

TABLE OF CHANGES – INSTRUCTIONS
FORM I-129F
09/27/2012

Reason for Change: These changes are being undertaken to convert the current I-129F from two column to single column format, and make clarifying changes. In addition, U.S. Customs and Border Protection (CBP) is in the process of automating Form I-94 Arrival/Departure Records to streamline passenger processing.. CBP enters data admission information into the Treasury Enforcement Communications System (TECS) and the Arrival and Departure Information System (ADIS). Form I-94 admission information is used by U.S. Citizenship and Immigration Services (USCIS) to search TECS and ADIS in order to verify applicant, petitioner or beneficiary status in the United States at the time an application or petition is filed. Additional data collection fields are being incorporated into several USCIS forms to enable verification of status in the United States based upon passport or travel document information captured by CBP at the port of entry, which also may be used to search TECS and ADIS.

This form and its instructions have been reviewed by the front office previously; they are being rerouted now due the introduction of additional fields of information to accommodate the I-94 discontinuation.

LOCATION	CURRENT VERSION	PROPOSED VERSION
Location on Current Form	Current Text	Proposed Revision
Format	Instructions are currently in 2 column format.	Instructions are in full page format. 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. This is an “N” form; previous editions will not be accepted once this is posted.
Page 1, Instructions	<p>Please read these instructions carefully to properly complete this form. If you need more space to complete an answer, use a separate sheet(s) of paper. Write your name and Alien Registration Number (A #), 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>The filing addresses provided on this form reflect the most current information as of the date this form was last printed. If you are filing Form I-129F more than 30 days after the latest edition date shown in the lower right-hand corner, please visit our website online at www.uscis.gov before you file, and check the Immigration Forms page to confirm the correct filing address and version currently in use. Check the edition</p>	<p>Page 1,</p> <p>This section has been deleted from the top of page 1 and revised and moved to Page 2 of the revised instructions under General Instructions, How to Fill Out Form I-129F. See General Instructions section below.</p> <p>This information was deleted and will be available on the USCIS form Web site.</p>

	<p>date located in the lower right-hand corner of the form. If the edition date on your Form I-129F matches the edition date listed for Form I-129F on the online Immigration Forms page, your version is current and will be accepted by USCIS. If the edition date on the online version is later, download a copy and use the online version. If you do not have internet access, call the National Customer Service Center at 1-800-375-5283 to verify the current filing address and edition date. Improperly filed forms will be rejected, and the fee returned, with instructions to resubmit the entire filing using the current form instructions.</p>	
<p>Page 1, What Is the Purpose of This Form?</p>	<p>This form is used to petition to bring your fiancé(e) and that person's children to the United States for marriage to you or to bring your spouse and that person's children (K-3 and K-4 visas, respectively) to the United States to complete processing for permanent resident status (under the LIFE Act Amendments of 2000).</p>	<p>Page 1,</p> <p>This form is used to petition to classify your relative as :</p> <ol style="list-style-type: none"> 1. Your fiancé(e) for marriage to you, and his/her child(ren) (K-1 and K-2), to pursue adjustment of status to lawful permanent resident; or 2. Your spouse and his/her child(ren) as nonimmigrants under the LIFE Act to pursue adjustment of status to lawful permanent resident (K-3 and K-4).
<p>Page 1, Who May File Form I-129F?</p>	<p>You may file this petition if:</p> <ol style="list-style-type: none"> 1. You are a U.S. citizen, and 2. You and your fiancé(e) intend to marry within 90 days of your fiancé(e) entering the United States, and are both free to marry, and have met in person within two years before your filing of this petition unless: <ul style="list-style-type: none"> A. The requirement to meet your fiancé(e) in person would violate strict and long-established customs of your or your fiancé(e)'s foreign culture or social practice; or B. It is established that the requirement to personally meet your fiancé(e) would result in extreme hardship to you. 	<p>Page 1,</p> <p>You may file this petition if you are a U.S. citizen and</p> <ol style="list-style-type: none"> 1. You and your fiancé(e): <ol style="list-style-type: none"> a. Intend to marry within 90 days of your fiancé's admission to United States and you are both free to marry; b. Have met in person within 2 years before filing this petition, unless you establish that either: <ol style="list-style-type: none"> (1) The requirement to meet your fiancé(e) in person would violate strict and long-established customs of your or your fiancé(e)'s foreign culture or social practice; or (2) The requirement to meet your fiancé(e) in person would result in extreme hardship to you.

