

TABLE OF CHANGES
I-751 Instructions, Petition to Remove Conditions on Residence
OMB 1615-0038
April 10, 2013

Reason for Revision: The current Form I-751 is expiring and has not been updated for some time. The revised form package was updated to improve readability and to make the form easier to understand and complete by USCIS customers.

LOCATION	CURRENT TEXT	PROPOSED VERSION
Format	2-column format	Single column, full page format
Page 1 Instructions	Instructions. Read these instructions carefully to properly complete this ...	[Delete]
Page 1, What Is the Purpose of This Form?	This form is for a conditional resident who obtained such status through marriage to petition to U.S. Citizenship and Immigration Services (USCIS) to remove the conditions on his or her residence.	This form 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.
Page 1, Who May File Form I-751?	<p>If you were granted conditional resident status through marriage to a U.S. citizen or permanent resident, use this form to petition for the removal of those conditions. If you have dependent children who acquired conditional resident status concurrently with you and entered the United States within 90 days of your arrival, then include the names and A-Numbers of these children in Part 5 of this form in order to have their conditional status removed. If you have dependent children who acquired conditional resident status after 90 days from the date of your adjustment or if the conditional resident parent is deceased, then those dependent children must file Form I-751 separately to have their conditional status removed...</p> <p>3. You entered the marriage in good faith and have remained married, but you have been battered or subjected to extreme cruelty by your U.S. citizen or permanent resident spouse; or</p>	<p>If you were granted conditional resident status through marriage to a U.S. citizen or permanent resident, use this form to petition 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 4 of this form 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 file Form I-751 separately to have the conditions on their status removed...</p> <p>3. You entered the marriage in good faith-but you have been battered or subject to extreme cruelty by your petitioning spouse; or</p> <p>4. Your conditional resident parent entered the marriage in good faith, but you have been battered or subject to extreme cruelty</p>

	<p>4. The termination of your status and removal would result in extreme hardship.</p>	<p>by your parent’s U.S. citizen or permanent resident spouse or by your conditional resident parent; or</p> <p>5. The termination of your status and removal would result in extreme hardship.</p>
<p>Page 1, When Should I File Form I-751?</p>	<p>1. Filing jointly. If you are filing this petition jointly with your spouse, you must file it during the 90 days immediately before the second anniversary of the date you were accorded conditional resident status. This is the date your conditional residence expires.</p> <p>2. Filing with a request that the joint filing requirement be waived. You may file this petition at any time after you are granted conditional resident status and before you are removed.</p> <p>3. Effect of not filing. If this petition is not filed, you will automatically lose your permanent resident status as of the second anniversary of the date on which you were granted conditional status. You will then become removable from the United States. 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 submit the application that the delay was due to extraordinary circumstances beyond your control, and that the length of the delay was reasonable.</p>	<p>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.</p> <p>2. Filing with a request that the joint filing requirement be waived. You may file this petition at any time after you are granted conditional resident status and before you are removed from the U.S.</p> <p>3. Effect of not filing. If this petition is not filed, you will automatically lose your permanent resident status as of the second anniversary of the date on which you were granted conditional status. -You will then become removable from the United States.</p> <p>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 submit the petition that the delay was due to extraordinary circumstances beyond your control and that the length of the delay was reasonable.</p>
<p>Page 1, General Instructions</p>	<p>Step 1. Fill Out Form I-751</p> <p>1. Type or print legibly in black ink.</p>	<p>Each petition must be properly signed. A photocopy of a signed petition or a typewritten name in place of signature is not acceptable.</p> <p>Each petition must be accompanied by the appropriate filing fee. (See section of these instructions entitled “What Is the Filing Fee?”)</p> <p>How to Fill Out Form I-751</p> <p>1. Type or print legibly in black ink.</p>

