

Marriage-Based Green Card Process

Foreign National Spouse Resides In the US

Key

- Action taken by US Citizen, LPR, or Foreign National spouse

- Action Taken by USCIS

US Citizen or Lawful Permanent Resident (LPR) marries Foreign National.

Adjustment of Status package is submitted to USCIS. This will typically include:

- 1- I-130, Petition for Alien Relative
- 2- I-485, Application to Register Permanent Residence or Adjust Status
- 3- I-765, Application for Employment Authorization
- 4- I-131, Application for Travel Document
- 5- I-944, Declaration of Self-Sufficiency
- 6- I-864, Affidavit of Support

*****USCIS Filing Fee I-130 \$535 and I-485 \$1,225 (Includes subsequent applications) *****

Please note that if the petitioning spouse is an LPR, they can only concurrently file the I-485 with the I-130 if the priority date is current on the Visa Bulletin.

Please see the Department of State website: <https://travel.state.gov/content/travel/en/legal/visa-law0/visa-bulletin.html>.

Biometrics Scheduled for Foreign National at the local Application support Center.

*****Appointments are scheduled on availability. It typically takes 2 weeks – 2 months*****

Foreign National attends Biometrics Appointment and provides the required fingerprints, signature, and photo.

USCIS Processes the cases.

***** I-765/I-131 Processing time 4 – 6 months*****

*****I-130/I-485 Processing Time 12 – 24 months*****

I-765 and I-131 is Approved and Employment Authorization card (including travel verification) is sent to Foreign National in the mail.

*****Cards are typically received in the mail within 30 days after approval*****

Interview is Scheduled

*****Appointments are scheduled on availability. It could take 6 – 8 months*****

Foreign National attends interview with spouse.

USCIS approves I-130 and I-485 (typically at the same time). Approval Notices are sent to the Foreign National via mail.

USCIS prints and sends green card to applicant.

*****Note that if the marriage is less than 2 years old, a conditional Green Card and will be sent and is valid for 2 years. Please see remaining steps to remove the conditions*****

***** Will typically take 30 – 60 days to receive Green Card*****

I-751 is filed with USCIS to remove conditions from Green Card.

****This can be filed 90 days prior to the expiration of the conditional Green Card****

USCIS Processes I-751 application

*****Processing time 1 – 2 years*****

*****Note that an interview is not required for this Application. However, it is possible to receive another interview if USCIS deems it necessary.*****

I-751 is Approved by USCIS

USCIS prints new Green Card

****Validity will be 10 years*****

***** Will typically take 30 – 60 days to receive Green Card*****

****Disclaimer****

Processing times and fees are subject to change.

Due to the current COVID situation, in-person appointments, such as biometrics and interviews, are taking longer than normal.

Due to facility closures and reduced capacity, we have seen delays with USCIS printing EAD and Green Cards. Thus, it could go beyond the typical processing time.