<p>Page 1, Who May File Form I-129F? (continued)</p>	<p>OR</p> <p>C. You wish to have your spouse enter as a nonimmigrant. See Item 8, How Do You Use This Form for Your Spouse Seeking Entry Using a K-3 Visa, on Page 4.</p> <p>NOTE: Unmarried children of your fiancé(e) or spouse who are under 21 years of age and listed on this form will be eligible to apply to accompany your fiancé(e) or spouse.</p>	<p>OR</p> <p>2. You wish to have your spouse enter as a nonimmigrant awaiting approval of a Form I-130 you have filed on his or her behalf. See item number 9. of these instructions.</p> <p>NOTE: If the children of your fiancé(e) or spouse are also your children, they might have acquired citizenship through you. Check the U.S. Department of State Web site for more information.</p> <p>If the children of your fiancé(e) or spouse did not derive U.S. citizenship, and they are unmarried, under 21 years of age and listed on this form, they will be eligible to apply for a visa to accompany or follow to join your fiancé(e) or spouse.</p> <p>Form I-130, Petition for Alien Relative, does not need to be filed on behalf of the child of a K-3 beneficiary in order to obtain a K-4 visa. Form I-130 does, however, need to be filed on behalf of the child of a K-3 beneficiary in order for the child to be eligible for permanent resident status.</p>
<p>Page 1, General Instructions</p>		<p>Page 1, General Instructions:</p> <p>Each petition must be properly signed and accompanied by the appropriate fee. (See “What is the Filing Fee?” section of these instructions.) A photocopy of a signed petition or a typewritten name in place of a signature is not acceptable.</p> <p>If you are under 14 years of age, your parent or legal guardian may sign the petition on your behalf.</p> <p>Evidence. You must submit all required initial evidence and any supporting documentation with your petition at the time of filing.</p> <p>Copies. Unless USCIS specifically required that an original document be filed with a petition, you may submit a legible photocopy. Original documents submitted when not required may remain a part of the record and will not be automatically returned to you.</p>

**Page 1,
General Instructions
(continued)**

Step 1. Fill Out the Form I-129.

1. Type or print legibly in black ink.
2. If extra space is needed to complete any item, attach a continuation sheet, indicate the item number, and date and sign each sheet.
3. Answer all questions fully and accurately. State that an item is not applicable with "N/A." If the answer is none, write "none."

Step 2. General requirements

1. Compliance with the International Marriage Broker Regulation Act (IMBRA).

If you met your fiancé(e) or spouse through the services of an international marriage broker, you must notify USCIS of that fact by answering Question 19 on this form. The term "international marriage broker" means a corporation, partnership, business, individual, or other legal entity, whether or not organized under any law of the United States, that charges fees for providing dating, matrimonial, matchmaking services, or social referrals between United States citizens or nationals or aliens lawfully admitted to the United States as lawful permanent residents and foreign national clients by providing personal contact information or otherwise facilitating communication between individuals.

The term "international marriage broker" does not include:

Translations. Any document containing a foreign language submitted to USCIS must be accompanied by a full English language. In addition the translator must certify that the translation is complete and accurate, and that he or she is competent to translate from the foreign language into English.

How To Fill Out Form I-129F

1. Type or print legibly in black ink.
2. If extra space is needed to complete an answer, use a separate sheet(s) of paper. Write your name and A-number, if any, at the top of each sheet and clearly identify the part and number of the item that you are answering. Sign and date each sheet of paper.
3. Answer all questions fully and accurately. If an item is not applicable or the answer is "none," leave the space blank.
4. The answers to questions 15.e., 15.f., 15.g., and 15.h. should be in reference to the passport or travel document used at the last entry into the United States.

**Page 2,
Requirements and Documents**

1. What Are the Requirements for Compliance With the International Marriage Broker Act (IMBRA)?

If you met your fiancé(e) or spouse (your beneficiary) through the services of an international marriage broker (IMB), you must notify USCIS of that fact by answering **Item number 35.** of **Part 2** of this form. In addition, you must provide the signed, written consent form that the IMB obtained from your beneficiary authorizing the release of his or her personal contact information to you. If the consent form is written in any language other than English, you must provide a certified English translation with the original form.

