**TABLE OF CHANGES – FORM**

**Form I-129, Petition for a Nonimmigrant Worker**

**OMB Number: 1615-0009**

**09/26/2018**

|  |
| --- |
| **Reason for Revision: Revisions in support of Public Charge rulemaking.**Legend for Proposed Text:* Black font = Current text
* Red font = Changes
 |

|  |  |  |
| --- | --- | --- |
| **Current Page Number and Section** | **Current Text** | **Proposed Text** |
| **Page 3, Part 4. Processing Information** | **[Page 3]****Part 4. Processing Information**…**2.** Does each person in this petition have a valid passport? Yes/No If no, go to **Part 9.** and type or print your explanation.**[Page 4]****3.** Are you filing any other petitions with this one? Yes. If yes, how many? [fillable field] No **4.** Are you filing any applications for replacement/initial I-94, Arrival-Departure Records with this petition? Note that if the beneficiary was issued an electronic Form I-94 by CBP when he/she was admitted to the United States at an air or sea port, he/ she may be able to obtain the Form I-94 from the CBP Website at [**www.cbp.gov/i94**](http://www.cbp.gov/i94) instead of filing an application for a replacement/initial I-94. Yes. If yes, how many? [fillable field] No **5.** Are you filing any applications for dependents with this petition? Yes. If yes, how many? [fillable field] No **6.**  Is any beneficiary in this petition in removal proceedings? Yes. If yes, proceed to **Part 9.** and list the beneficiary’s(ies) name(s). No **7.** Have you ever filed an immigrant petition for any beneficiary in this petition? Yes. If yes, how many? [fillable field] No **8.** Did you indicate you were filing a new petition in **Part 2**? Yes. If yes, answer the questions below. No. If no, proceed to **Item Number 9.** **a.** Has any beneficiary in this petition ever been given the classification you are now requesting within the last seven years? Yes. If yes, proceed to **Part 9.** and type or print your explanation. No **b.** Has any beneficiary in this petition ever been denied the classification you are now requesting within the last seven years? Yes. If yes, proceed to **Part 9.** and type or print your explanation. No**9.** Have you ever previously filed a nonimmigrant petition for this beneficiary? Yes. If yes, proceed to **Part 9.** and type or print your explanation. No **10.** If you are filing for an entertainment group, has any beneficiary in this petition not been with the group for at least one year? Yes. If yes, proceed to **Part 9.** and type or print your explanation. No **11.a.** Has any beneficiary in this petition ever been a J-1 exchange visitor or J-2 dependent of a J-1 exchange visitor? Yes. If yes, proceed to **Item Number 11.b.** No **11.b.** If you checked yes in **Item Number 11.a.**, provide the dates the beneficiary maintained status as a J-1 exchange visitor or J-2 dependent. Also, provide evidence of this status by attaching a copy of either a DS-2019, Certificate of Eligibility for Exchange Visitor (J-1) Status, a Form IAP-66, or a copy of the passport that includes the J visa stamp. | **[Page 3]****[no change]****2.** Does each person in this petition have a valid passport? Yes/No If no, go to **Part 10.** and type or print your explanation.**[Page 4]****3.** Are you filing any other petitions with this one? Yes. If yes, how many? [fillable field] No **4.** Are you filing any applications for replacement/initial I-94, Arrival-Departure Records with this petition? Note that if the beneficiary was issued an electronic Form I-94 by CBP when he/she was admitted to the United States at an air or sea port, he/ she may be able to obtain the Form I-94 from the CBP Website at [**www.cbp.gov/i94**](http://www.cbp.gov/i94) instead of filing an application for a replacement/initial I-94. Yes. If yes, how many? [fillable field] No **5.** Are you filing any applications for dependents with this petition? Yes. If yes, how many? [fillable field] No **6.**  Is any beneficiary in this petition in removal proceedings? Yes. If yes, proceed to **Part 10.** and list the beneficiary’s(ies) name(s). No **7.** Have you ever filed an immigrant petition for any beneficiary in this petition? Yes. If yes, how many? [fillable field] No **8.** Did you indicate you were filing a new petition in **Part 2**? Yes. If yes, answer the questions below. No. If no, proceed to **Item Number 9.** **a.** Has any beneficiary in this petition ever been given the classification you are now requesting within the last seven years? Yes. If yes, proceed to **Part 10.** and type or print your explanation. No **b.** Has any beneficiary in this petition ever been denied the classification you are now requesting within the last seven years? Yes. If yes, proceed to **Part 10.** and type or print your explanation. No**9.** Have you ever previously filed a nonimmigrant petition for this beneficiary? Yes. If yes, proceed to **Part 10.** and type or print your explanation. No **10.** If you are filing for an entertainment group, has any beneficiary in this petition not been with the group for at least one year? Yes. If yes, proceed to **Part 10.** and type or print your explanation. No **11.a.** Has any beneficiary in this petition ever been a J-1 exchange visitor or J-2 dependent of a J-1 exchange visitor? Yes. If yes, proceed to **Item Number 11.b.** No **11.b.** If you checked yes in **Item Number 11.a.**, provide the dates the beneficiary maintained status as a J-1 exchange visitor or J-2 dependent. Also, provide evidence of this status by attaching a copy of either a DS-2019, Certificate of Eligibility for Exchange Visitor (J-1) Status, a Form IAP-66, or a copy of the passport that includes the J visa stamp. |