	<p>2. If extra space is needed to complete any item, attach a continuation sheet, indicate the item number, and date and sign each sheet.</p> <p>3. Answer all questions fully and accurately. State that an item is not applicable with “N/A.” If the answer is none, write “NONE.”</p> <p>Translations. Any document containing a foreign language submitted to USCIS must be accompanied by a full English language translation that the translator has certified as complete and accurate, and by the translator’s certification that he or she is competent to translate from the foreign language into English.</p> <p>Copies. Unless specifically required that an original document be filed with an application or petition, an ordinary legible photocopy may be submitted. Original documents submitted when not required will remain a part of the record, even if the submission was not required.</p>	<p>2. If extra space is needed to complete any item, attach a continuation sheet, write your name, A-Number (if any) at the top of the sheet of paper, indicate the Part and Item number to which your answer refers, and date and sign each sheet.</p> <p>3. Answer all questions fully and accurately. If an item is not applicable or the answer is “none,” leave the space blank.</p> <p>Biometric Services Appointment: After receiving your petition and ensuring completeness, USCIS will inform you in writing when to go to your local USCIS Application Support Center (ASC) for your biometrics services appointment. Failure to attend the biometrics services appointment may result in denial of your petition.</p> <p>Copies. Unless specifically required that an original document be filed with the petition, a legible photocopy may be submitted. Original documents submitted when not required will remain a part of the record and will not be automatically returned to you.</p> <p>Translations. Any document containing a foreign language submitted to USCIS must be accompanied by a full English language translation that the translator has certified as complete and accurate, and by the translator’s certification that he or she is competent to translate from the foreign language into English.</p>
<p>Page 1-3, What Initial Evidence Is Required</p>	<p>[Page 1]</p> <p>Permanent Resident Card</p> <p>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 any of conditional resident children you are including in your petition. Submit copies of both front and back sides</p>	<p>[Page 2]</p> <p>Permanent Resident Card</p> <p>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</p>