The term "international marriage broker" means a corporation, partnership, business, individual, or other legal entity, whether or not organized under any law of the United States, that charges fees for providing dating, matrimonial, match making services, or social referrals between United States citizens or

<p>Page 1, General Instructions (continued)</p>	<p>A. Traditional matchmaking organizations of a cultural or religious nature that operate on a non-profit basis and in compliance with the laws of the countries in which it operates, including the laws of the United States; or</p> <p>B. Entities that provide dating services if their principal business is not to provide international dating services between United States citizens or United States residents and foreign nationals and charge comparable rates and offers comparable services to all individuals it serves regardless of the individual's gender or country of citizenship.</p> <p>For additional IMBRA requirements, see Items 7 and 9 of these instructions</p>	<p>nationals or aliens lawfully admitted to the United States as lawful permanent residents and foreign national clients.</p> <p>International marriage brokers provide personal contact information or facilitate communication between individuals.</p> <p>The term "international marriage broker" does not include:</p> <p>a. Traditional matchmaking organizations of a cultural or religious nature that operate on a non-profit basis and in compliance with the laws of the countries in which they operate, including the laws of the United States or</p> <p>b. Entities that provide dating services if their principal business is not to provide international dating services between United States citizens or United States residents and foreign nationals, and that charges comparable rates and offers comparable services to all individuals served regardless of their gender or country of citizenship.</p> <p>For additional IMBRA requirements, see Items 3 and 4 of these instructions.</p>
<p>Page 2, General Instructions,</p>	<p>2. Filing Limitations on K Nonimmigrant Petitioners.</p> <p>If you have filed two or more K-1 visa petitions at any time in the past or previously had a K-1 visa petition approved within two years prior to the filing of this petition, you must apply for a waiver. To request a waiver you must submit a written request with this petition accompanied by documentation of your claim to the waiver.</p> <p>If you have committed a violent offense against a person or persons, USCIS may not grant such a waiver unless you can demonstrate that extraordinary circumstances exist. For details regarding those circumstances, see Item 7.B. of these instructions.</p>	<p>Page 2, 2. What Filing Limitations Does IMBRA Place on K-1 Nonimmigrant Petitioners?</p> <p>You must apply for a filing limitations waiver if any of the following apply:</p> <p>a. You have previously filed K-1 petitions for two or more beneficiaries; or</p> <p>b. You previously had a K-1 petition approved and less than 2 years have passed since the filing date of such previously approved petition.</p> <p>To request a waiver, submit a written request with this petition accompanied by documentation supporting your claim to the waiver.</p> <p>If you have committed a violent criminal offense against a person or persons, USCIS may not grant such a waiver unless you can demonstrate that extraordinary circumstances exist. For details regarding those</p>

