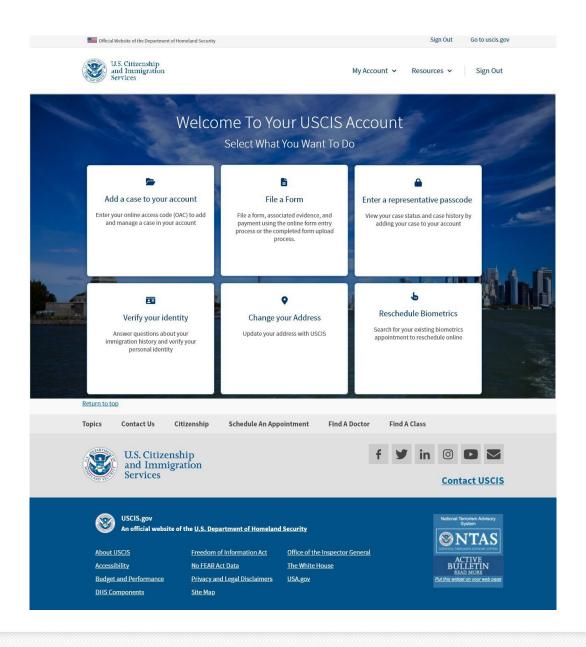


# I-129 H2A PDF Intake Screenshots August 13, 2025

This screen is covered by OMB#1615-0122. No changes.







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#### File a Form

Select the form you want to file online. For some forms you will have the option to either fill out your form online or upload a completed form. Once you start, we will automatically save your information for 30 days, or from the last time you worked on the form.

**Fee waiver:** Fee waivers can be requested online only when submitting certain benefit requests using the PDF filing option. If your desired benefit request is not eligible for PDF filing, you must file a paper version of both the Form I-912, Request for Fee Waiver and the form for the specific benefit you are requesting. You can review the fee waiver guidance at <a href="https://www.uscis.gov/feewaiver">www.uscis.gov/feewaiver</a>.

Select the form you want to file online.

I-129, Petition for a Nonimmigrant Worker

Continue





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Use this form to request to become a U.S. citizen through naturalization. Naturalization is the process you take to voluntarily become a U.S. citizen if you were born outside of the United States.

#### Select between the following filing options.



#### Fill Out Form Fields Online

Select this option if you want to fill out the fields of the N-400 form online directly. This option currently does not support fee waiver.



Select this option if you want to upload and submit a filled out version of the N-400 form as a pdf document. You may apply for a fee waiver with this option by uploading a fee waiver request to verify qualifications.

You can also mail a paper form by following the instructions on this page.

Go back





### I-129H-2A, Petition for a Nonimmigrant Worker: H-2A Classification

This form is used by an employer to petition U.S. Citizenship and Immigration Services (USCIS) for an alien to cometemporarily to the United States as a nonimmigrant to perform agricultural services or labor.

#### Form I-129H-2A consists of the:

- 1. Basic petition; and
- 2. H-2A Named Beneficiary Attachment (required when more than one named beneficiary is included in the petition).

#### **H-2A Nonimmigrants**

The H-2A classification is for aliens coming to the United States temporarily to perform agricultural labor or services of a temporary or seasonal nature.

The H-2A classification always requires a petition.

The petition may be filed by:

- 1. The employer listed on the temporary labor certification;
- 2. The employer's agent; or
- 3. The association of U.S. agricultural producers named as a joint employer on the temporary labor certification.

The H-2A petitioner, employer (if different from the petitioner), and each joint employer must complete and sign the relevant sections of the Form I-129H2A. A separate **Part 11** (Certification and Signature of Joint Employer) must be submitted for each joint employer.

**Including more than one alien in a petition.** You may include on the same petition multiple aliens who seek admission in the H-2A classifications if the conditions listed below are met. However, H-2A petitions are limited to 25 named beneficiaries per petition.

All beneficiaries must:

- 1. Be employed for the same period of time; and
- 2. Perform the same services.

**Total number of workers:** The total number of workers you request on an H-2A petition must not exceed the number of workers approved by the Department of Labor on the temporary labor certification. If naming beneficiaries, a single H-2A petition may not include more than 25 named workers. A petitioner may file additional petitions if requesting more than 25 named workers.

**Naming beneficiaries.** Generally, you may request named or unnamed workers as beneficiaries of an H-2A petition. However, you may not request both named and unnamed workers on the same H-2A petition. Workers must be named if you request workers who are currently in the United States.

