

Checklist for Marriage Based Immigration Petitions For U.S. Citizens wishing to Sponsor Foreign National Spouses

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Below is a list of documents required to file for a spouse-based I-130 immigrant petition:

I-130 Spouse Petition Document Requirements

- I-130 by U.S. citizen (USC)
- G-28 for USC
- I-130A for foreign spouse
- G-28 for foreign spouse
- USCIS filing fees* (\$535 as of 11/15/18)
- One passport photo of U.S. citizen
- One passport photo of foreign spouse
- Proof of U.S. citizenship: copy of U.S. passport, Certificate of Naturalization
- Copy of marriage certificate
- Copy of any divorce decrees
- Copy of any name change documents
- Copy of joint bank account, utility bill, health insurance, lease agreement, auto insurance, or other documents showing that you and your spouse have combined financial resources
- Birth certificates of children born to you and your spouse together
- Written statements of support (affidavits) by third parties having personal knowledge of the marriage
- Any other documents to show that there is an ongoing marital union

***NOTE:** Filing fees are subject to frequent revisions, as are the forms and requirements. For the current fee amounts please check the USCIS website I-130 page. This has the most current instructions, I-130 and I-130A forms and information on where to file.[1]

If the Beneficiary (foreign spouse) is in the U.S. they will also file for the Adjustment of Status. Below is a list of documents needed:

I-485 Adjustment of Status

- I-485 Form by foreign spouse
- Forms G-28s from USC and foreign spouse
- Two passport photos of foreign spouse
- USCIS filing fees* (\$750 to \$1,225 depending on age, as of 11/15/2018. No fee for those admitted to the U.S. as a refugee)
- Foreign birth certificate [copy] with English translation
- Copy of passport page with visa stamp for foreign spouse – for all U.S. visas issued to them within, copies of OPT/EAD card etc. if applicable
- Copy of any criminal records
- Form I-864 signed by USC and spouse
- Tax return, pay stub, offer letter [copy]
- Passport of foreign spouse [copy]/ passport of USC
- Form I-864A signed by foreign spouse and USC [if applicable]

***NOTE:** Filing fees are subject to frequent revisions, as are the forms and requirements. For the current fee amounts please check the USCIS website I-485 page. This has the most current instructions, I-485, I-864, and I-864A forms, and information on where to file.[2]

I-765 Application for Employment Authorization

- I-765 by foreign spouse
- Two passport size photos of foreign spouse
- Form G-28 by foreign spouse
- No separate filing fees are required if filed with a marriage based adjustment application

NOTE: For the I-765 please visit the USCIS website I-765 page for the most current I-765 form and instructions. [3]

I-131 Application for Travel Document

- I-131 by foreign spouse
- Two passport photos of foreign spouse
- Form G-28 by foreign spouse
- No separate filing fees are required if filed with a marriage based adjustment application

NOTE: For the I-131 please visit the USCIS website I-131 page for the most current I-131 form and instructions.[4]

Additional Notes About All Forms:

- Any foreign language document will also need an English translation
- Original ink signatures will be needed for all forms and all affidavits

- [1] <https://www.uscis.gov/i-130>
- [2] <https://www.uscis.gov/i-485>
- [3] <https://www.uscis.gov/i-765>
- [4] <https://www.uscis.gov/i-131>