| **New** |  | **[Page XX]****Part 6. Information About The Proposed Employee’s Public Benefits** **1.** Has the beneficiary **EVER** applied for or received any public benefits as listed in the instructions? YesNoIf you answered “Yes,” provide information about the public benefits in the table below. If you need additional space to complete any Item Number in this Part, use the space provided in **Part 10. Additional Information**. [Table **7 columns** x 3 rows]**Type of Benefit****Amount of Benefit (check boxes for weekly, monthly, annually, other explain)** **Agency That Granted The Benefit****Date Benefit Was Granted** **Date Benefit Ended or Expires** (mm/dd/yyyy), if applicable**Number of Household Members Receiving the Benefit** (if applicable)**2.a.** Is the beneficiary anticipating applying for or receiving public benefits, as listed in the instructions, in the future in the United States? YesNo**2.b.** Provide information you believe is relevant that would explain why the beneficiary anticipates applying for or receiving public benefits in the future. If you need additional space, you may use **Part 10. Additional Information.**[Fillable Field] |
| **Page 5, Part 6. Certification Regarding the Release of Controlled Technology or Technical Data to Foreign Persons in the United States** | **[Page 5]****Part 6. Certification Regarding the Release of Controlled Technology or Technical Data to Foreign Persons in the United States**… | **[Page 5]****Part 7. Certification Regarding the Release of Controlled Technology or Technical Data to Foreign Persons in the United States****[no change]** |
| **Page 6, Part 7. Declaration, Signature, and Contact Information of Petitioner or Authorized Signatory** | **[Page 6]****Part 7. Declaration, Signature, and Contact Information of Petitioner or Authorized Signatory** (Read the information on penalties in the instructions before completing this section.)… | **[Page 6]****Part 8. Declaration, Signature, and Contact Information of Petitioner or Authorized Signatory** (Read the information on penalties in the instructions before completing this section.)**[no change]** |
| **Page 6, Part 8. Declaration, Signature, and Contact Information of Person Preparing Form, If Other Than Petitioner** | **[Page 6]****Part 8. Declaration, Signature, and Contact Information of Person Preparing Form, If Other Than Petitioner**… | **[Page 6]****Part 9. Declaration, Signature, and Contact Information of Person Preparing Form, If Other Than Petitioner****[no change]** |
| **Page 8, Part 9. Additional Information About Your Petition for Nonimmigrant Worker** | **[Page 8]****Part 9. Additional Information About Your Petition for Nonimmigrant Worker**If you require more space to provide any additional information within this petition, use the space below. If you require more space than what is provided to complete this petition, you may make a copy of **Part 9.** to complete and file with this petition. In order to assist us in reviewing your response, you must identify the **Page Number, Part Number, and Item Number** corresponding to the additional information. **1.** A-Number**2. Page Number****Part Number****Item Number****3. Page Number****Part Number****Item Number****4. Page Number****Part Number****Item Number** | **[Page 8]****Part 10. Additional Information About Your Petition for Nonimmigrant Worker**If you require more space to provide any additional information within this petition, use the space below. If you require more space than what is provided to complete this petition, you may make a copy of **Part 10.** to complete and file with this petition. In order to assist us in reviewing your response, you must identify the **Page Number, Part Number, and Item Number** corresponding to the additional information. **1.** A-Number**2. Page Number****Part Number****Item Number****3. Page Number****Part Number****Item Number****4. Page Number****Part Number****Item Number** |
| **Page 15, H Classification Supplement to Form I-129, Section 2. Complete This Section If Filing for H-2A or H-2B Classification** | **[Page 15]****…****4. List the countries of citizenship for the H-2A or H-2B workers you plan to hire.****a.****b.****c.****d.****e.****f.**…**5.e.** Country of Citizenship or Nationality**6.a.** Have any of the workers listed in **Item Number 5.** above ever been admitted to the United States previously in H-2A/H-2B status? Yes. If yes, go to **Part 9.** of Form I-129 and write your explanation. No..If yes, list the name and address of service or agent used below. Please use **Part 9.** of Form I-129 if you need to include the name and address of more than one service or agent.… | **[Page 15]****[no change]****4. List the countries of citizenship for the H-2A or H-2B workers you plan to hire.****[no change]****5.e.** Country of Citizenship or Nationality**6.a.** Have any of the workers listed in **Item Number 5.** above ever been admitted to the United States previously in H-2A/H-2B status? Yes. If yes, go to **Part 10.** of Form I-129 and write your explanation. No**[no change]**If yes, list the name and address of service or agent used below. Please use **Part 10.** of Form I-129 if you need to include the name and address of more than one service or agent.**[no change]** |