#### **Filing Multiple Petitions**

You generally may file one petition to request all of your H-2A workers associated with one temporary labor certification (with a limit of 25 named workers per petition). In cases where filing a separate petition is not required, it may nevertheless be advantageous to file more than one H-2A petition instead. This can occur when you petition for multiple workers, some of whom may not qualify for part or all of the validity period you request. This most frequently occurs when:

- 1. You request workers who have an uninterrupted period of absence of at least 60 days from the United States; or
- **2.** At least one worker is nearing the 3-year maximum stay limit.

If we request additional evidence because of these situations, it may delay petition processing. Filing separate petitions for workers who are not affected by these scenarios may enable you to quickly obtain some workers, if they are otherwise eligible, in the event that the petition for your other workers is delayed. If you decide to file more than one petition with the same temporary labor certification, you may do so if:

- **1.** The total number of beneficiaries on your petitions does not exceed the total number of workers approved by the U.S. Department of Labor on the temporary labor certification; and
- 2. Each petition is accompanied by a copy of the same temporary labor certification.

#### **Period of Absence**

An absence from the United States for an uninterrupted period of at least 60 days will provide a new total of 3 years of H-2A status that may be granted.

The 3-year maximum period of stay in H-2A status does not automatically restart if the worker departs the United States. It restarts only if the absence is for a continuous period of at least 60 days.



#### **Recruitment of H-2A Workers**

The petitioner must provide the name(s) and address(es) of all agents, facilitators, recruiters, or similar employment services hired by or working for the petitioner to locate and/or recruit the H-2A workers that the petitioner intends to hire by filing this petition. The petitioner must provide this information regardless of whether the petitioner has a direct or indirect contractual relationship, and whether such person or entity is located inside or outside the United States or is a governmental or quasi-governmental entity.

**NOTE:** U.S. Department of Labor regulations require H-2A petitioners to continue to keep foreign labor recruiter information up to date until the end of the work contract period, with this updated information available in the event of a post-certification audit or upon request by the Department of Labor. Additionally, the Department of State may request up to date foreign labor recruiter information at the time of visa application.

#### **Initial Evidence**

The evidence listed below for H-2A petitions and for those petitions seeking a change of status or extension of stay, as applicable, must be included.

The petitioner must submit:

- 1. A single valid temporary labor certification from the U.S. Department of Labor;\* and
- **2.** Evidence showing that each named beneficiary meets the minimum job requirements stated in the temporary labor certification at the time the certification application was filed.

\*Under certain emergent circumstances, as determined by USCIS, petitions requesting a continuation of employment with the same employer for 2 weeks or less are exempt from the temporary labor certification requirement. See 8 CFR 214.2(h)(5)(x).

If a beneficiary is seeking a change of status, extension of stay, or amendment of stay, evidence of maintenance of status must be included with the new petition. If the beneficiary is employed in the United States, the petitioner may submit copies of the beneficiary's last 2 pay stubs, Form W-2, and other relevant evidence, as well as a copy of the beneficiary's Form I-94, passport, travel document, or I-797.

The beneficiary's dependent family members (generally, spouses and children under 21) should use Form I-539, Application to Change/Extend Nonimmigrant Status, to apply for a change of status or extension of stay. A nonimmigrant, who must have a passport to be admitted, generally must maintain a valid passport during his or her entire stay.



### Before You Start Your Application



#### Who May File Form I-129H2A?

**General.** A U.S. employer may file this form to classify an alien as a temporary agricultural worker in the H-2A nonimmigrant classification. A foreign employer, U.S. agent, or association of U.S. agricultural producers may also file this form as indicated in the specific instructions.

**Agents.** A U.S. individual or company in business as an agent may file a petition for workers who are traditionally self-employed or workers who use agents to arrange short-term employment on their behalf with numerous employers, and in cases where a foreign employer authorizes the agent to act on its behalf. A petition filed by a U.S. agent must guarantee the wages and other terms and conditions of employment by contractual agreement with the beneficiary or beneficiaries of the petition.

