

**83C TOC - INSTRUCTIONS**  
**Petition for Alien Worker, Form I-140 Instructions (2D barcode)**  
**OMB Control No. 1615-0015**  
**1/6/2012**

<b>Location</b>	<b>Current Text</b>	<b>Proposed Revision</b>
<b>Format</b>	2 column format	<p>Full page format</p> <p>[Due to the reformatted form, some of the numbering has been modified on the instructions. For example, an option that is currently “a” in Part 2 of the current form, is numbered “1.a.” in Part 2 of the revised form.]</p>
<b>Page 1, Instructions</b>	<p>Read these instructions carefully to properly complete this form. If you need more space to complete an answer, use a separate sheet of paper. Write your name and Alien Registration Number (A-Number), if any, at the top of each sheet of paper and indicate the part and number of the item to which the answer refers.</p>	<p>[This section has been deleted from the 1<sup>st</sup> page of the revised form instructions, but can be found on page 2 of the revised instructions under General Instructions, How to Fill Out Form I-140.]</p>
<b>Page 1, General Instructions</b>	<p><b>Step 1. Fill Out Form I-140</b></p> <ol style="list-style-type: none"> <li>1. Type or print legibly in black ink.</li> <li>2. If extra space is needed to complete any item, attach a continuation sheet, indicate the item number, and date and sign each sheet.</li> <li>3. Answer all questions fully and accurately. State that an item is not applicable with “N/A.” If the answer is none, write “None.”</li> </ol>	<p><b><u>New language:</u></b>  Each application must be properly signed and accompanied by the appropriate fee. (See “<b>What is the Filing Fee?</b>” section of these instructions.) A photocopy of a signed application is not acceptable.</p> <p>If you are under 14 years of age, your parent or guardian may sign the application on your behalf.</p> <p><b>Evidence.</b> You must submit all required initial evidence along with all the supporting documentation with your application at the time of filing. If you are electronically filing this application, you must follow the instructions provided on the USCIS Web site, <a href="http://www.uscis.gov">www.uscis.gov</a>.</p> <p><b>Biometrics Services Appointment.</b> After receiving your application and ensuring completeness, USCIS will</p>

		<p>inform you in writing where 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 application.</p> <p><b>Copies.</b> Unless specifically required that an original document be filed with an application or petition, a legible photocopy may be submitted. Original documents submitted when not required may remain a part of the record.</p> <p><b>Translations.</b> Any document containing foreign language submitted to USCIS must be accompanied by a full English language translation which 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><b>How to Fill Out Form I-140</b></p> <ol style="list-style-type: none"> <li>1. Type or print legibly in black ink.</li> <li>2. If extra space is needed to complete any item, attach a continuation sheet, indicate the item number, an date and sign each sheet.</li> <li>3. Answer all questions fully and accurately. State that an item is not applicable with “N/A.” If the answer is none, write “None.”</li> </ol>
<p><b>General Requirements</b></p>	<p><b>Step 2. General Requirements Initial Evidence</b></p> <ol style="list-style-type: none"> <li>1. <b>If you are filing for an alien of extraordinary ability in the sciences, arts, education, business, or athletics (Page 1, Part 2, Petition Type, Box “a” on the form):....</b></li> <li>2. <b>A U.S. employer filing for an outstanding professor or</b></li> </ol>	<p><b>General Requirements Initial Evidence.....</b></p> <ol style="list-style-type: none"> <li>1. <b>If you are filing for an alien of extraordinary ability in the sciences, arts, education, business, or athletics (Page 1, Part 2, Petition Type, Box “1.a.” on the form):....</b></li> <li>2. <b>A U.S. employer filing for an outstanding professor or</b></li> </ol>