	<p>of the card.</p> <p>[Page 2]</p> <p>Exception...</p> <p>2. Two completed fingerprint card (Form FD-258) for applicants and dependents between the ages of 14 and 79. You must indicate your Alien Registration Number (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 consulate, USCIS Office, or U.S. Military Installation...</p> <p>Evidence of the Relationship</p> <p>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 wish to establish this fact and 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 cover, but not limited to, the following examples...</p> <p>3. Financial records showing joint ownership of assets and joint responsibility for liabilities, such as joint savings and checking accounts, joint federal and state tax returns, insurance policies that show the other spouse as the beneficiary, joint utility bills, joint installments or other loans...</p> <p>If you are filing to waive the joint filing</p>	<p>of the card.</p> <p>Exception...</p> <p>2. Two completed fingerprint cards (Form FD-258) for petitioners and dependents age 14 to 79. You must indicate 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 consulate, USCIS Office, or U.S. Military Installation...</p> <p>Evidence of the Relationship</p> <p>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 and 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 not be limited to, the following examples...</p> <p>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 member(s) and/or form DD-1172 for military family member identification card(s)...</p> <p>If you are filing to waive the joint filing</p>
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	<p>requirement due to the death of your spouse, submit a copy of the death certificate with your petition.</p> <p>If you are filing to waive the joint filing requirement because your marriage has been terminated, submit a copy of the divorce decree or other document terminating or annulling the marriage with your petition.</p> <p>If you are filing to waive the joint filing requirement because you and/or your conditional resident child were battered or subjected to extreme cruelty, submit:</p> <ol style="list-style-type: none"> 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 battered women’s shelter 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... <p>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 aliens who are removed from this country after extended stays. The evidence must relate only to those factors that arose since you became a conditional resident.</p>	<p>requirement due to the death of your spouse, submit a copy of the death certificate with your petition, along with evidence of the relationship.</p> <p>If you are filing to waive the joint filing requirement because your marriage has been terminated, submit a copy of the divorce decree or other document terminating or annulling the marriage with your petition, along with evidence of the relationship.</p> <p>If you are filing to waive the joint filing requirement because you and/or your conditional resident child were battered or subjected to extreme cruelty, submit:</p> <ol style="list-style-type: none"> 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... <p>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 aliens who are removed from this country after extended stays. The evidence must relate only to those factors that arose since you became a conditional resident. For a discussion of extreme hardship, please visit this Web site: 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</p>
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<p>Page 3, Where to File?</p>	<p>If you live in Alaska, American Samoa, Arizona, California,mail your petition to the California Service Center.....</p> <p>If you live in Alabama, Arkansas.....mail your petition to the Vermont Service Center..... NOTE: If you or your spouse are currently serving.....</p>	<p>[Page 4, Relocated to follow “What is the Filing Fee”]</p> <p>Please see our Web site at www.uscis.gov/I-751 or call our National Customer Service Center at 1-800-375-5283 for the most current information about where to file this benefit request. For TDD (hearing impaired) call: 1-800-767-1833.</p>
<p>Page 3, What Is the Filing Fee?</p>	<p>The filing fee for a Form I-751 is \$505.</p> <p>An additional biometric fee of \$85 is required when filing form I-751. USCIS will notify you about when and where to go for biometric services.</p> <p>You may submit one check or money order for both the application and biometric fees, for a total of \$590.</p> <p>NOTE: Each conditional resident dependent, eligible to be included on the principal applicant’s Form I-751 and listed under Part 5 of Form I-751, is required to submit an additional biometric services fee of \$85, including dependents residing overseas pursuant to military or Government orders, regardless of age.</p> <p>...2. Make the check or money order payable to U.S. Department of Homeland Security, unless:</p> <p>A. If you live in Guam, make it payable to Treasurer, Guam.</p> <p>B. If you live in the U.S. Virgin Islands, make it payable to Commissioner of Finance of the Virgin Islands.</p> <p>C. If you live outside the United States, Guam, or the U.S. Virgin Islands, contact</p>	<p>[Page 4]</p> <p>The filing fee for a Form I-751 is \$505.</p> <p>An additional biometric services fee of \$85 is required when filing Form I-751. After you submit Form I-751, USCIS will notify you about when and where to go for biometric services.</p> <p>[Deleted]</p> <p>Each conditional resident dependent, eligible to be included on the principal petitioner’s Form I-751 and listed under Part 4 of Form I-751, is required to submit an additional biometric services fee of \$85, including dependents residing overseas pursuant to military or Government orders, regardless of age.</p> <p>...2. Make the check or money order payable to U.S. Department of Homeland Security.</p> <p>NOTE: Spell out U.S. Department of Homeland Security; do not use the initials “USDHS” or “DHS.”</p> <p>[Deleted]</p> <p>[Deleted]</p> <p>3. If you live outside the United States, contact the nearest U.S. Embassy or</p>