<p>Page 3, General Instructions,</p>	<p>7. What Documents Do You Need to Comply With the International Marriage Broker Regulation Act?</p> <p>A. If you have ever been convicted of any... ... You should also note that under section 833(c) of IMBRA, the name and contact information of any person who was granted a protection or restraining order against you, or of any victim of a crime of violence perpetrated by the petitioner, will remain confidential but that the relationship of the petitioner of such person or victim (i.e., spouse, child, etc.) will be disclosed.</p> <p>B. If you are seeking a waiver of the filing limitations imposed by IMBRA, you must attach a signed and dated request for the waiver, explaining why a waiver would be appropriate in your case, together with any evidence in support of your request. Examples of such evidence include, but are not limited to: a death certificate, police reports, news articles, or medical reports from a licensed medical professional, regarding the death of an alien approved for a prior K visa.</p> <p>If you have committed a violent offense and seek a waiver, you must attach a signed and dated request for the waiver, together with evidence that extraordinary circumstances exist in your case, i.e., that you were being battered or subjected to extreme cruelty by your spouse, parent, or adult child at the time you committed your violent offense(s), you were not the primary perpetrator of violence in the relationship, and:</p> <ol style="list-style-type: none"> 1. You were acting in self-defense; 2. You violated a protection order intended for your protection; or 3. You committed, were arrested for, were convicted of, or plead guilty to committing a crime that did not result in serious bodily injury and where there was a connection between the crime committed and your having been battered or subjected to extreme cruelty. 	<p>circumstances, see Item number 3.b. of these instructions.</p> <p>Page 3, 3. What Documents Must You Submit to Comply With IMBRA?</p> <p>a. If you have ever been convicted of any... ... You should also note that under section 833(c) of IMBRA, the name and contact information of any person who was granted a protection or restraining order against you, or of any victim of a crime of violence perpetrated by you, will remain confidential. However, your relationship to such person or victim (e.g., spouse, parent, former spouse) will be disclosed.</p> <p>b. Available Waivers</p> <p>Multiple Filer, No Disqualifying Convictions (General Waiver)</p> <p>If the beneficiary is your fiancé(e) and you are seeking a waiver of the filing limitations imposed by IMBRA, you must answer item number 3.a.-3.c. of Part 3. In addition, you must attach a signed and dated request for the waiver, explaining why a waiver is appropriate in your case, together with any evidence in support of your request. Examples of such evidence include, but are not limited to: a death certificate, police reports, news articles, or medical reports from a licensed medical professional regarding the death or incapacity of your previous fiancé who was the beneficiary of a fiancé petition filed by you.</p> <p>Multiple Filer, Prior Criminal Conviction for Specified Offenses (Extraordinary Circumstances Waiver)</p> <p>If you have committed a violent offense and seek a waiver, you must attach a signed and dated request for the waiver, together with evidence that extraordinary circumstances exist in your case.</p> <p>Examples of evidence establishing eligibility for a waiver based on extraordinary circumstances include, but are not limited to: police reports, court records, news articles, and trial transcripts reflecting the nature and circumstances surrounding the petitioner’s</p>
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	<p>Applicants may submit any credible evidence that is relevant to the request for such a waiver.</p> <p>Examples of such evidence include, but are not limited to:</p> <p>Police reports;</p> <p>Court records;</p> <p>News articles;</p> <p>Trial transcripts.</p>	<p>violent offense(s), his/her rehabilitation, ties to the community, or records demonstrating good conduct and exemplary service in the uniformed services.</p> <p>Multiple Filer, Prior Criminal Convictions Resulting from Domestic Violence (Mandatory Waiver)</p> <p>If you have committed a violent offense and seek a waiver and you were battered or subjected to extreme cruelty by your spouse, parent, or adult child at the time you committed your violent offense(s), and you were not the primary perpetrator of violence in the relationship you should submit evidence that :</p> <ol style="list-style-type: none"> 1. You were acting in self-defense; 2. You violated a protection order intended for your protection; or 3. You committed, were arrested for, were convicted of, or pleaded guilty to committing a crime that did not result in serious bodily injury and where there was a connection between the crime committed and you having been battered or subjected to extreme cruelty. <p>Examples of such evidence include, but are not limited to:</p> <ul style="list-style-type: none"> (a) Police reports; (b) Court records; (c) News articles; or (d) Trial transcripts. <p>Applicants may submit any credible evidence that is relevant to the request for a waiver.</p>
<p>Page 4, General Instructions,</p>	<p>9. Mandatory Tracking of Multiple Petitions and Dissemination of Information Pamphlet.</p> <p>The International Marriage Broker Regulation Act requires USCIS to maintain a database to track repeated petitions for K visas. Upon approval of a second petition for a K-1 or K-3 visa filed by the same U.S. citizen petitioner, USCIS will notify the petitioner that information concerning the petitioner has been entered into a multiple</p>	<p>Page 4, 4. What Case Tracking Requirements Were Added by IMBRA?</p> <p>IMBRA requires USCIS to maintain a database to track repeated petitions for K visas. Upon approval of a second petition for a K-1 or K-3 visa filed by a U.S. citizen petitioner, USCIS will notify the petitioner that information concerning the petitioner has been entered into a multiple visa petition tracking database. USCIS will enter all</p>

	<p>visa petition tracking database. USCIS will enter all subsequent K-1 or K-3 petitions filed by that petitioner into the database. When a subsequent petition for a K-1 or K-3 visa petition has been filed less than ten years after the date the first petition was filed, USCIS will notify both the petitioner and the beneficiary of the number of previously approved petitions listed in the database. USCIS will also send the beneficiary a pamphlet containing information on legal rights and resources for immigrant victims of domestic violence</p>	<p>subsequent K-1 or K-3 petitions filed by that petitioner into the database. Once a petitioner has had two K-1 or K-3 petitions approved, if a subsequent petition for a K-1 or K-3 visa petition is filed less than 10 years after the date the first petition was filed, USCIS will notify both the petitioner and the beneficiary of the number of previously approved petitions listed in the database.</p>
<p>Page 2, General Instructions,</p>	<p>3. What Documents Do You Need to Show That You Are a U.S. Citizen?</p> <p>A. If you were born in the States, give USCIS a copy, front and back, of your birth certificate.</p> <p>B. If you were naturalized, give USCIS a copy, front and back, of your original Certificate of Naturalization.</p> <p>C. If you were born outside the United States and you are a U.S. citizen through your parents, give USCIS:</p> <ol style="list-style-type: none"> 1. Your original Certificate of Citizenship, or 2. Your Form FS-240 (Report of Birth Abroad of a United States Citizen). <p>D. In place of any of the above, you may give USCIS a copy of your valid, unexpired U.S. passport issued with a validity period of at least five years. You must submit copies of all pages in the passport.</p> <p>E. If you do not have any of the above and were born in the United States, see Item 4, "What If a Document Is Not Available?"</p>	<p>Page 4, 5. What Documents Do You Need to Show That You Are a U.S. Citizen?</p> <p>a. If you were born in the United States, submit a copy, front and back, of your birth certificate.</p> <p>b. If you were naturalized, submit a copy, front and back, of your original Certificate of Naturalization.</p> <p>c. If you were born outside the United States and you are a U.S. citizen through your "parent(s)" submit:</p> <ol style="list-style-type: none"> (1) A copy of your original Certificate of Citizenship; or (2) Your Form FS-240, Report of Birth Abroad of a United States Citizen. <p>d. In place of any of the above, you may submit a copy of your valid, unexpired U.S. passport issued with a validity period of at least 5 years. You must submit copies of all pages in the passport.</p> <p>e. If you do not have any of the above and were born in the United States, see Item number 6, "What if a Document is Not Available?"</p>
<p>Page 2, General Instructions</p>	<p>4. What If a Document Is Not Available?</p> <p>If the documents needed above are not available, you can instead give USCIS the following secondary evidence. However,</p>	<p>Page 4, 6. What If a Document Is Not Available?</p> <p>If the primary evidence document needed above is not available, you may be able to submit secondary evidence. In order to</p>

