purpose of evading any provision of the immigration laws shall be imprisoned for not more than five years, or fined not more than \$250,000, or both.

## 14. Information and CIS Forms.

For information on immigration laws, regulations and procedures and to order CIS forms, call our National Customer Service Center toll-free at **1-800-375-5283** or visit our internet website at **www.uscis.gov**.

## 15. What Is Our Authority for Collecting This Information?

We request the information on this form to carry out the immigration laws contained in Title 8, United States Code 1184(d). We need this information to determine whether a person is eligible for immigration benefits. The information you provide may also be disclosed to other federal, state, local and foreign law enforcement and regulatory agencies during the course of the investigation required by the CIS.

You do not have to give this information. However, if you refuse to give some or all of it, your petition may be denied.

## 16. What Is the Reporting Burden?

Under the Paperwork Reduction Act, a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. We try to create forms and instructions that are accurate, can be easily understood and that impose the least possible burden on you to provide us with information. Often this is difficult because some immigration laws are very complex. The estimated time to file this application is 30 minutes per application.

If you have any comments regarding the accuracy of this estimate, or suggestions for making this form simpler, you can write to the Bureau of Citizenship and Immigration Services, HQRFS, 425 I Street, N.W., Room 4034, Washington, DC 20529, OMB No. 1115-0071. **Do not mail your completed application to this address.**

# I-129F, Petition for Alien Fiancé(e)

**DO NOT WRITE IN THIS BLOCK**

**FOR CIS USE ONLY**

<b>Case ID #</b>	<b>Action Block</b>	<b>Fee Stamp</b>
<b>A #</b>		
<b>G-28 #</b>		
The petition is approved for status under Section 101(a)(5)(k). It is valid for four months from the date of action.		<b>AMCON:</b> _____ <input type="checkbox"/> Personal Interview <input type="checkbox"/> Previously Forwarded <input type="checkbox"/> Document Check <input type="checkbox"/> Field Investigation
<b>Remarks:</b>		

### Part A. Information about you.

### Part B. Information about your alien fiancé(e).

**1. Name** (Family name in CAPS) (First) (Middle)

**2. Address** (Number and Street) Apt. #

(Town or City) (State or Country) (Zip/Postal Code)

**3. Place of Birth** (Town or City) (State/Country)

**4. Date of Birth** (mmdd/yyyy) **5. Gender**

Male  Female

**6. Marital Status**

Married  Single  Widowed  Divorced

**7. Other Names Used** (including maiden name)

**8. Social Security Number**

**9. Names of Prior Spouses** **Date(s) Marriage(s) Ended**

<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>

**12. My citizenship was acquired through** (check one)

Birth in the U.S.     Naturalization

Give number of certificate, date and place it was issued.

Parents

Have you obtained a certificate of citizenship in your name?

Yes     No

If "Yes," give certificate number, date and place it was issued.

**13. Have you ever filed for this or any other alien fiancé(e) or husband/wife before?**

Yes     No

If "Yes," give name of alien, place and date of filing and result.

**1. Name** (Family name in CAPS) (First) (Middle)

**2. Address** (Number and Street) Apt. #

(Town or City) (State or Country) (Zip/Postal Code)

**3. Place of Birth** (Town or City) (State/Country)

**4. Date of Birth** (mmdd/yyyy) **5. Gender**

Male  Female

**6. Marital Status**

Married  Single  Widowed  Divorced

**7. Other Names Used** (including maiden name)

**8. U.S. Social Security #** **9. A#** (if any)

**10. Names of Prior Spouses** **Date(s) Marriage(s) Ended**

<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>

**11. Has your fiancé(e) ever been in the U.S.?**

Yes     No

**12. If your fiancé(e) is currently in the U.S., complete the following:**

**He or she last arrived as a:** (visitor, student, exchange alien, crewman, stowaway, temporary worker, without inspection, etc.)

**Arrival/Departure Record (I-94) Number**

—

**Date of Arrival** (mm/dd/yyyy) **Date authorized stay expired, or will expire as shown on I-94 or I-95**

**B. Information about your alien fiancé(e).** *(Continued)***13. List all children of your alien fiancé(e) (if any)**

Name (First/Middle/Last)	Date of Birth	Country of Birth	Present Address

**14. Address in the United States where your fiancé(e) intends to live.**

(Number and Street)  (Town or City)  (State)

**15. Your fiancé(e)'s address abroad.**

(Number and Street)  (Town or City)  (State or Province)   
 (Country)  (Phone Number)

**16. If your fiancé(e)'s native alphabet uses other than Roman letters, write his or her name and address abroad in the native alphabet.**

(Name)  (Number and Street)   
 (Town or City)  (State or Province)  (Country)

**17. Is your fiancé(e) related to you?**  Yes  No

If you are related, state the nature and degree of relationship, e.g., third cousin or maternal uncle, etc.

**18. Has your fiancé(e) met and seen you?**  Yes  No

Describe the circumstances under which you met. If you have not personally met each other, explain how the relationship was established, and explain in detail any reasons you may have for requesting that the requirement that you and your fiancé(e) must have met should not apply to you.

**19. Your fiancé(e) will apply for a visa abroad at the American embassy or consulate in:**

(City)  (Country)

(Designation of a U.S. embassy or consulate outside the country of your fiancé(e)'s last residence does not guarantee acceptance for processing by that foreign post. Acceptance is at the discretion of the designated embassy or consulate.)

**C. Other information.****If you are serving overseas in the Armed Forces of the United States, please answer the following:**

I presently reside or am stationed overseas and my current mailing address is:  I plan to return to the United States on or about:

**PENALTIES:** You may by law be imprisoned for not more than five years, or fined \$250,000, or both, for entering into a marriage contract for the purpose of evading any provision of the immigration laws, and you may be fined up to \$10,000 or imprisoned up to five years, or both, for knowingly and willfully falsifying or concealing a material fact or using any false document in submitting this petition.

**YOUR CERTIFICATION:** I am legally able to and intend to marry my alien fiancé(e) within 90 days of his or her arrival in the United States. I certify, under penalty of perjury under the laws of the United States of America, that the foregoing is true and correct. Furthermore, I authorize the release of any information from my records which the Bureau of Citizenship and Immigration Services needs to determine eligibility for the benefit that I am seeking.

Signature  Date (mm/dd/yyyy)  Daytime Telephone Number (with area code)

**D. Signature of person preparing form, if other than above. (Sign below.)**

I declare that I prepared this application at the request of the applicant and it is based on all information of which I have knowledge.

Signature  Print or Type Your Name  G-28 ID Number  Date (mm/dd/yyyy)   
 Firm Name and Address  Daytime Telephone Number (with area code)