#### **Additional Information Regarding H-2A Petitions**

#### **Prohibited Fees**

As a condition of approval of an H-2A petition, no job placement fee, fee or penalty for breach of contract, or other fee, penalty, or compensation (either direct or indirect) related to the H-2A employment (collectively, "prohibited fees") may be collected at any time from a beneficiary of an H-2A petition or any person acting on the beneficiary's behalf by a petitioner, a petitioner's employee, agent, attorney, facilitator, recruiter, or similar employment service, or any employer (if different from the petitioner). The term "similar employment service" refers to any person or entity that recruits or solicits prospective beneficiaries of the H-2A petition. This includes recruitment or employment services offered by private, nongovernmental individuals and entities, as well as quasi-governmental entities and governmental entities, whether or not such person or entity is located in the United States. Further, no such fee related to the H-2A employment may be collected by a petitioner's joint employers, including a petitioner's member employers if the petitioner is an association of United States agricultural producers, whether before or after the filing or approval of a petition. Prohibited fees may include, but are not limited to, deduction or withholding of wages or salary, whether or not such deduction or withholding of wages or salary provides some benefit to the beneficiary. The passing of a cost to the beneficiary that, by statute or applicable regulations is the responsibility of the petitioner, constitutes the collection of a prohibited fee.



It is not prohibited for workers to provide reimbursement for costs paid on their behalf that are the responsibility and primarily for the benefit of the worker, such as government-required passport fees. Furthermore, it is not prohibited for employers to reimburse a worker for fees or expenses incurred by the worker where such reimbursement is specifically permitted by, and made in compliance with, all applicable federal, state and/or local statute or regulations.

The petition should be filed with evidence that indicates the beneficiaries have not paid, and will not pay, prohibited fees.

The petition will be denied or revoked if USCIS determines that the petitioner or any petitioner's employee, agent, attorney, facilitator, recruiter, or similar employment service, or any employer or joint employer, collected, or entered into an agreement to collect, prohibited fees, as described above, whether before or after the filing of the petition.

The only exceptions to a mandatory denial or revocation for prohibited fees are as follows.

If the petitioner or any of its employees collected or entered into an agreement to collect a prohibited fee, a petitioner must demonstrate through clear and convincing evidence that:

- **1.** The petitioner made ongoing, good faith reasonable efforts to prevent and learn of the prohibited fee(s) collection or agreement by such parties throughout the recruitment, hiring, and employment process;
- **2.** Extraordinary circumstances beyond the petitioner's control resulted in the petitioner's failure to prevent collection or entry into agreement for collection of prohibited fees;
- **3.** The petitioner took immediate remedial action as soon as the petitioner became aware of the payment or agreement to pay prohibited fees, including ensuring the termination of any agreement to collect such fees; and
- **4.** The petitioner fully reimbursed all affected beneficiaries or the beneficiaries' designees if applicable (see note below).

If any employer, agent, attorney, facilitator, recruiter, or similar employment service collected or entered into an agreement to collect a prohibited fee, a petitioner must demonstrate through clear and convincing evidence that:

- 1. The petitioner made ongoing, good faith reasonable efforts to prevent and learn of the prohibited fee(s) collection or agreement by such parties throughout the recruitment, hiring, and employment process. (A written contract between the petitioner and any agent, attorney, facilitator, recruiter, similar employment service, or member employer stating that such fees were prohibited will not, by itself, be sufficient to meet this standard of proof.);
- **2.** The petitioner took immediate remedial action as soon as it became aware of the payment of the prohibited fee or agreement; and
- **3.** All affected beneficiaries or the beneficiaries' designees, if applicable, have been fully reimbursed (see note below).



**NOTE:** A beneficiary's designee may be reimbursed only if an affected beneficiary cannot be located or is deceased. A designee must be an individual or entity for whom the beneficiary has provided prior written authorization to receive such reimbursement, as long as the petitioner or its agent, employer, attorney, facilitator, recruiter, or similar employment service would not act as such designee or derive any financial benefit, either directly or indirectly, from the reimbursement.

If the petition was denied or revoked for prohibited fees, or if the petitioner withdrew the petition after USCIS issued a notice of intent to deny or revoke on this basis, any H-2A or H-2B petition that the petitioner or the petitioner's successor in interest files within 1 year after the decision or acknowledgment of withdrawal will be denied. After such 1-year period, any H-2A or H-2B petition that the petitioner or the petitioner's successor in interest files will be denied for an additional 3 years unless each affected beneficiary, or the beneficiary's designee as appropriate, has been reimbursed in full. Denial on this basis will apply to petitions for both the H-2A and H-2B classifications regardless of whether the denial, revocation, or withdrawal occurred in the H-2A or H-2B program.

