



Instructions for Petition to Remove Conditions on Residence

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

USCIS
Form I-751
OMB No. 1615-0038
Expires 03/31/2027

What Is the Purpose of Form I-751?

This petition is used by a conditional resident who obtained status through marriage, to request that U.S. Citizenship and Immigration Services (USCIS) remove the conditions on his or her residence.

Who May File Form I-751?

If you were granted conditional resident status through marriage to a U.S. citizen or lawful permanent resident, use Form I-751, Petition to Remove Conditions on Residence, to file for the removal of those conditions. If you have dependent children who acquired conditional resident status on the same day as you or within 90 days thereafter, then include the names and Alien Registration Numbers (A-Numbers) of these children in **Part 5** of Form I-751 in order to request that the conditions on their status be removed as well. If you have dependent children who did not acquire conditional resident status on the same day as you or within 90 days thereafter, or if the conditional resident parent is deceased, then those dependent children must each file Form I-751 separately to have the conditions on their status removed.

If you are still married, then file Form I-751 jointly with your spouse through whom you obtained conditional status. However, you may file Form I-751 without your spouse if:

1. You entered the marriage in good faith, but your spouse subsequently died;
2. You entered the marriage in good faith, but the marriage was later terminated due to divorce or annulment;
3. You entered the marriage in good faith, but you have been battered or subject to extreme cruelty by your petitioning spouse; or
4. Your conditional resident parent entered the marriage in good faith, but you have been battered or subject to extreme cruelty by your parent's U.S. citizen or lawful permanent resident spouse or by your conditional resident parent; or
5. The termination of your status and removal from the United States would result in extreme hardship.

When Should I File Form I-751?

1. **Filing jointly.** If you are filing this petition jointly with your spouse, you must file it during the **90-day period** immediately before your conditional residence expires.
2. **Filing with a request that the joint filing requirement be waived or individually filed.** You may file Form I-751 without your spouse if they are deceased, you are divorced, or you and/or your conditional resident child were battered or subjected to extreme cruelty. You may file this petition at any time after you are granted conditional resident status and before you are removed from the United States.
3. **Effect of not filing.** If this petition is not filed, you will automatically lose your permanent resident status two years from the date on which you were granted conditional status. You will then become removable from the United States.

SPECIAL NOTE: If your failure to file was through no fault of your own, you may file your petition late with a written explanation and request that USCIS excuse the late filing. Failure to file before the expiration date may be excused if you demonstrate when you file the petition that the delay was due to extraordinary circumstances beyond your control and that the length of the delay was reasonable.

General Instructions

We provide free forms through the USCIS website. To view, print, or complete our forms, you should use the latest version of Adobe Reader, which you can download for free at <http://get.adobe.com/reader/>. If you do not have Internet access, you may call the USCIS Contact Center and ask that we mail a form to you.

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 application. 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.

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 www.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 **What Evidence Must You Submit** section of these Instructions.

Biometric Services Appointment. USCIS may require you to appear for an interview or provide biometrics (fingerprints, photograph, and/or signature) at any time to verify your 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 an appointment notice with the date, time, and location of your appointment. If you are currently overseas, your notice will instruct you 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.

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.

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 they are competent to translate from the foreign language into English. The certification must also include their signature, printed name, the signature date, and their 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 www.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 www.uscis.gov/accommodationsinfo.

How to Complete Form I-751

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 11. 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.
4. **Country of Citizenship or Nationality.** Provide the name of the country where you are a citizen and/or national. This is not necessarily the country where you were born. If you do not have citizenship in any country, type or print “stateless” and provide an explanation in **Part 11. Additional Information**.
5. **USCIS Online Account Number (if any).** 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. The OAN is not the same as an A-Number.
6. **Part 2. Biographic Information.** Provide the biographic information requested. Providing this information as part of your petition may reduce the time you spend at your USCIS 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

- A. 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 2., Item Number 1.**)
- B. White.** A person having origins in any of the original peoples of Europe, the Middle East, or North Africa.
- C. 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.
- D. Black or African American.** A person having origins in any of the black racial groups of Africa.
- E. 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.
- F. Native Hawaiian or Other Pacific Islander.** A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.

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.

