

TABLE OF CHANGES – INSTRUCTIONS
Instructions for Form I-140, Immigrant Petition for Alien Workers
OMB Number: 1615-0015
05/13/2020

Reason for Revision: Biometrics Rule

Project Phase: NPRM

Legend for Proposed Text:

- Black font = Current text
- **Red font** = Changes

Expires 05/31/2020

Edition Date 5/9/2018

Current Page Number and Section	Current Text	Proposed Text
Pages 2-4, General Instructions	<p>[page 2]</p> <p>...</p> <p>Evidence. At the time of filing, you must submit all evidence and supporting documentation listed in the General Requirements and General Evidence sections of these Instructions.</p> <p>Biometric Services Appointment. USCIS may require that the you appear for an interview or provide biometrics (for example, fingerprints, photograph, and/or signature) at any time to verify your identity, obtain additional information, and conduct background and security checks, including a check of criminal history records maintained by the Federal Bureau of Investigation (FBI), before making a decision on your application or petition. After USCIS receives your petition and ensures it is complete, we will inform you in writing if you need to attend a biometric services appointment. If an appointment is necessary, the notice will provide you the location of your local or designated USCIS Application Support Center (ASC) and the date and time of your appointment or, if you are currently overseas, instruct you to contact a U.S. Embassy, U.S. Consulate, or USCIS office outside the United States to set up an appointment.</p>	<p>[page 2]</p> <p>...</p> <p>Evidence. At the time of filing, you must submit all evidence and supporting documentation listed in the General Requirements and General Evidence sections of these Instructions.</p> <p>Biometric Services Appointment. Every individual who is an applicant, petitioner, derivative, beneficiary, or sponsor of an immigration benefit request or other request submitted to USCIS is required to submit biometrics unless USCIS waives or exempts the requirement. USCIS currently exempts all Form I-140 petitioners, sponsors, and beneficiaries from this requirement unless USCIS or the Department of State notifies the petitioner, sponsor, or beneficiary that biometrics are required. You will be notified of the time and place of your appointment if you must appear and you will be provided requirements for rescheduling if necessary. If you fail to attend your appointment, USCIS may deny your application, petition, or request.</p> <p>DHS may store the biometrics submitted by an individual and use or reuse biometrics to conduct background and security checks, including a check of criminal history records maintained by the Federal Bureau</p>

	<p>If you are required to provide biometrics, at the appointment you must sign an oath reaffirming that:</p> <ol style="list-style-type: none"> 1. You provided or authorized all information in the petition; 2. You reviewed and understood all of the information contained in, and submitted with, the petition; and 3. All of this information was complete, true, and correct at the time of filing. <p>If you fail to attend the biometric services appointment, USCIS may deny your petition.</p> <p>Copies. You should submit legible photocopies of documents requested, unless the Instructions specifically state that you must submit an original document. USCIS may request an original document at the time of filing or at any time during processing of an application or petition. If USCIS requests an original document from you, it will be returned to you after USCIS determines it no longer needs your original.</p> <p>...</p>	<p>of Investigation (FBI), verify identity, produce documents, determine eligibility for immigration and naturalization benefits, or to perform any other functions necessary for administering and enforcing immigration and naturalization laws, and any other law within DHS authority.</p> <p>If you are required to provide biometrics, at the appointment you must sign an oath reaffirming that:</p> <ol style="list-style-type: none"> 1. You provided or authorized all information in the petition; 2. You reviewed and understood all of the information contained in, and submitted with, the petition; and 3. All of this information was complete, true, and correct at the time of filing. <p>[deleted]</p> <p>Copies. You should submit legible photocopies of documents requested, unless the Instructions specifically state that you must submit an original document. USCIS may request an original document at the time of filing or at any time during processing of an application or petition. If USCIS requests an original document from you, it will be returned to you after USCIS determines it no longer needs your original.</p> <p>...</p>
<p>Page 8-9, What Is the Filing Fee?</p>	<p>[page 8]</p> <p>What Is the Filing Fee?</p> <p>The filing fee for Form I-140 is \$700.</p> <p>...</p>	<p>[page 8]</p> <p>What Is the Filing Fee?</p> <p>The filing fee for Form I-140 is \$700. If you receive a notice to appear for a biometric services appointment, you may also be required to pay the \$85 biometric services fee.</p> <p>...</p>
<p>Page 11, DHS Privacy Notice</p>	<p>[Page 11]</p> <p>DHS Privacy Notice</p>	<p>[Page 11]</p> <p>DHS Privacy Notice</p>