#### **Other Violations**

USCIS has the authority to deny H-2A petitions if the petitioner has been found to have committed certain serious labor law violations or otherwise violated the requirements of the H-2A or H-2B program. Prospective denials under this provision will apply across both H-2 classifications regardless of whether the violation occurred in the H-2A or H-2B program. For the purposes of this denial authority, a criminal conviction or final administrative or judicial determination against any one of the following individuals will be treated as a conviction or final administrative or judicial determination against the petitioner or successor in interest:

- **1.** An individual acting on behalf of the petitioner, which could include, among others, the petitioner's owner, employee, or contractor; or
- **2.** For the purposes of discretionary denial, any employee of the petitioner who a reasonable person in the H-2A or H-2B worker's position would believe is acting on behalf of the petitioner.

The term "successor in interest" means an employer that is controlling and carrying on the business of a previous employer regardless of whether such successor in interest has succeeded to all of the rights and liabilities of the predecessor entity. USCIS looks at 8 CFR 214.2(h)(5)(xi)(C) and (6)(i)(D) to determine whether an employer is a successor in interest.

Whether the denial is mandatory or discretionary will depend on the nature of the past violation(s), as described below.





#### • Fee

We will automatically calculate the cost for you before you submit your petition. For specific information about fees applicable to this form, see Form G-1055.

**Fee Waiver:** If you are requesting a fee waiver, you cannot file online. You must file a paper version of both the Form I-912, Request for Fee Waiver and the form for the specific benefit you are requesting. You can review the fee waiver guidance at <a href="https://www.uscis.gov/feewaiver">www.uscis.gov/feewaiver</a>.

**Refund policy:** USCIS does not refund fees, regardless of any action we take on your application, petition or request, or how long USCIS takes to reach a decision. By continuing this transaction, you acknowledge that you must submit fees in the exact amount and that you are paying the fees for a government service.

Please refer to the instructions for the form(s) you are filing for additional information, or you may call the USCIS Contact Center at 800-375-5283. For TTY (deaf or hard of hearing) 800-767-1833.

#### ■ Documents you may need

We will automatically determine which documents you need to provide us as you fill out your application. At the time of filing, you must submit all evidence and supporting documentation listed.

#### @ Biometrics services appointment

After receiving your petition and ensuring completeness, USCIS will inform you in writing when the beneficiary needs to go to his/her local USCIS Application Support Center (ASC) for his/her biometrics services appointment. Failure to attend the biometrics services appointment may result in denial of your petition.

#### Disability Accomodations/Modifications

To request a disability accommodation/modification, follow the instructions on your appointment notice or at <a href="https://www.uscis.gov/accommodationsinfo">www.uscis.gov/accommodationsinfo</a>.

#### USCIS Contact Center

For additional information on the petition and Instructions about where to file, change of address, and other questions, visit the USCIS Contact Center at <a href="https://www.uscis.gov/contactcenter">www.uscis.gov/contactcenter</a> or call 800-375-5283 (TTY 800-767-1833). The USCIS Contact Center provides information in English and Spanish.





# After You Submit Your Application

#### Track your case online

After you submit your form, you can track its status through your USCIS account. Sign into your account often to check your case status and read any important messages from USCIS.

#### Respond to requests for information

If we need more information from you, we will send you a Request for Evidence (RFE) or Request for Information (RFI). You can respond to our request and upload your documents through your USCIS account.

U.S. Citizenship and Immigration

Services



#### Uploading Your Form Online

#### Filing online

Uploading your form online is the same as mailing in a completed paper form. They both gather the same information.

#### ♣ Complete the Getting Started section first

You should answer all questions in the Getting Started section first so we can best customize the rest of your online form experience.

#### ☑ Provide as many responses as you can

You should provide as many responses as you can. Incomplete fields or sections and missing information can slow down processing of your case after you submit your form.

#### ■ We will automatically save your responses

We will automatically save your information when you select "Next" to go to a new page or navigate to another section of the form. We will save your information for 30 days from today, or from the last time you worked on the form.

#### 

After you start your form, you can sign in to your account to continue where you left off.

#### **DHS Privacy Notice**

**AUTHORITIES:** The information requested on this petition and the associated evidence, is collected under 8 U.S.C. sections 1154, 1184, and 1258.

**PURPOSE:** The primary purpose for providing the requested information on this petition is to petition USCIS for a nonimmigrant worker to come temporarily to the United States to perform services or labor or to receive training. DHS will use the information you provide to grant or deny the immigration benefit you are seeking.

**DISCLOSURE:** The information you provide is voluntary. However, failure to provide the requested information, including your Social Security number (if applicable), and any requested evidence, may delay a final decision or result in denial of your petition.