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- 7. Part 7. Petitioner’s Statement, Contact Information, Acknowledgement of Appointment at USCIS Application Support Center, Certification, and Signature.** Select the appropriate box to indicate that you either read this petition yourself or someone interpreted this petition for you from English to a language in which you are fluent. If applicable, select the box to indicate if someone prepared this petition for you. You must also affirm that you have read and understand (or that an interpreter or preparer read to you, and you understand) the **Acknowledgment of Appointment at USCIS Application Support Center in Part 7**. Further, you must sign and date your petition and provide your daytime telephone number, mobile telephone number (if any), and email address (if any). Every petition **MUST** contain the signature of the petitioner (or parent or legal guardian, if applicable). A stamped or typewritten name in place of a signature is not acceptable.
- 8. Part 8. Spouse’s or Individual Listed in Part 4.’s Statement, Contact Information, Acknowledgement of Appointment as USCIS Application Support Center, Certification, and Signature** (if applicable). Select the appropriate box to indicate that you either read this petition yourself or someone interpreted this petition for you from English to a language in which you are fluent. If applicable, select the box to indicate if someone prepared this petition for you. You must also affirm that you have read and understand (or that an interpreter or preparer read to you, and you understand) the **Acknowledgement of Appointment at USCIS Application Support Center in Part 8**. Further, you must sign and date your petition and provide your daytime telephone number, mobile telephone number (if any), and email address (if any). Every petition **MUST** contain the signature of the petitioner (or parent or legal guardian, if applicable). A stamped or typewritten name in place of a signature is not acceptable.
- 9. Part 9. Interpreter’s Contact Information, Certification, and Signature.** 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, provide his or her name, the name and address of his or her business or organization (if any), his or her daytime telephone number, and his or her email address (if any). The interpreter must also certify that he or she has read the **Acknowledgement of Appointment at USCIS Application Support Center in Part 7**. to you in the same language in which you are fluent. The interpreter must sign and date the petition.
- 10. Part 10. Contact Information, Statement, Certification, and Signature of the Person Preparing this Petition, If Other Than the Petitioner.** This section must contain the signature of the person who completed your petition, if other than you, the petitioner. If the same individual acted as your interpreter **and** your preparer, that person should complete both **Part 9**. and **Part 10**. If the person who completed this petition is associated with a business or organization, that person should complete the business or organization name and address information. Anyone who helped you prepare this petition **MUST** sign and date the petition. A stamped or typewritten name in place of a signature is not acceptable. Anyone who helped you prepare your petition must also certify that he or she has read the **Acknowledgment of Appointment at USCIS Application Support Center in Part 7**. to you, and that you informed him or her that you understood the ASC Acknowledgment. If the person who helped you prepare your petition is an attorney or accredited representative, he or she must also submit a completed Form G-28, Notice of Entry of Appearance as Attorney or Accredited Representative, along with your petition.

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

What Initial Evidence Is Required?

Permanent Resident Card

You must file your petition with a copy of your permanent resident card or alien registration card, and a copy of the permanent resident or alien registration cards of your conditional resident children that you are including in your petition. Submit copies of both front and back sides of the card.

Exception

Those who reside overseas pursuant to military or government orders, including conditional resident dependents residing overseas and listed under **Part 5. Information About Your Children** of the petition, must submit the following items with Form I-751:

1. Two passport-style photos for each petitioner and dependent, regardless of age. The passport photos must be color photographs. The photos must have a white to off-white background, be printed on thin paper with a glossy finish, and be unmounted and unretouched.

Passport-style photos must be 2" x 2". The photos must be in color with full face, frontal view on a white to off-white background. 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 Alien Registration Number (A-Number) (if any) on the back of the photo;

AND

2. Two completed fingerprint cards (Form FD-258) for each petitioner and dependent 14 to 79 years of age. You must write your A-Number on the fingerprint card and ensure that the completed cards are not bent, folded, or creased. The fingerprint cards must be prepared by a U.S. Embassy or U.S. Consulate, USCIS Office, or U.S. military installation.

In order for USCIS to identify filings based on military or government orders, petitioners are required to indicate on top of Form I-751, "ACTIVE MILITARY" or "GOVERNMENT ORDERS" and submit a copy of their current military or government orders.

Evidence of the Relationship

Submit copies of documents indicating that the marriage upon which you were granted conditional status was entered in "good faith" and was not for the purpose of circumventing immigration laws. Submit copies of as many documents as you can to establish this fact, to demonstrate the circumstances of the relationship from the date of the marriage to the present date, and to demonstrate any circumstances surrounding the end of the relationship, if it has ended. The documents should include, but are not limited to, the following examples:

1. Birth certificates of children born during the time of this marriage, if any;
2. Lease or mortgage contracts showing joint occupancy and/or ownership of your communal residence;
3. Financial records showing joint ownership of assets and joint responsibility for liabilities, such as joint savings and checking accounts with transaction history, complete joint Federal and State tax returns, insurance policies that show the other spouse as the beneficiary, joint utility bills, or joint installment or other loans. If applicable, submit copies of military Leave and Earnings Statements showing receipt of Basic Allowance for Quarters (BAQ) with family members and/or Form DD-1172 for military family member identification cards;
4. Other documents that you consider relevant to establish that your marriage was not entered for the purpose of evading U.S. immigration laws; and

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5. Affidavits sworn to or affirmed by at least two people who have known both of you since your conditional residence was granted and have personal knowledge of your marriage and relationship. (Such persons may be required to testify before an immigration officer as to the information contained in the affidavit.) The original affidavit must be submitted and also contain the following information regarding the person making the affidavit: his or her full name and address; date and place of birth; relationship to you or your spouse, if any; and full information and complete details explaining how the person acquired his or her knowledge. Affidavits must be supported by other types of evidence listed above.