	<p>AUTHORITIES: The information requested on this petition, and the associated evidence, is collected under the Immigration and Nationality Act (INA) sections 203(b)(1), 203(b)(2) or 203(b)(3), and 8 U.S.C. sections 1153(b)(1), (b)(2), and (b)(3).</p> <p>PURPOSE: The primary purpose for providing the requested information on this form is to petition for an immigrant visa based on employment. DHS uses the information you provide to grant or deny the benefit you are seeking.</p> <p>DISCLOSURE: The information you provide is voluntary. However, failure to provide the requested information, including your Social Security number, and any requested evidence, may delay a final decision or result in denial of your petition.</p> <p>ROUTINE USES: DHS may share the information you provide on this form with other Federal, state, local, and foreign government agencies and authorized organizations. DHS follows approved routine uses described in the associated published system of records notices [DHS/USCIS/ICE/CBP-001 - Alien File, Index, and National File Tracking System and DHS/USCIS-007 - Benefits Information System] and published privacy impact assessment [DHS/USCIS/PIA-003 Integrated Digitization Document Management Program, DHS/USCIS/PIA-016a DHS/USCIS/PIA-016 Computer Linked Application Information Management System and Associated Systems, and DHS/USCIS/PIA-044 Validation Instrument for Business Enterprises], which you can find at www.dhs.gov/privacy. DHS may also share the information, as appropriate, for law enforcement purposes or in the interest of national security.</p>	<p>AUTHORITIES: The information requested on this petition, and the associated evidence, is collected under the Immigration and Nationality Act (INA) sections 203(b)(1), 203(b)(2), or 203(b)(3), and 8 U.S.C. sections 1153(b)(1), (b)(2), and (b)(3).</p> <p>PURPOSE: The primary purpose for providing the requested information on this petition is to petition for an immigrant visa based on employment. DHS uses the information you provide to grant or deny the benefit you are seeking.</p> <p>DISCLOSURE: The information you provide is voluntary. However, failure to provide the requested information, including your Social Security number, and any requested evidence, may delay a final decision or result in denial of your petition.</p> <p>ROUTINE USES: DHS may share the information you provide on this form with other Federal, state, local, and foreign government agencies and authorized organizations. DHS follows approved routine uses described in the associated published system of records forms [DHS/USCIS/ICE/CBP-001 Alien File, Index, National File Tracking System, DHS/USCIS-007 Benefits Information System, and DHS/USCIS-018 Immigration Biometric and Background Check] and published privacy impact assessment [DHS/USCIS/PIA-016(a) Computer Linked Application Information Management System and Associated Systems] which can be found at www.dhs.gov/privacy. DHS may also share the information, as appropriate, for law enforcement purposes or in the interest of national security.</p>
<p>Page 11, Paperwork Reduction Act</p>	<p>[Page 11]</p> <p>Paperwork Reduction Act</p> <p>An agency may not conduct or sponsor an information collection, and a person is not required to respond to a collection of</p>	<p>[Page 11]</p> <p>Paperwork Reduction Act</p> <p>An agency may not conduct or sponsor an information collection, and a person is not required to respond to a collection of</p>

	<p>information, unless it displays a currently valid Office of Management and Budget (OMB) control number. The public reporting burden for this collection of information is estimated at 1 hour and 5 minutes per response, including the time for reviewing instructions, gathering the required documentation and information, completing the petition, preparing statements, attaching necessary documentation, and submitting the petition. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to: U.S. Citizenship and Immigration Services, Regulatory Coordination Division, Office of Policy and Strategy, 20 Massachusetts Ave NW, Washington, DC 20529-2140; OMB No. 1615-0015. Do not mail your completed Form I-140 to this address.</p>	<p>information, unless it displays a currently valid Office of Management and Budget (OMB) control number. The public reporting burden for this collection of information is estimated at 1 hour and 5 minutes per response, including the time for reviewing instructions, gathering the required documentation and information, completing the petition, preparing statements, attaching necessary documentation, and submitting the petition. The estimated burden for biometrics collection is 3 hours and 40 minutes. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to: U.S. Citizenship and Immigration Services, Regulatory Coordination Division, Office of Policy and Strategy, 20 Massachusetts Ave NW, Washington, DC 20529-2140; OMB No. 1615-0015. Do not mail your completed Form I-140 to this address.</p>
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