ROUTINE USES: DHS may share the information you provide on this petition and any additional requested evidence 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 DHS/USCIS-018 Immigration Biometric and Background Check] and the published privacy impact assessments [DHS/USCIS/PIA-016(a) Computer Linked Application Information Management System and Associated Systems] which you can find at <a href="https://www.dhs.gov/privacy">www.dhs.gov/privacy</a>. DHS may also share this information, as appropriate, for law enforcement purposes or in the interest of national security.



#### Paperwork Reduction Act

USCIS may not conduct or sponsor an information collection, and you are not required to respond to a collection of 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 4.59 hours 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
Office of Policy and Strategy, Regulatory Coordination Division
5900 Capital Gateway Drive,
Mail Stop #2140
Camp Springs, MD 20588-0009

Do not mail your completed Form I-129 to this address.

OMB No 1615-0009



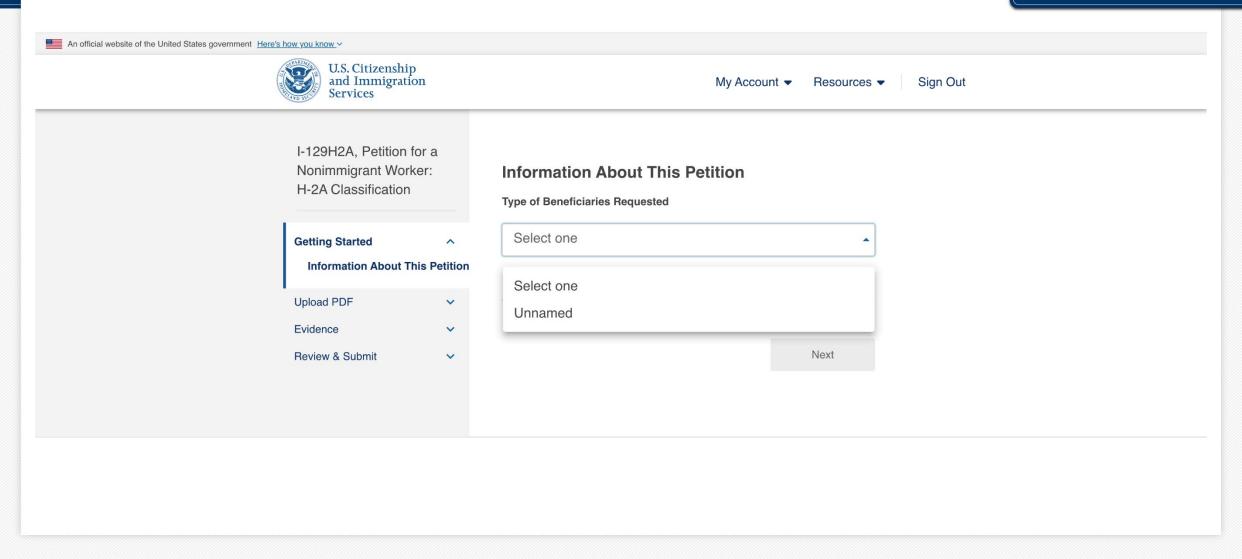
### Security Reminder

If you do not work on your application for more than 30 days, we will delete your data in order to prevent storing personal information indefinitely.



# **Getting Started - Information About This Petition**



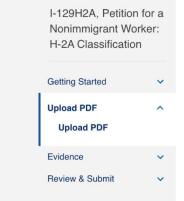


# I-129 H2A PDF Form Upload



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#### PDF Form Upload

Upload all pages of the Form I-129H2A in PDF file format only. Place all pages in the correct order by referring to the page numbers on the form. For forms that have been scanned into PDF format, include all pages when uploading, even pages where you were not required to provide information (for example, Part 13. Additional Information is a page that may be left blank, but you should still upload Part 13. with your completed form.)

#### File upload requirements

- · Clear and readable.
- · Accepted file formats: PDF
- · No encrypted or password-protected files.
- If your documents are in a foreign language, upload a full English translation and the translator's certification with each original document.
- Accepted file name characters: English letters, numbers, spaces, periods, hyphens, underscores, and parentheses.
- · Maximum size: 12MB per file.



Choose or drop file here to upload

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I-129H2A, Petition for a Nonimmigrant Worker: H-2A Classification



#### Temporary Labor Certification

Upload a single valid temporary labor certification from the U.S. Department of Labor.

