

**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 United States 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 are 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 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. If any item does not apply, please write "N/A."
- D. Translations. Any foreign language document must be accompanied by a full English translation, which 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, INS will keep that original for our records. If INS requires the original, we will request it.

### 3. What documents do you need to show you are a United States citizen?

- A. If you were born in the United States, give INS your birth certificate.
- B. If you were naturalized, give INS 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 INS:

- 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 INS your valid unexpired U.S. passport that was initially issued for at least 5 years.
- E. If you do not have any of the above and were born in the United States, see instruction under 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 INS the following instead. (INS may require 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 certificate under the seal of the church 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 (2) 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.

### 5. What documents do you need to prove you can legally marry?

- A. If either of you is of an age that requires special consent or permission for you to marry in the jurisdiction in which your marriage will occur, give proof of that consent or permission.
- B. If either you or your fiancé(e) were married before, give copies of documents showing that each prior marriage was legally terminated; and

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- C. 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 which have prohibited your meeting; and
- D. Original statements from you and your fiancé(e) whom you plan to marry within 90 days of his/her admission, and copies of any evidence you wish to submit to establish your mutual intent.

## 6. What other documents do you need?

- A. Give INS 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. They 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 pencil or felt pen, lightly print name (and Alien Registration Number, if known) on the back of each photograph.
- B. Give a completed and signed Form G-325A (Biographic Information) for you and one for your fiancé(e). Except for name and signature, you do not have to repeat on the Biographic Information forms the information given on your 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 INS copies of the legal documents that made the change, such as a marriage certificate, adoption decree or court order.

## 7. How should you prepare this form?

- A. Type or print legibly in ink.
- B. If extra space is needed to complete any item, attach a continuation sheet, indicate the item number, and sign each sheet.
- C. Answer all questions fully and accurately. If any item does not apply, please write "N/A."

## 8. Where should you file this form?

- A. If you are filing for your fiancé(e), file 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, Virgin Islands, Virginia or West Virginia, mail this petition to: **USINS 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: **USINS 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: **USINS California Service Center, P.O. Box 10130, Laguna Niguel, CA 92607-0130.**

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: **USINS Nebraska Service Center, P.O. Box 87130, Lincoln, NE 68501-7130.**

If you live outside the U.S., you may mail your petition to the INS Service Center, listed above, which has jurisdiction over the last place you lived in the U.S., or you may file it at the INS overseas office which has jurisdiction over where you now live. You may inquire at a U.S. consulate for the address of the appropriate INS overseas office.

- B. If you are filing for your spouse, mail your application to: **USINS, P.O. Box 7218, Chicago, IL 60607-7218.**

## 9. What is the fee?

You must pay ninety five dollars (\$95.00) 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, INS will charge you \$30.00.

Pay by check or money in the exact amount. Make the check or money order payable to "Immigration and Naturalization Service," 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 Virgin Islands make the check or money order payable to "Commissioner of Finance of the Virgin Islands."

## 10. How does your alien fiancé(e) get his or her 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 Immigration and Naturalization Service for adjustment of status to conditional permanent resident, using Form I-485.

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## 11. 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, Joint Petition to Remove the Conditional Basis of Alien's Permanent Resident Status, during the 90-day period immediately before the second anniversary of the date your alien spouse was granted conditional permanent residence. Children who were admitted as conditional permanent residents with your spouse may be included in the joint petition to remove conditions.

The rights, privileges, responsibilities and duties that apply to all other permanent residents apply equally to a conditional permanent resident to file petitions in 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, Joint Petition to Remove the Conditional Basis of Alien's Permanent Residence Status, will result in termination of permanent residence status and initiation of removal or deportation proceedings.**

## 12. How do I use this form for my 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 "fiance" or "fiancee" 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 be sure to identify the appropriate consulate, in the same country in which 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 State Department regulations at 21 CFR 41.81.