**Page 2,
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(continued)**

USCIS may request in writing that you obtain a statement from the appropriate civil authority certifying that the needed document is not available. Any evidence submitted must contain enough information, such as a birth date, to establish the event you are trying to prove.

A. *Baptismal certificate.* A copy, front and back, of the certificate under the seal of the church, synagogue or other religious entity showing where the baptism, dedication or comparable rite occurred, as well as the date and place of the child's birth, date of baptism and names of the child's parents. The baptism must have occurred within two months after the birth of the child.

B. *Census record.* State or Federal census records showing the name(s), date(s) and place(s) of birth or age(s) of the person(s) listed.

C. *School record.* A letter from the school authority (preferably from the first school attended), showing the date of admission to the school, child's date or age at that time, place of birth and the names of the parents

D. *Affidavits.* If a required document cannot be obtained, you must submit either an original written statement from the governmental agency that should have the record, verifying that the record does not exist or a citation to the Department of State Foreign Affairs Manual indicating that such records are generally not available. Only then may you submit written affidavits sworn to or affirmed by two persons who were living at the time and who have personal knowledge of the event. Each affidavit must contain the affiant's full name, address, date and place of birth, and signature. The affidavit must also explain the affiant's relationship to you, full information concerning event and complete details of how the affiant acquired the information.

overcome unavailability of primary evidence, you must establish three elements to the satisfaction of USCIS:

a. The primary evidence document does not exist or is not available;

b. There is a reasonable explanation for the lack of the primary evidence document; and

c. The document(s) that you wish to submit in lieu of the primary evidence document(s) is/are genuine, germane and credible. Accordingly, you should submit:

a. A written statement from the appropriate civil authority on government letterhead certifying that the needed primary evidence document is not available. The statement must indicate the reason the record does not exist, and indicate whether similar records of the time and place are available (in lieu of such statement, you may submit a citation from the Department of State's Foreign Affairs Manual indicating that such records are generally not available). If the appropriate civil authority does not know why a document does not exist or is not available, a separate statement, under oath, from a person having knowledge of the issues and events in question explaining why the primary evidence document either never existed, no longer exists, or (although it exists) is not currently available;

b. If you are unable to acquire the necessary document or statement from the relevant civil authority you may submit evidence that repeated good faith attempts were made to obtain the required document or statement. However, where USCIS finds that such documents or statements are generally available, it may require that the applicant or petitioner submit the required document or statement.

AND

c. One of the following alternative documents (listed in descending order of preference):

(1) Certificate of Religious Rite. A copy, front and back, of the certificate under the seal of the church, synagogue, mosque or other religious entity showing:

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(continued)**

(a) The type of religious rite performed (e.g., baptism, bris, dedication, marriage, burial service or comparable rite)

(b) The date and place the rite was performed;

(c) The name and title of religious authority who officiated at the rite;

(d) The name(s), date(s) and place(s) of birth of the party(ies) involved (including witnesses to the event, if available);

(e) If the document is being submitted in lieu of a birth certificate, the names of the child's parents and (if available) the dates and places of birth of those parents; and

(f) If the documents is being submitted in lieu of a death certificate, the date and place of the death.

NOTE: The closer the date of the rite to the date of the associated event, the more credibility the document is likely to be given.

(2) U.S. Census Record. State or Federal census records showing the name(s), and date(s) and place(s) of birth (or ages) of the person(s) listed.

(3) School Record. A letter from the school authority (preferably from the first school attended) showing the date of admission to the school, the child's date of birth (or age at time of enrollment), the child's place of birth, and the names of the child's parents.