1 Under certain emergent circumstances, as determined by USCIS, petitions requesting a continuation of employment with the same employer for 2 weeks or less are exempt from the temporary labor certification requirement. See 8 CFR 214.2(h)(5)(x)

#### File upload requirements

- · Clear and readable.
- · Accepted file formats: JPEG, JPG, PDF, TIF or TIFF
- · No encrypted or password-protected files.
- If your documents are in a foreign language, upload a full English translation and the translator's certification with each original document.
- Upload no more than 5 documents at a time.
- · Accepted file name characters: English letters, numbers, spaces, periods, hyphens, underscores, and parentheses.
- · Maximum size: 12MB per file.

1 If any password protected documents are uploaded, your case may be rejected, as we will not be able to view the evidence you submitted.

Choose or drop file here to upload

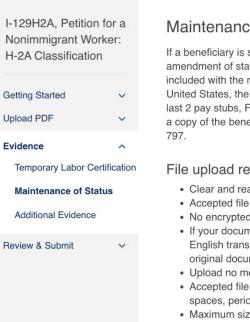
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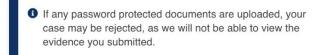


#### Maintenance of Status

If a beneficiary is seeking a change of status, extension of stay, or amendment of stay, evidence of maintenance of status must be included with the new petition. If the beneficiary is employed in the United States, the petitioner may submit copies of the beneficiary's last 2 pay stubs, Form W-2, and other relevant evidence, as well as a copy of the beneficiary's Form I-94, passport, travel document, or I-

#### File upload requirements

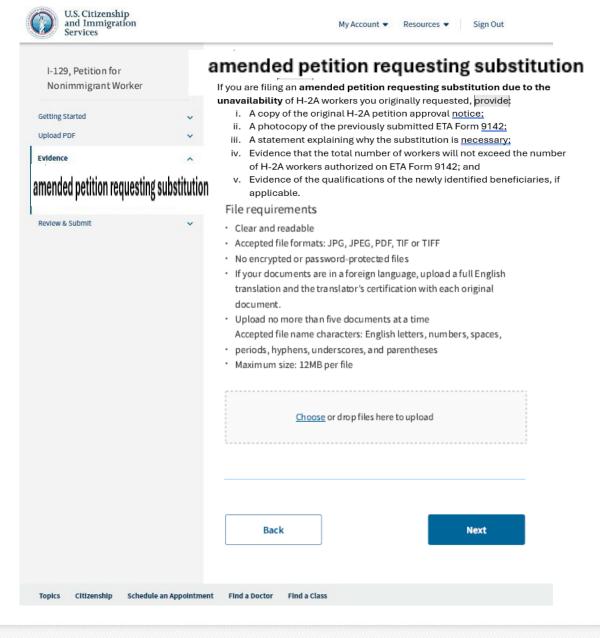
- · Clear and readable.
- · Accepted file formats: JPEG, JPG, PDF, TIF or TIFF
- · No encrypted or password-protected files.
- If your documents are in a foreign language, upload a full English translation and the translator's certification with each original document.
- Upload no more than 5 documents at a time.
- · Accepted file name characters: English letters, numbers, spaces, periods, hyphens, underscores, and parentheses.
- · Maximum size: 12MB per file.



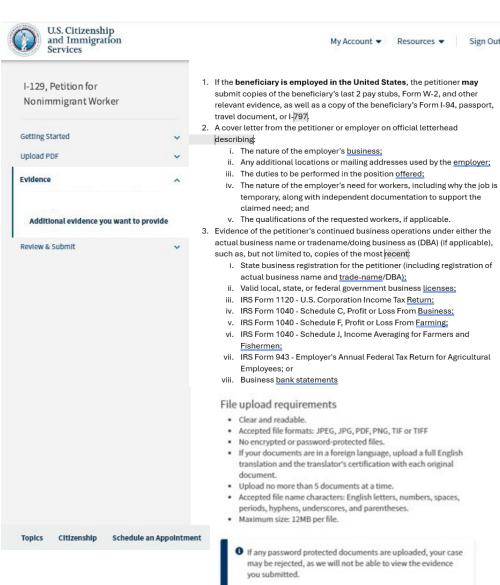
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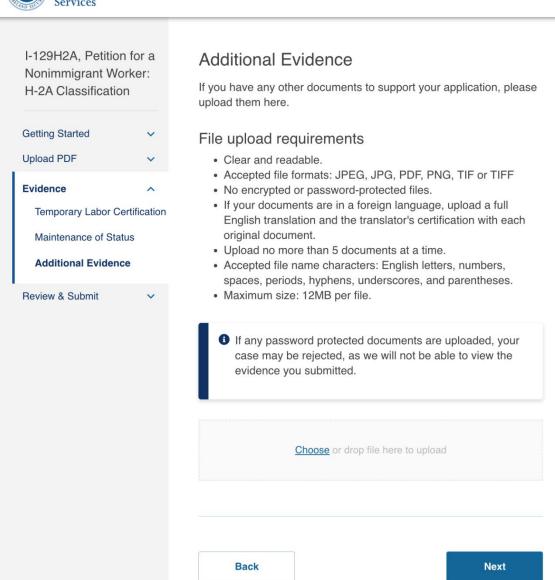