## 13. 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 INS. 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 an INS office for an interview.

## 14. 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.

## 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 INS. 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 Immigration and Naturalization Service, HQPDI, 425 I Street, N.W., Room 4034, Washington, DC 20536, OMB No. 1115-0071. **DO NOT MAIL YOUR COMPLETED APPLICATION TO THIS ADDRESS.**

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**It is not possible to cover all the conditions for eligibility or to give instructions for every situation. If you have carefully read all the instructions and still have questions, please contact the INS National Customer Service Center at 1-800-375-5283 or visit our internet website at [www.ins.usdoj.gov](http://www.ins.usdoj.gov).**

# Petition for Alien Fiancé(e)

**DO NOT WRITE IN THIS BLOCK**

Case ID#	Action Stamp	Fee Stamp
A#		
G-28 or Volag #		
The petition is approved for status under Section 101(a)(15)(k). It is valid for four months from date of action.		AMCON: _____ <input type="checkbox"/> Personal Interview <input type="checkbox"/> Previously Forwarded <input type="checkbox"/> Document Check <input type="checkbox"/> Field Investigations
Remarks:		

### A. Information about you.

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

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**2. Address** (Number and Street) (Apartment Number)

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

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

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**4. Date of Birth** (Mo/Day/Yr)      **5. Sex**      **6. Marital Status**

Male       Married       Single  
 Female       Widowed       Divorced

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

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**8. Social Security Number** (if any)      **9. Alien Registration Number** (if any)

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**10. Names of Prior Husband/Wives**      **11. Date(s) Marriages(s)**

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

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

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**2. Address** (Number and Street) (Apartment Number)

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

---

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

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**4. Date of Birth** (Mo/Day/Yr)      **5. Sex**      **6. Marital Status**

Male       Married       Single  
 Female       Widowed       Divorced

---

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

---

**8. Social Security Number** (if any)      **9. Alien Registration Number** (if any)

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**10. Names of Prior Husbands/Wives**      **11. Date(s) Marriages(s)**

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**12. If you are a U.S. citizen, complete the following:**  
My citizenship was acquired through (check one)

Birth in the U.S.       Naturalization  
 Give number of certificate, date and place it was issued

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Parents  
 Have you obtained a certificate of citizenship in your own name?  
 Yes       No  
 If "Yes," give number of certificate, date and place it was issued.

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**13. Have you ever filed for this or any other alien fiancé(e) before?**       Yes       No  
If you checked "yes," give name of alien, place and date of filing, and result.

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

Yes       No

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**13. 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.)

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**Arrival/Departure Record (I-94)**      **Date arrived** (Month/Day/Year)

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**Date authorized stay expired, or will expire, as shown on Form I-94**

INITIAL	RESUBMITTED	RELOCATED		COMPLETED		
		Rec'd	Sent	Approved	Denied	Returned

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**B. Information about your alien fiancé(e) (Continued)**

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14. List all children of your alien fiancé(e) (if any)

(Name) (Date of Birth) (Country of Birth) (Present Address)

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

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

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16. Your fiancé(e)'s address abroad

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

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17. 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) (Province) (Country)

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18. 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.

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19. 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.

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20. Your fiancé(e) will apply for a visa abroad at the American Consulate in \_\_\_\_\_

(City) (Country)

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

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**C. Other information**

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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 Immigration and Naturalization Service needs to determine eligibility for the benefit that I am seeking.**

Signature \_\_\_\_\_ (Date) \_\_\_\_\_ (Phone Number) \_\_\_\_\_

**Signature of Person Preparing Form, If Other Than Above:**

I declare that I prepared this document at the request of the person above and that it is based on all information of which I have any knowledge.

Print Name \_\_\_\_\_ (Address) \_\_\_\_\_ (Signature) \_\_\_\_\_ (Date) \_\_\_\_\_

G-28 ID \_\_\_\_\_

Volag \_\_\_\_\_