| **Page 18, H Classification Supplement to Form I-129, Section 3. Complete This Section If Filing for H-3 Classification** | **[Page 18]**…**3.** Does the training involve productive employment incidental to the training? If yes, explain the amount of compensation employment versus the classroom in **Part 9. of Form I-129.** Yes/No… | **[Page 18]**…**3.** Does the training involve productive employment incidental to the training? If yes, explain the amount of compensation employment versus the classroom in **Part 10. of Form I-129.** Yes/No**[no change]** |
| **Page 22, L Classification Supplement to Form I-129, Section 1. Complete This Section If Filing For An Individual Petition** | **[Page 22]****Section 1. Complete This Section If Filing For An Individual Petition****1.** Classification sought (select **only one** box):**a.** L-1A manager or executive**b.** L-1B specialized knowledge**2.** List the beneficiary's and any dependent family member's prior periods of stay in an H or L classification in the United States for the last seven years. Be sure to list only those periods in which the beneficiary and/or family members were physically present in the U.S. in an H or L classification. Do not include periods in which the beneficiary was in a dependent status, for example, H-4 or L-2 status. If more space is needed, go to **Part 9. of Form I-129.**…**[Page 24]****10.** Describe the percentage of stock ownership and managerial control of each company that has a qualifying relationship. Provide the Federal Employer Identification Number for each U.S. company that has a qualifying relationship.[Table, 2 columns, 5 rows]**Percentage of company stock ownership and managerial control of each company that has a qualifying relationship.****Federal Employer Identification Number for each U.S. company that has a qualifying relationship****11.** Do the companies currently have the same qualifying relationship as they did during the one-year period of the alien's employment with the company abroad? Yes/No. If no, provide an explanation in **Part 9. of Form I-129** that the U.S. company has and will have a qualifying relationship with another foreign entity during the full period of the requested period of stay.**12.** Is the beneficiary coming to the United States to open a new office? Yes/No (attach explanation)**If you are seeking L-1B specialized knowledge status for an individual, answer the following question:****13.a.** Will the beneficiary be stationed primarily offsite (at the worksite of an employer other than the petitioner or its affiliate, subsidiary, or parent)? Yes/No**13.b.** If you answered yes to the preceding question, describe how and by whom the beneficiary's work will be controlled and supervised. Include a description of the amount of time each supervisor is expected to control and supervise the work. If you need additional space to respond to this question, proceed to **Part 9.** of the Form I-129, and type or print your explanation.**13.c.** If you answered yes to the preceding question, describe the reasons why placement at another worksite outside the petitioner, subsidiary, affiliate, or parent is needed. Include a description of how the beneficiary's duties at another worksite relate to the need for the specialized knowledge he or she possesses. If you need additional space to respond to this question, proceed to **Part 9.** of the Form I-129, and type or print your explanation.… | **[Page 22]****Section 1. Complete This Section If Filing For An Individual Petition****1.** Classification sought (select **only one** box):**a.** L-1A manager or executive**b.** L-1B specialized knowledge**2.** List the beneficiary's and any dependent family member's prior periods of stay in an H or L classification in the United States for the last seven years. Be sure to list only those periods in which the beneficiary and/or family members were physically present in the U.S. in an H or L classification. Do not include periods in which the beneficiary was in a dependent status, for example, H-4 or L-2 status. If more space is needed, go to **Part 10. of Form I-129.****[no change]****[Page 24]****10.** Describe the percentage of stock ownership and managerial control of each company that has a qualifying relationship. Provide the Federal Employer Identification Number for each U.S. company that has a qualifying relationship.[Table, 2 columns, 5 rows]**Percentage of company stock ownership and managerial control of each company that has a qualifying relationship.****Federal Employer Identification Number for each U.S. company that has a qualifying relationship****11.