	<p>the nearest U.S. Embassy or consulate for instructions on the method of payment.</p> <p>How to Check If the Fees Are Correct?</p> <p>The form and biometric fees on this form are current as of the edition date appearing in the lower right corner of this page. However, because USCIS fees change periodically, you can verify if the fees are correct by following one of the steps below:</p> <ol style="list-style-type: none"> 1. Visit our Web site at www.uscis.gov, select "FORMS," and check the appropriate fee; 2. Review the Fee Schedule included in your form package, if you called us to request the form; or 3. Telephone our National Customer Service Center at 1-800-375-5283 and ask for the fee information. <p>NOTE: If your Form I-751 requires payment of a biometric service fee for USCIS to take your fingerprints, photograph, or signature, you can use the same procedure to obtain the correct</p>	<p>consulate for instructions on the method of payment.</p> <p>Notice to those Making Payment by Check. If you send us a check, it will be converted into an electronic funds transfer (EFT). This means we will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will usually take 24 hours and will be shown on your regular account statement.</p> <p>You will not receive your original check back. We will destroy your original check. If the EFT cannot be processed for technical reasons, you authorize us to process the copy in place of your original check. If the EFT cannot be completed because of insufficient funds, USCIS may try to make the transfer up to two times.</p> <p>How to Check If the Fees Are Correct?</p> <p>The filing and biometric services fees on this form are current as of the edition date appearing in the lower left corner of this page. However, because USCIS fees change periodically, you can verify if the fees are correct by following one of the steps below:</p> <ol style="list-style-type: none"> 1. Visit the USCIS Web site at www.uscis.gov, select "FORMS", and check the appropriate fee; or <p>[Deleted]</p> <ol style="list-style-type: none"> 2. Telephone the USCIS National Customer Service Center at 1-800-375-5283 and ask for the fee information. For TDD (hearing impaired) call: 1-800-767-1833. <p>[Deleted]</p>
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	biometric fee.	
Page 4, Address Changes	<p>If you have changed your address, you must inform USCIS of your new address. For information on filing a change of address, go the USCIS Web site at www.uscis.gov/addresschange or contact the USCIS National Customer Service Center at 1-800-375-5283.</p>	<p>[Page 5]</p> <p>If you have changed your address, you must inform USCIS of your new address. For information on filing a change of address, go the USCIS Web site at www.uscis.gov/addresschange or contact the USCIS National Customer Service Center at 1-800-375-5283. For TDD (hearing impaired) call: 1-800-767-1833.</p> <p>NOTE: If you checked box 1.e. or 1.f. in Part 2. Basis for Petition, you may NOT file a change of address request through the USCIS Web site or by calling the USCIS National Customer Service Center; you must contact the appropriate Service Center where you originally filed your Form I-751.</p>
Page 4, Processing Information	<p>Acceptance. Any application that is not signed or accompanied by the correct fee will be rejected with a notice that the application is deficient. You may correct the deficiency and resubmit the application. However, an application is not considered properly filed until accepted by USCIS.</p> <p>Initial Processing. Once the application...</p>	<p>[Page 5]</p> <p>Acceptance. USCIS will reject any Form I-751 petition that is not signed or accompanied by the correct fee with a notice that the petition is deficient. You may correct the deficiency and resubmit the petition. However, a petition is not considered properly filed until it is accepted by USCIS.</p> <p>Initial Processing. Once USCIS accepts your form I-751 petition, it will be checked for completeness...</p> <p>Request for More Information ...</p> <p>At the time of any interview or other appearance at a USCIS office, USCIS may require that you provide biometric information (e.g., photographs, fingerprints) to verify your identity and update your background information.</p>
Page 4, USCIS Forms and Information	<p>To order USCIS forms, call our toll-free number at 1-800-870-3676. You can also get USCIS forms and information on immigration laws, regulation and procedures by telephoning our National Customer Service Center at 1-800-375-</p>	<p>[Page 6]</p> <p>To ensure you are using the latest version of this form, visit the USCIS Web site at www.uscis.gov where you can obtain the latest USCIS forms and immigration-related information. If you do not have internet access, you may order USCIS</p>

