

8 USC 1184(d) prohibits the issuance of a nonimmigrant visa under 8 USC1101(a)(15) (K) until the consular officer abroad has received a petition filed in the United States by a U.S. citizen on behalf of his or her spouse or fiancé(e) and approved by the Secretary of Homeland Security. Likewise, 8 CFR 214.2(k) sets forth procedures which must be followed by a citizen of the United States who wishes to bring his or her spouse or fiancé(e) to the United States. This includes the requirement that a completed Form I-129F must be filed with U.S. Citizenship and Immigration Services (USCIS) in order to petition for an alien spouse, fiancé(e), and his or her children. Further, 8 USC 1184(d) requires that a I-129F petitioner disclose, on the petition, certain criminal conviction information and permanent restraining order information, and 8 USC 1375a(a) requires that USCIS conduct a background check on every I-129F petitioner, so that all criminal background information related to a petitioner, may be disclosed to the alien beneficiary before he or she is issued a visa.