(4) Written Affidavits. If secondary evidence also does not exist or cannot be obtained, the applicant or petitioner must demonstrate the unavailability of both the required document and relevant secondary evidence, and submit two or more affidavits, sworn to or affirmed by persons who are not parties to the petition who have direct personal knowledge of the event and circumstances. Each affidavit must contain the affiant's full name, address, date and place of birth, and signature. The affidavit must also explain the affiant's relationship to you, full information concerning the event, and complete details of how the affiant acquired the information.

<p>Page 2, General Instructions (continued)</p>	<p>5. What Documents Do You Need to Prove That You Can Legally Marry? A.</p> <p>D. If either you or your fiancé(e) was married before, give copies of documents showing that each prior marriage was legally terminated.</p>	<p>Page 5, New section</p> <p>7. If Filing for Your Fiancé(e) (K-1), What Documents Do You Need to Prove That Your Fiancé(e) Is Eligible for K-1 Classification and That You Both Can Legally Marry?</p> <p>a. If either of you was married before, submit evidence that all prior marriages have been terminated. Evidence of termination of prior marriages may include a divorce decree, or an annulment or a death certificate issued by a competent civil authority.</p> <p>b. Submit evidence that you and your fiancé(e) intend to marry within 90 days of your fiancé(e)'s entry as a K-1. Evidence of your intention to marry may include a statement of intent to marry.</p> <p>c. Submit evidence that you and your fiancé(e) have met in person during the 2 years preceding your filing of this petition. Such evidence may include a written statement from you and/or the beneficiary stating the exact date(s) on which you met in person, copy of airline tickets, passport pages, or other evidence showing you and the beneficiary have met in person during the requisite time period. If you believe you qualify for an exception to the meeting requirement, submit evidence in support of the exception.</p>
<p>Page 3, General Instructions</p>	<p>6. What Other Documents Do You Need?</p> <p>A. Submit a completed and signed Form G-325A (Biographic Information) for you and a completed and signed Form G-325A for your fiancé(e). Except for name and signature, you do not have to repeat on the Biographic Information form the information given on your Form I-129F.</p> <p>B. Give USCIS a passport-style color photograph of yourself and a passport-style color photograph of your fiancé(e), with both</p>	<p>Page 6, 8. What Other Documents Do You Need?</p> <p>a. Submit two completed and signed Forms G-325A, Biographic Information; one for you and one for your beneficiary. Except for name and signature, you do not have to repeat the information given on your Form I-129F.</p> <p>b. Submit a passport-style color photograph of yourself and a passport-style color photograph of your beneficiary, with both photos taken within 30 days of the date of filing this petition. The photos must have a white</p>

	<p>photos taken within 30 days of the date of filing this petition. The photos must have a white background, be glossy, un-retouched and not mounted. The dimension of the full frontal facial image of you and your fiancé(e) in separate photos should be about one inch from your chin to the top of your hair. Using a pencil or felt pen, lightly print the name (and Alien Registration Number, if known) on the back of each photograph.</p> <p>C. If either you or the person you are filing for is using a name other than that shown on the relevant documents, you must give USCIS copies of the legal documents that made the change, such as a marriage certificate, adoption decree or court order.</p>	<p>background, and be glossy, un-retouched, and be unmounted. The dimension of the full frontal facial image should be about one inch from your chin to the top of your hair. Using a pencil or felt pen, lightly print the name (and Alien Registration Number, if known) on the back of each photograph.</p> <p>c. If either you or the person for whom you are filing is using a name other than that shown on the relevant documents, you must submit copies of the legal documents that made the change, such as a marriage certificate, adoption decree, or court order.</p> <p>Note: Failure to provide the petitioner’s Social Security number may result in the rejection of Form I-129F.</p> <p>d. If your fiancé(e) is currently in the U.S. complete the following: Items 15.a.-15.h. Complete all sections. Regarding the Admission/travel document – provide the I-94 admission number which may have been received from U.S. Customs and Border Protection in connection with arrival and admission to the United States, or from U.S. Citizenship and Immigration Services if immigration status was granted within the United States. The I-94 number is on the Form I-94 Arrival-Departure Record, which may be noted as the Departure Number on some versions. If CBP did not provide a Form I-94 upon arrival/admission to the United States, a print out of the Form I-94 may be obtained according to the instructions provided by CBP. Also, provide the date of admission and the date that the authorized stay expired or will expire.</p>
<p>Page 4, General Instructions</p>	<p>8. How Do You Use This Form for Your Spouse Seeking Entry With a K-3 Visa?</p> <p>This form may be used to obtain a K-3 visa for your alien spouse. Fill out the form as directed, except assume that "fiancé" or "fiancé(e)" means "spouse." Answer Questions B.17 and B.18 by stating "N/A." Note that filing this form is only necessary to facilitate the entry of your spouse as a nonimmigrant.</p>	<p>Page 6, 9. If Filing For Your Spouse (K-3), What Documents Do You Need to Prove That You and Your Spouse Are Legally Married and That Your Spouse Is Eligible for K-3 Classification?</p> <p>If your beneficiary is your spouse, you must submit the documents required in Items 1, 2, and 6 of the “Requirements and Documents” section of these instructions, but may omit the</p>