If you are filing as an individual due to the death of your spouse, submit a copy of the death certificate with your petition, along with evidence of the qualifying relationship.

If you are filing as an individual because your marriage has been terminated, submit a copy of the final divorce decree or other document terminating or annulling the marriage with your petition, along with evidence of the qualifying relationship.

If you are filing as an individual because you and/or your conditional resident child were battered or subjected to extreme cruelty, submit:

1. Evidence of the abuse, such as copies of reports or official records issued by police, courts, medical personnel, school officials, clergy, social workers, and other social service agency personnel. You may also submit any legal documents relating to an order of protection against the abuser or relating to any legal steps you may have taken to end the abuse. You may also submit evidence that you sought safe haven in a shelter for the abused or similar refuge, as well as photographs evidencing your injuries; and
2. A copy of your divorce decree, if your marriage was terminated by divorce on grounds of physical abuse or extreme cruelty.

If you are filing for a waiver of the joint filing requirement because the termination of your status and removal would result in “extreme hardship,” you must submit evidence that your removal would result in hardship significantly greater than the hardship encountered by other foreign nationals who are removed from this country after extended stays. The evidence must relate only to those factors that arose during the two-year period for which you were admitted as a conditional resident. For a discussion of extreme hardship, please visit this website: <http://www.uscis.gov/ilink/docView/FR/HTML/FR/0-0-0-1/0-0-0-42380/0-0-0-44857/0-0-0-47481/0-0-0-47683.html>.

If you are a child filing separately from your parent, submit a full explanation as to why you are filing separately, along with copies of any supporting documentation.

Criminal History

If you have ever been arrested or detained by any law enforcement officer for any reason, either in the United States or abroad, and no charges were filed, submit an original official statement by the arresting agency or applicable court order confirming that no charges were filed.

If you have ever been arrested or detained by any law enforcement officer for any reason, either in the United States or abroad, and charges were filed, or if charges were filed against you without an arrest, submit an original or court-certified copy of the complete arrest record and/or disposition for each incident (for example, dismissal order, conviction record, or acquittal order).

If you have ever been convicted or placed in an alternative sentencing program or rehabilitative program (such as a drug treatment or community service program), submit:

1. An original or court-certified copy of your sentencing record for each incident, and evidence that you completed your sentence, specifically;

- A. An original or certified copy of your probation or parole record; or
 - B. Evidence that you completed an alternative sentencing program, or rehabilitative program;
2. An original or court-certified copy of the court order vacating, setting aside, sealing, expunging, or otherwise removing the arrest or conviction; or
 3. If no record is available, an original statement from the court that no record exists of your arrest or conviction.

NOTE: Unless a traffic incident was alcohol or drug related, you do not need to submit documentation for traffic fines and incidents that did not involve an actual arrest if the only penalty was a fine of less than \$500 and/or points on your driver's license.

Where to File?

Please see our website at www.uscis.gov/I-751 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 www.uscis.gov/addresschange, or call the USCIS Contact Center.

NOTE: If you selected **Item Number 1.e.** or **1.f.** in **Part 3.**, you may NOT file a change of address request through the USCIS website or by calling the USCIS Contact Center; you must contact the appropriate Service Center where you originally filed your Form I-751.

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

Processing Information

You must have a United States address to file this petition.

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 appear at a USCIS office for an interview based on your petition. During your interview, USCIS may require you to provide your biometrics to verify your identity and/or update background and security checks.

Decision. The decision on Form I-751 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.

USCIS Forms and Information

To ensure you are using the latest version of this petition, visit www.uscis.gov.

Penalties

If you knowingly and willfully falsify or conceal a material fact or submit a false document with your Form I-751, we will deny your petition and may deny any other immigration benefit. In addition, you will face severe penalties provided by law and may be subject to criminal prosecution.

DHS Privacy Notice

AUTHORITY: 8 U.S.C. Section 1186a authorizes DHS to collect the information and associated evidence on this benefit petition.

PURPOSE: The primary purpose of providing the requested information is to apply to remove the conditions on your residence if you obtained status through marriage. DHS uses the information provided to grant or deny the benefit you seek.

DISCLOSURE: The information you provide, including your Social Security number, is voluntary. However, failure to provide the requested information, and any requested evidence, may delay a final decision or result in denial of your benefit request.

ROUTINE USES: DHS may share the information you provide on this benefit petition 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 notices [DHS-USCIS-001-Alien File, Index, and National File Tracking and DHS-USCIS-007-Benefits Information System] and published privacy impact assessment [DHS/USCIS/PIA-016(a) Computer Linked Application Information Management System (CLAIMS 3) and Associated Systems], which you can find at www.dhs.gov/privacy. DHS may also make the information available, 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 this collection of information is estimated at 3.154 hours per response, including the time for reviewing instructions, gathering the required documentation and information, completing the petition, preparing statements, attaching necessary documentation, and submitting the petition. 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. 1615-0038. **Do not mail your completed Form I-751 to this address.**