** Do the companies currently have the same qualifying relationship as they did during the one-year period of the alien's employment with the company abroad? Yes/No. If no, provide an explanation in **Part 10. of Form I-129** that the U.S. company has and will have a qualifying relationship with another foreign entity during the full period of the requested period of stay.**12.** Is the beneficiary coming to the United States to open a new office? Yes/No (attach explanation)**If you are seeking L-1B specialized knowledge status for an individual, answer the following question:****13.a.** Will the beneficiary be stationed primarily offsite (at the worksite of an employer other than the petitioner or its affiliate, subsidiary, or parent)? Yes/No**13.b.** If you answered yes to the preceding question, describe how and by whom the beneficiary's work will be controlled and supervised. Include a description of the amount of time each supervisor is expected to control and supervise the work. If you need additional space to respond to this question, proceed to **Part 10.** of the Form I-129, and type or print your explanation.**13.c.** If you answered yes to the preceding question, describe the reasons why placement at another worksite outside the petitioner, subsidiary, affiliate, or parent is needed. Include a description of how the beneficiary's duties at another worksite relate to the need for the specialized knowledge he or she possesses. If you need additional space to respond to this question, proceed to **Part 10.** of the Form I-129, and type or print your explanation.**[no change]** |
| **Page 27, O and P Classifications Supplement to Form I-129, Section 1. Complete This Section if Filing for O or P Classification** | **[Page 27]****7.b.** Explanation**8.** Does an appropriate labor organization exist for the petition? Yes/No. If no, proceed to **Part 9.** and type or print your explanation.… | **[Page 27]****7.b.** Explanation**8.** Does an appropriate labor organization exist for the petition? Yes/No. If no, proceed to **Part 10.** and type or print your explanation.**[no change]** |
| **Page 30, R-1 Classification Supplement to Form I-129, Section 1. Complete This Section If You Are Filing For An R-1 Religious Worker** | **[Page 30]**If yes, complete the spaces below. List the beneficiary and any dependent family member’s prior periods of stay in the R visa classification in the United States in the last five years. Please be sure to list only those periods in which the beneficiary and/or family members were actually in the United States in an R classification.**NOTE:** Submit photocopies of Forms I-94 (Arrival-Departure Record), I-797 (Notice of Action), and/or other USCIS documents identifying these periods of stay in the R visa classification(s). If more space is needed, provide the information in **Part 9. of Form I-129.**…**[Page 32]****5.e.** List of the address(es) or location(s) where the beneficiary will be working.**Petitioner Attestations****Does the petitioner attest to all of the requirements described in Item Numbers 6. - 12. below?****6.** The petitioner is a bona fide non-profit religious organization or a bona fide organization that is affiliated with the religious denomination and is tax-exempt as described in section 501(c)(3) of the Internal Revenue Code of 1986, subsequent amendment, or equivalent sections of prior enactments of the Internal Revenue Code. If the petitioner is affiliated with the religious denomination, complete the Religious Denomination Certification included in this supplement. Yes/No. If no, type or print your explanation below and if needed, go to **Part 9. of Form I-129**.**7.** The petitioner is willing and able to provide salaried or non-salaried compensation to the beneficiary. If the beneficiary will be self-supporting, the petitioner must submit documentation establishing that the position the beneficiary will hold is part of an established program for temporary, uncompensated missionary work, which is part of a broader international program of missionary work sponsored by the denomination. Yes/No. If no, type or print your explanation below and if needed, go to **Part 9. of Form I-129**.**8.**  If the beneficiary worked in the United States in an R-1 status during the 2 years immediately before the petition was filed, the beneficiary received verifiable salaried or non-salaried compensation, or provided uncompensated self-support. Yes/No. If no, type or print your explanation below and if needed, go to **Part 9. of Form I-129**.**9.** If the position is not a religious vocation, the beneficiary will not engage in secular employment, and the petitioner will provide salaried or non-salaried compensation. If the position is a traditionally uncompensated and not a religious vocation, the beneficiary will not engage in secular employment, and the beneficiary will provide self-support. Yes/No. If no, type or print your explanation below and if needed, go to **Part 9. of Form I-129**.**[Page 33]****10.