<p>Page 4, General Instructions (continued)</p>	<p>You must submit the documents required in Items 1, 2, and 4 of these instructions, but may omit the documents required in Item 3. In addition, a U.S. citizen seeking K-3 classification for his or her spouse must include evidence that he or she has filed Form I-130, Petition for Alien Relative, on behalf of the spouse listed on this form, a marriage certificate showing a valid marriage, and documents that establish the dissolution of any previous marriages for the petitioner and beneficiary.</p> <p>The LIFE Act requires applicants to apply for a K-3 visa in the country where the marriage to the U.S. citizen petitioners occurred. Petitioners must identify the appropriate consulate in the same country where they married the aliens for whom they are petitioning in Block 20 to avoid lengthy delays. In the event the petitioner and alien were married in the United States, they must list the country of the alien's current residence. See U.S. Department of State regulations at 21CFR 41.81.</p>	<p>documents required in Item number 5. In addition, a U.S. citizen seeking K-3 classification for his or her spouse must include evidence that he or she has filed Form I-130, Petition for Alien Relative, on behalf of the spouse listed on this form, a marriage certificate showing a valid marriage, and documents that establish the dissolution of any previous marriages for the petitioner and beneficiary.</p> <p>The LIFE Act requires that the Form I-129F beneficiary apply for a K-3 visa in the country where the marriage to the U.S. citizen petitioner occurred. The petitioner must identify the city and country of the consulate where the beneficiary will apply for a visa in Part 2, Items 37.a. and 37.b. of Form I-129F, to avoid lengthy delays. In the event the petitioner and alien were married in the United States, they must list the country of the alien's current residence.</p>
<p>Page 5, What Is the Filing Fee? How to Check If the Fees Are Correct</p>	<p>The filing fee for a Form I-129F is \$455.00.</p> <p>Use the following guidelines when you prepare your check or money order for the Form I-129F fee:</p> <ol style="list-style-type: none"> 1. The check or money order must be drawn on a bank or other financial institution located in the United States and must be payable in U.S. currency; and 2. Make the check or money order payable to U.S. Department of Homeland Security, unless: <ul style="list-style-type: none"> A. If you live in Guam and are filing your petition there, make it payable to Treasurer, 	<p>Page 6, This section has been moved to be <u>before</u> the section entitled “Where Do I File This Form?”</p> <p>What Is the Filing Fee?</p> <p>The filing fee for Form I-129F is \$340.</p> <p>There is no fee for Form I-129F petitions for classification of an alien as a spouse of a United States citizen.</p> <p>Use the following guidelines when you prepare your check or money order for the Form I-129F fee:</p> <ol style="list-style-type: none"> 1. The check or money order must be drawn on a bank or other financial institution located in the United States and must be payable in U.S. currency; and 2. Make the check or money order payable to U.S. Department of Homeland Security. <p>NOTE: Spell out U.S. Department of Homeland Security; do not use the</p>

	<p>Guam.</p> <p>B. If you live in the U.S. Virgin Islands and are filing your petition there, 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 the nearest U.S. consulate or embassy for instructions on the method of payment.</p> <p>NOTE: Please spell out U.S. Department of Homeland Security; do not use the initials "USDHS" or "DHS."</p> <p>Notice to Those Making Payment by Check. ...</p> <p>How to Check If the Fees Are Correct.</p> <p>The form fee on this form is current as of the edition date appearing in the lower right corner of this page.</p> <p>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 website at www.uscis.gov, select "Immigration Forms" 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>initials "USDHS" or "DHS."</p> <p>3. If you live outside the United States, Guam, or the U.S. Virgin Islands, contact the nearest U.S. Embassy or consulate for instructions on the method of payment.</p> <p>Notice to Those Making Payment by Check. ...</p> <p>How to Check If the Fees Are Correct</p> <p>The fee on this form is current as of the edition date appearing in the lower left corner of this page.</p> <p>However, because USCIS fees change periodically, you can determine 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 2. Telephone the USCIS National Customer Service Center at 1-800-375-5283 and ask for the fee information.
<p>Page 4, Where To File?</p>		<p>Page 7,</p> <p>New language: On the version of the instructions <u>without</u> filing instructions the following paragraph has been added under "Where Do I File This Form?"</p> <p>Please see our Web site at www.uscis.gov or call our National Customer Service Center at 1-800-375-5283 for the most current information about where to file this benefit request.</p>

