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I-130, Petition for Alien Relative

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i Alert: On Sept. 11, 2020, the U.S. Court of Appeals for the Second Circuit issued a decision that allows DHS to resume implementing the [Public Charge Ground of Inadmissibility final rule](#) nationwide, including in New York, Connecticut and Vermont. The decision stays the July 29, 2020, [injunction](#), issued during the coronavirus (COVID-19) pandemic, that prevented DHS from enforcing the public charge final rule during a national health emergency.

Therefore, we will apply the public charge final rule and [related guidance](#) in the USCIS Policy Manual, Volumes [2](#), [8](#) and [12](#), to all applications and petitions postmarked (or submitted electronically) on or after Feb. 24, 2020. If you send your application or petition by commercial courier (for example, UPS, FedEx, or DHL), we will use the date on the courier receipt as the postmark date.

For information about the relevant court decisions, please see the [public charge injunction webpage](#).

Use this form if you are a U.S. citizen or lawful permanent resident (LPR) and you need to establish your relationship to an [eligible relative](#) who wishes to come to or remain in the United States permanently and get a Permanent Resident Card (also called a Green Card).

Submitting Form I-130 is the first step in helping an eligible relative apply to immigrate to the United States and get Green Card. The filing or approval of this petition does not give your relative any immigration status or benefit.

We will generally approve your Form I-130 if you can establish a relationship between you and your relative that qualifies them to immigrate to the United States. Generally, once we approved the petition, your relative may apply to become an LPR. This is the second step in the process. Certain relatives must wait until a visa number is available before they can apply. If your relative qualifies as an immediate relative, an immigrant visa always is available.

- If your relative is already in the United States and a visa is available, they may be eligible to get their Green Card by filing [Form I-485, Application to Register Permanent Residence or Adjust Status](#).
- If your relative is ineligible to get their Green Card in the United States by filing Form I-485, or if your relative lives outside the United States, they may apply for an immigrant visa with the U.S. Department of State at the U.S. Embassy or Consulate in their country. For more information on ineligibility, please visit our [Green Card](#) webpage.

How to report suspected marriage fraud: We encourage you to report suspected immigration benefit fraud and abuse, including marriage fraud. For more information, please visit our [Reporting Fraud](#) webpage.

Help for immigration crime victims

Different types of support are available through ICE's [Victims of Immigration Crime Engagement \(VOICE\) Office](#).

Help for victims of abuse

If you are a battered spouse, child, or parent, you may be eligible to file a petition for yourself independent from your U.S. citizen or LPR abuser. For more information, go to the [Battered Spouse, Children, and Parents](#) webpage.

What This Form Can Help You Do

[Green Card for Family Members of a Permanent Resident](#)

[U.S. Citizen Petition for a Preference Relative to Become a Lawful Permanent Resident](#)

[U.S. Citizen Petition for a Spouse](#)

[U.S. Citizen Petition for an Adopted Child](#)

[U.S. Citizen Petition for an Immediate Relative to Become a Lawful Permanent Resident](#)

Forms and Document Downloads

[Form I-130 \(PDF, 709.64 KB\)](#)

[Instructions for Form I-130 \(PDF, 253.9 KB\)](#)

[Form I-130A, Supplemental Information for Spouse Beneficiary \(PDF, 1.02 MB\)](#)

[Form G-1145, E-Notification of Application/Petition Acceptance \(PDF, 237.85 KB\)](#)

Form Details

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Edition Date



Where to File



Filing Fee



Checklist of Required Initial Evidence (for informational purposes only)



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Last Reviewed/Updated: 09/22/2020



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