	<p>5283 or visiting our Internet Web site at www.uscis.gov...</p>	<p>forms by calling our toll-free number at 1-800-870-3676. You may also obtain forms and information by telephoning our USCIS National Customer Service Center at 1-800-375-5283. For TDD (hearing impaired) call: 1-800-767-1833.</p>
<p>Page 4, Accommodations for Individuals with Disabilities and Impairments</p>	<p>...1. If you are unable to use your hands, you may be permitted to take the test orally rather than in writing;</p> <p>...If you believe that you, your spouse, and/or your child(ren) need us to accommodate a disability and/or impairment, check the appropriate “Yes” box(es) that describe(s) the nature of the disability(ies) and/or impairment(s). Also, write the type(s) of accommodation(s) you are requesting on the line(s) provided. If you are requesting a sign-language interpreter, indicate which language. If you need more space, use a separate sheet of paper.</p> <p>NOTE: All domestic USCIS facilities meet the Accessibility Guidelines of the Americans with Disabilities Act, so you do not need to contact us to request an accommodation for physical access to a domestic USCIS office.</p> <p>USCIS considers requests for reasonable accommodations on a case-by-case basis. Asking for an accommodation will not affect your eligibility for the benefit.</p>	<p>[Page 5, Moved to come after “Processing Information”]</p> <p>...1. If you are unable to use your hands, you may be permitted to take an immigration-related test orally rather than in writing;</p> <p>...If you believe that you need USCIS to accommodate your disability and/or impairment, check the “Yes” box and then check any applicable box in 5.a.-5.c. that describes the nature of your disability(ies) and/or impairment(s). Also, write the type(s) of accommodation(s) you are requesting on the line(s) provided. If you are requesting a sign-language interpreter, be sure to indicate for which language. If you require more space to provide additional information within this petition, please provide the information on a separate sheet of paper, and attach it to your petition.</p> <p>NOTE: All domestic USCIS facilities meet the Accessibility Guidelines of the Americans with Disabilities Act, so you do not need to contact USCIS to request an accommodation for physical access to a domestic USCIS office. However, on Part 5 of the form, you can indicate whether you use a wheelchair. This will allow USCIS to better prepare for your visit and have a wheelchair accessible interview room available for you once you enter the facility.</p> <p>USCIS considers requests for reasonable accommodations on a case-by-case basis and will use its best efforts to reasonably accommodate all individuals with disabilities or impairments. Qualified individuals will not be excluded from the participation in, or be denied the benefits of, USCIS’ programs solely on the basis of their disability(ies) or impairment(s). Requesting and/or receiving an</p>

<p>Page 5, Privacy Act Notice</p>	<p>We ask for the information on this form, and associated evidence, to determine if you have established eligibility for the immigration benefit for which your are filing. Our legal right to ask for this information can be found in the Immigration and Nationality Act, as amended. We may provide this information to other Government agencies. Failure to provide this information, and any requested evidence, may delay a final decision or result in denial of your Form I-751.</p>	<p>accommodation will not affect your eligibility for a USCIS benefit.</p> <p>Page 6, USCIS Privacy Act Statement</p> <p>AUTHORITY: The information requested on this benefit application, and the associated evidence, is collected pursuant to <i>8 U.S.C. 1186a</i>.</p> <p>PURPOSE: The primary purpose for providing the requested information on this benefit application is to apply to remove the conditions on your residence if you obtained status through marriage. The information you provide will be used to grant or deny the benefit sought.</p> <p>DISCLOSURE: The information you provide 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.</p> <p>ROUTINE USES: The information you provide on this benefit application may be shared with other federal, state, local, and foreign government agencies and authorized organizations in accordance with approved routine uses, as described in the associated published system of records notices [DHS/USCIS-007 - Benefits Information System and DHS/USCIS/ICE/CBP-001 - Alien File, Index, and National File Tracking System of Records, which can be found at www.dhs.gov/privacy]. The information may also be made available, as appropriate for law enforcement purposes or in the interest of national security.</p> <p>Pursuant to 8 U.S.C. Section 1186a(c)(4) (C) and 8 C.F.R. Section 216.5(e)(3)(viii), if your application for waiver is based on claims of having been battered or subjected to extreme mental cruelty, information contained in this application and supporting documents shall not be released without a court order or the written consent of the applicant; or, in the case of a child, the written consent of the parent or legal guardian who is filing this application on</p>
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		<p>the child's behalf. Also, this information may be released only to the applicant, his or her authorized representative, an officer of the Department of Justice, or any federal or State law enforcement agency. Any information provided under this part may be used for the purposes of enforcement of the Act or in any criminal proceeding.</p>
<p>Page 5 Paperwork Reduction Act</p>	<p>An agency may ... Regulatory Products Division, Office of the Executive Secretariat, 20 Massachusetts Avenue, N.W., Washington, DC 20529-2020. OMB No. 1615-0038. Do not mail your application to this address.</p>	<p>[Page 6]</p> <p>An agency may ... Regulatory Coordination Division, Office of Policy and Strategy, 20 Massachusetts Ave., NW, Washington, DC 20529-2140, OMB No. 1615-0038. Do not mail your completed Form I-751 to this address.</p>