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### U.S. Citizenship and Immigration Services

# **Evidence**



U.S. Citizenship and Immigration



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# U.S. Citizenship and Immigration Services

I-129H2A, Petition for a Nonimmigrant Worker: H-2A Classification

Getting Started 

Upload PDF

V

Evidence

Review & Submit

Review your Application

Your Application Summary

#### Check your application before you submit

We will review your application to check for accuracy and completeness before you submit it.

We encourage you to provide as many responses as you can throughout the application to ensure that it is complete, true, and accurate.

You can return to this page to review your application as many times as you want before you submit it.

#### Alerts and warnings

A green alert means you have completed all required fields and response

✓ We found no alerts or warnings in your application

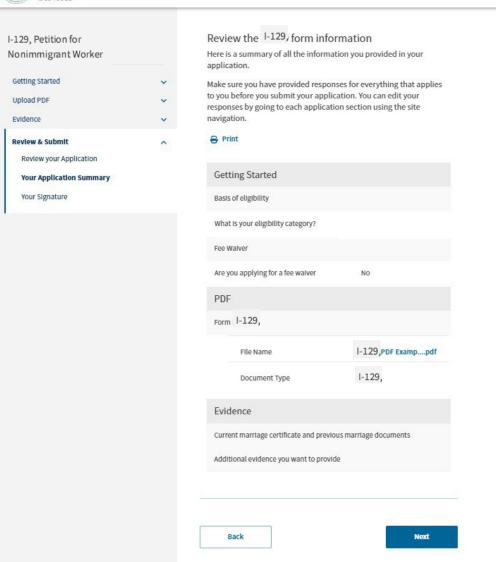
#### Your fee

1 Your form filing fee is: \$0.00

**Refund Policy:** USCIS does not refund fees, regardless of any action we take on your application, petition or request, or how long USCIS takes to reach a decision. By continuing this transaction, you acknowledge that you must submit fees in the exact amount and that you are paying the fees for a government service.



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# I-129, Petition for Nonimmigrant Worker Getting Started Upload PDF Evidence Review & Submit Review & Submit Your Application Your Application Summary

Your Signature

#### **Declaration And Certification**

You must read and agree to the certification below. If you knowingly and willfully faisify or conceal a material fact or submit a false document with your application, we can deny your application and may deny any other immigration benefit. You may also face criminal prosecution and penalties provided by the law.



Copies of any documents I have submitted are exact photocopies of unaltered, original documents, and I understand that USCIS may require that I submit original documents to USCIS at a later date. Furthermore, I authorize the release of any information from any and all of my records that USCIS may need to determine my eligibility for the immigration benefit that I seeck.

I furthermore authorize release of Information contained in this application, in supporting documents, and in my USCIS records, to other entities and persons where necessary for the administration and enforcement of U.S. Immigration law.

I understand that USCIS may require me to appear for an appointment to take my biometrics (fingerprints, photograph, and/or signature) and, at that time, if I am required to provide biometrics, I will be required to sign an oath reaffirming that:

- I reviewed and understood all of the Information contained in, and submitted with, my application; and
- 2. All of this information was complete, true, and correct at the time of filing.

I certify, under penalty of perjury, that all of the information in my application and any document submitted with it were provided or authorized by me, that I reviewed and understand all of the information contained in, and submitted with, my application and that all of this information is complete, true, and correct.

☐ I have read and agree to the Declaration and Certification



Back

and correct at the time of filing.

I certify, under penalty of perjury, that all of the information in my application and any document submitted with it were provided or authorized by me, that I reviewed and understand all of the information contained in, and submitted with, my application and that all of this information is complete, true, and correct.

I have read and agree to the Declaration and Certification

#### Your Signature Is Detected

We have detected a signature on your uploaded form.

By checking the box you agree and affirm to this Declaration and Certification. We will record your agreement with your uploaded form.

We may deny your benefit request if you do not complete the form or you do not include required evidence.

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I certify, under penalty of perjury, that all of the information in my application and any document submitted with it were provided or authorized by me, that I reviewed and understand all of the information contained in, and submitted with, my application and that all of this information is complete, true, and correct.