<p>Page 6, Processing Information (continued)</p>	<p>What Are the Penalties for Marriage Fraud or Giving False Information?</p> <p>Title 18, United States Code, Section 100 states that whoever willfully and knowingly falsifies a material fact, makes a false statement or makes use of a false document will be fined up to \$10,000 or imprisoned up to five years, or both.</p> <p>Title 8, United States Code, Section 1325 states that any person who knowingly enters into a marriage contract for the purpose of evading any provision of the immigration laws shall be imprisoned for not more than five years or fined not more than \$250,000, or both.</p> <p>Any Form I-129F that is not signed or... ...</p> <p>Decision. The decision on a Form I-129F involves a determination of whether you have established eligibility for the requested benefit. You will be notified of the decision in writing.</p>	<p>This section was deleted.</p> <p>Any Form I-129F that is not signed will be rejected with a notice that the Form I-129F is deficient.</p> <p>Decision</p> <p>You will be notified in writing as to whether you have established that your spouse is eligible for the requested classification. If your petition is denied, you will also be provided with information regarding appeal rights and procedures.</p>
<p>Page 6 Address Change</p>	<p>If you change your address and you have an application or petition pending with USCIS, you may change your address on-line at www.uscis.gov, click on "Change your address with USCIS" and follow the prompts or by completing and mailing Form AR-11, Alien's Change of Address Card, to:</p> <p>For commercial overnight or fast freight services only, mail to:</p> <p>U.S. Citizenship and Immigration Services Change of Address 1084-I South Laurel Road London, KY 40744</p> <p>U.S. Citizenship and Immigration Services Change of Address P.O. Box 7134 London, KY 40742-7134</p>	<p>Page 8, Address Changes</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 to the USCIS Web site at www.uscis.gov/addresschange or contact the National Customer Service Center at 1-800-375-5283.</p> <p>NOTE: Do not submit a change of address request to the USCIS Lockbox facilities because the USCIS Lockbox facilities do not process change of address requests.</p>

<p>Page 6, USCIS Forms and Information</p>	<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, regulations and procedures by telephoning our National Customer Service Center at 1-800-375-5283 or visiting our internet website at www.uscis.gov.</p> <p>As an alternative to waiting in line for assistance at your local USCIS office, you can now schedule an appointment through our internet-based system, InfoPass. To access the system, visit our website. Use the InfoPass appointment scheduler and follow the screen prompts to set up your appointment. InfoPass generates an electronic appointment notice that appears on the screen.</p>	<p>Page 8, USCIS Forms and Information You can get USCIS forms and immigration-related information on the USCIS Web site at www.uscis.gov. You may order USCIS 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.</p> <p>As an alternative to waiting in line for assistance at your local USCIS office, you can now schedule an appointment through USCIS' Internet-based system, InfoPass. To access the system, visit USCIS' Web site. Use the InfoPass appointment scheduler and follow the screen prompts to set up your appointment. InfoPass generates an electronic appointment notice that appears on the screen.</p>
<p>Page 7, 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 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-129F.</p>	<p>Page 8, USCIS Privacy Act Statement</p> <p>AUTHORITIES: The information requested on this form, and the associated evidence, is collected under the Immigration and Nationality Act, section 101, et seq.</p> <p>PURPOSE: 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 for your beneficiary or beneficiaries.</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 petition.</p> <p>ROUTINE USES: 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, Index, and National File Tracking System of Records which can be found at www.dhs.gov/privacy]. The information may</p>

		also be made available, as appropriate, for law enforcement purposes or in the interest of national security.
Page 7, USCIS Compliance Review and Monitoring		Page 9, Moved to a new location - before Paperwork Reduction Act.
Page 7, Paperwork Reduction Act	<p>The public reporting burden for this collection of information is estimated at 1 hour, 30 minutes per response...</p> <p>...</p> <p>to: U.S. Citizenship and Immigration Services, Regulatory Management Division, 111 Massachusetts Avenue, N.W., 3rd Floor, Suite 3008, Washington, DC 20529. OMB No. 1615-0001. Do not mail your application to this address.</p>	<p>Page 9,</p> <p>The public reporting burden for this collection of information is estimated at 1 hour, 35 minutes per response...</p> <p>...</p> <p>to: U.S. Citizenship and Immigration Services, Regulatory Coordination Division, Office of Policy and Strategy, 20 Massachusetts Avenue, N.W., Washington, DC 20529-2020. OMB No. 1615-0001. Do not mail your completed Form I-129F petition to this address.</p>