	<p>researcher (Page 1, Part 2. Petition Type, Box “b” on the form) must file the petition with....</p> <p>Page 5 of “General Evidence”</p>	<p>researcher (Page 1, Part 2. Petition Type, Box “1.b.” on the form) must file the petition with....</p> <p><b>Amended Petitions</b></p> <p><b>If this petition is being filed to amend a previously filed Form I-140 petition, then check the box in Part 2, Petition Type, box 2.a.</b> of the Form I-140, entitled "To Amend a Previously Filed Petition" and fill in the receipt number of the previously filed petition in the space provided. This will assist USCIS in determining whether the petition may be accepted for filing and the location of the previously filed petition for case matching purposes.</p> <p><b>Part 7, Information on Spouse and All Children of the Person for Whom You Are Filing,</b> of Form I-140 requests information about the dependent spouse and children of the alien beneficiary of the petition to assist in visa processing and in order for USCIS to better determine the demand for employment-based immigrant visas at the time of filing of the Form I-140 petition.</p> <p><b>NOTE:</b> An annotation of a dependent's intention to either apply for adjustment of status or an immigrant visa abroad in <b>Part 7</b> of the Form I-140 is not binding, but should reflect the dependent's intent at the time of filing of the Form I-140 petition.</p> <p><b>IRS Tax or Social Security Numbers</b></p> <p><b>With the exception of the Alien of Extraordinary Ability (Part 2, Petition Type, box 1.a.) and National Interest Waiver (Part 2, Petition Type, box 1.i.)</b> categories, all Form I-140 visa preference categories require a permanent job offer from a U.S.</p>
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<p><b>General Evidence</b></p>	<p>Page 5 <b>Amended Petitions</b></p> <p><b>If this petition is being filed to amend a previously filed Form I-140 petition, then check the box in Part 2, Petition Type, box 2.a. of the Form I-140, entitled "To Amend a Previously Filed Petition" and fill in the receipt number of the previously filed petition in the space provided. This will assist USCIS in determining whether the petition may be accepted for filing and the location of the previously filed petition for case matching purposes.</b></p> <p><b>Part 7, Information on Spouse and All Children of the Person for Whom You Are Filing,</b> of Form I-140 requests information about the dependent spouse and children of the alien beneficiary of the petition to assist in visa processing and in order for USCIS to better determine the demand for employment-based immigrant visas at the time of filing of the Form I-140 petition.</p> <p><b>NOTE:</b> An annotation of a dependent's intention to either apply for adjustment of status or an immigrant visa abroad in <b>Part 7</b> of the Form I-140 is not binding, but should reflect the dependent's intent at the time of filing of the Form I-140 petition.</p> <p><b>IRS Tax or Social Security Numbers</b></p>	<p>[Moved to the end of "General Requirements".]</p>

	<p><b>With the exception of the Alien of Extraordinary Ability (Part 2, Petition Type, box 1.a.) and National Interest Waiver (Part 2, Petition Type, box 1.i.) categories, all Form I-140 visa preference categories require a permanent job offer from a U.S. employer and Form I-140 must be filed by the U.S. employer. All U.S. employers filing petitions in which a permanent job offer is required must have either an IRS Tax Number or a Social Security Number and must provide that 9 digit number in Part 1 of Form I-140, or Form I-140 will be rejected with a notice that it is deficient.</b></p>	
		<p><b>What Is the Filing Fee?</b> This section reads the same way the current version of the instructions read, with one minor edit, but has been moved to come immediately before the <b>“Where To File?”</b> section in the revised 2D barcode version of the instructions. (See related section on page 4 of this TOC.)</p>
<p><b>Page 6, What Is the Filing Fee?</b></p>	<p><b>How to Check If the Fees Are Correct</b></p> <p>The form fee on this form is 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"> <li>1. Visit our Web site at <a href="http://www.uscis.gov">www.uscis.gov</a>, select “FORMS” and check the appropriate fee;</li> <li>2. Review the Fee Schedule included in your form package, if you called us to request the form; or Telephone our National Customer Service Center at <b>1-800-375-5283</b> and ask for fee information.</li> </ol>	<p>[As noted above, this section is part of the “What Is the Filing Fee?” Section and comes before the “Where To File?” section in the revised instructions.]</p> <p><b>How to Check If the Fees Are Correct</b></p> <p>The form fee on this form is current as of the edition date appearing in the lower <u>left</u> 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"> <li>1. Visit our Web site at <a href="http://www.uscis.gov">www.uscis.gov</a>, select “FORMS” and check the appropriate fee; Telephone our National Customer Service Center at <b>1-800-375-5283</b> and ask for fee information.</li> </ol>
<p><b>Page 8, Privacy Act</b></p>	<p>We ask for the information on this form, and associated evidence, to</p>	<p>[Text has been standardized and revised, and the title has been revised.]</p>

<p><b>Notice</b></p>	<p>determine if you have established eligibility for the immigration benefit for which you 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-140.</p>	<p><b>USCIS Privacy Act Statement</b></p> <p><b>AUTHORITIES:</b> The information requested on this form, and the associated evidence, is collected under the Immigration and Nationality Act, section 101, et seq.</p> <p><b>PURPOSE:</b> The primary purpose for providing the requested information on this form is to determine if you have established eligibility for the immigration benefit for which you are filing. The information you provide will be used to grant or deny the benefit sought.</p> <p><b>DISCLOSURE:</b> 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 form.</p> <p><b>ROUTINE USES:</b> The information you provide on this form may be shared with other Federal, State, local, and foreign government agencies and authorized organizations following approved routine uses described in the associated published system of records notices [DHS-USCIS-007 – Benefits Information System and DHS-USCIS-001 – Alien File (A-File) and Central Index System (CIS), which can be found at <a href="http://www.dhs.gov/privacy">www.dhs.gov/privacy</a>]. The information may also be made available, as appropriate, for law enforcement purposes or in the interest of national security.</p>
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