✓ I have read and agree to the Declaration and Certification

#### You Must Sign Your Form

A signature is required to submit your uploaded form.

Provide your electronic signature below by typing your full legal name. We will affix your electronic signature and the date to your uploaded form.

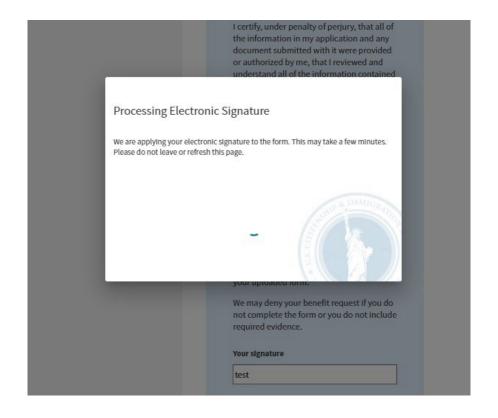
We may deny your benefit request if you do not complete the form or you do not include required evidence.

Your signature

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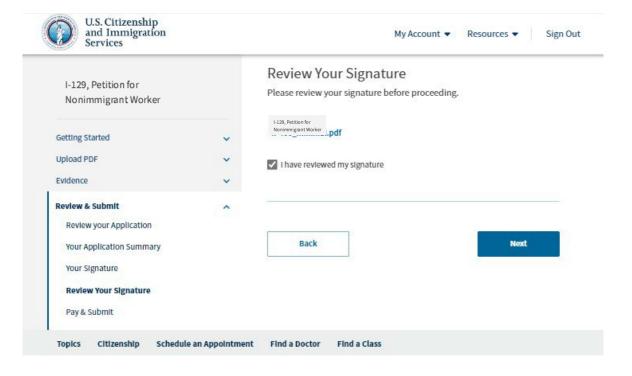
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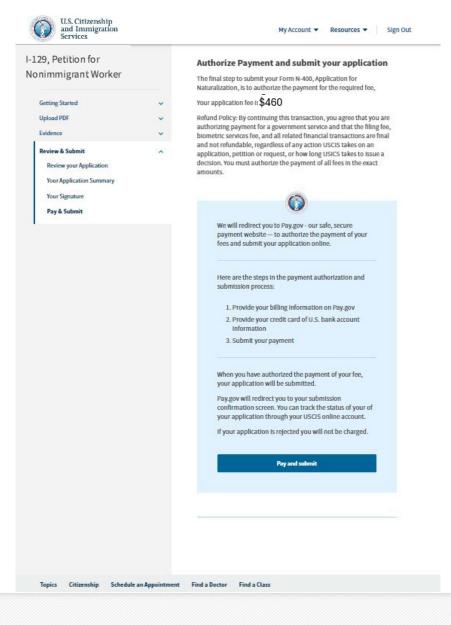




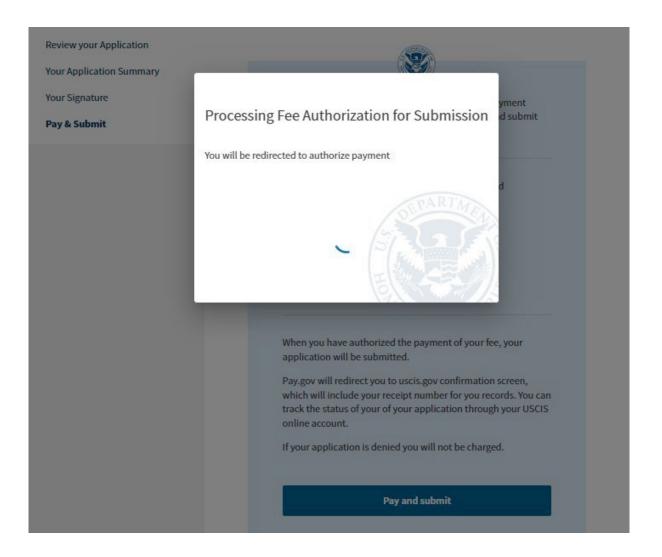
-129, Petition for Nonimmigrant Worker		Review Your Signature  Please review your signature before proceeding.
Setting Started	•	I-129 <sub>2</sub> minimal.pdf
Upload PDF	•	I have reviewed my signature
Evidence	~	
Review & Submit	^	
Review your Application		
Your Application Summary		Back
Your Signature		
Review Your Signature		













# I-129 PDF Upload

# - Submitted