** The offered position requires at least 20 hours of work per week. If the offered position at the petitioning organization requires fewer than 20 hours per week, the compensated service for another religious organization and the compensated service at the petitioning organization will total 20 hours per week. If the beneficiary will be self-supporting, the petitioner must submit documentation establishing that the position the beneficiary will hold is part of an established program for temporary, uncompensated missionary work, which is part of a broader international program of missionary work sponsored by the denomination. Yes/No. If no, type or print your explanation below and if needed, go to **Part 9. of Form I-129**.**11.** The beneficiary has been a member of the petitioner's denomination for at least two years immediately before Form I-129 was filed and is otherwise qualified to perform the duties of the offered position. Yes/No. If no, type or print your explanation below and if needed, go to **Part 9. of Form I-129**.**12.** The petitioner will notify USCIS within 14 days if an R-1 alien is working less than the required number of hours or has been released from or has otherwise terminated employment before the expiration of a period of authorized R-1 stay. Yes/No. If no, type or print your explanation below and if needed, go to **Part 9. of Form I-129**.… | **[Page 30]**If yes, complete the spaces below. List the beneficiary and any dependent family member’s prior periods of stay in the R visa classification in the United States in the last five years. Please be sure to list only those periods in which the beneficiary and/or family members were actually in the United States in an R classification.**NOTE:** Submit photocopies of Forms I-94 (Arrival-Departure Record), I-797 (Notice of Action), and/or other USCIS documents identifying these periods of stay in the R visa classification(s). If more space is needed, provide the information in **Part 10. of Form I-129.****[no change]****[Page 32]****5.e.** List of the address(es) or location(s) where the beneficiary will be working.**Petitioner Attestations****Does the petitioner attest to all of the requirements described in Item Numbers 6. - 12. below?****6.** The petitioner is a bona fide non-profit religious organization or a bona fide organization that is affiliated with the religious denomination and is tax-exempt as described in section 501(c)(3) of the Internal Revenue Code of 1986, subsequent amendment, or equivalent sections of prior enactments of the Internal Revenue Code. If the petitioner is affiliated with the religious denomination, complete the Religious Denomination Certification included in this supplement. Yes/No. If no, type or print your explanation below and if needed, go to **Part 10. of Form I-129**.**7.** The petitioner is willing and able to provide salaried or non-salaried compensation to the beneficiary. If the beneficiary will be self-supporting, the petitioner must submit documentation establishing that the position the beneficiary will hold is part of an established program for temporary, uncompensated missionary work, which is part of a broader international program of missionary work sponsored by the denomination. Yes/No. If no, type or print your explanation below and if needed, go to **Part 10. of Form I-129**.**8.**  If the beneficiary worked in the United States in an R-1 status during the 2 years immediately before the petition was filed, the beneficiary received verifiable salaried or non-salaried compensation, or provided uncompensated self-support. Yes/No. If no, type or print your explanation below and if needed, go to **Part 10. of Form I-129**.**9.** If the position is not a religious vocation, the beneficiary will not engage in secular employment, and the petitioner will provide salaried or non-salaried compensation. If the position is a traditionally uncompensated and not a religious vocation, the beneficiary will not engage in secular employment, and the beneficiary will provide self-support. Yes/No. If no, type or print your explanation below and if needed, go to **Part 10. of Form I-129**.**[Page 33]****10.** The offered position requires at least 20 hours of work per week. If the offered position at the petitioning organization requires fewer than 20 hours per week, the compensated service for another religious organization and the compensated service at the petitioning organization will total 20 hours per week. If the beneficiary will be self-supporting, the petitioner must submit documentation establishing that the position the beneficiary will hold is part of an established program for temporary, uncompensated missionary work, which is part of a broader international program of missionary work sponsored by the denomination. Yes/No. If no, type or print your explanation below and if needed, go to **Part 10. of Form I-129**.**11.** The beneficiary has been a member of the petitioner's denomination for at least two years immediately before Form I-129 was filed and is otherwise qualified to perform the duties of the offered position. Yes/No. If no, type or print your explanation below and if needed, go to **Part 10. of Form I-129**.**12.** The petitioner will notify USCIS within 14 days if an R-1 alien is working less than the required number of hours or has been released from or has otherwise terminated employment before the expiration of a period of authorized R-1 stay. Yes/No. If no, type or print your explanation below and if needed, go to **Part 10. of Form I-129**.**[no change]** |