

TABLE OF CHANGES
FORM I-140
04-24-2009

I-140 Form	CURRENT VERSION	PROPOSED VERSION
Page 1, Part 2.	<p>This Petition is being filed for: <i>(Check one.)</i></p> <p>a. <input type="checkbox"/> An alien of extraordinary ability</p> <p>b. <input type="checkbox"/> An outstanding professor or researcher.</p> <p>c. <input type="checkbox"/> A multinational executive or manager.</p> <p>d. <input type="checkbox"/> A member of the professions holding an advanced degree or an alien of exceptional ability (who is NOT seeking a National Interest Waiver).</p> <p>e. <input type="checkbox"/> A professional (at a minimum, possessing a bachelor's degree or a foreign degree equivalent to a U.S. bachelor's degree) or a skilled worker (requiring at least two years of specialized training or experience).</p> <p>f. <input type="checkbox"/> (Reserved.)</p> <p>g. <input type="checkbox"/> Any other worker (requiring less than two years of training or experience).</p> <p>h. <input type="checkbox"/> Soviet Scientist.</p> <p>i. <input type="checkbox"/> An alien applying for a National Interest Waiver (who IS a member of the professions holding an advanced degree or an alien of exceptional ability).</p>	<p>This petition is being filed for: <i>(Check only one box)</i></p> <p>a. <input type="checkbox"/> An alien of extraordinary ability</p> <p>b. <input type="checkbox"/> An outstanding professor or researcher</p> <p>c. <input type="checkbox"/> A multinational executive or manager</p> <p>d. <input type="checkbox"/> A member of the professions holding an advanced degree or an alien of exceptional ability (who is NOT seeking a National Interest Waiver)</p> <p>e. <input type="checkbox"/> A professional (at a minimum, possessing a bachelor's degree or a foreign degree equivalent to a U.S. bachelor's degree)</p> <p>f. <input type="checkbox"/> A skilled worker (requiring at least two years of specialized training or experience)</p> <p>g. <input type="checkbox"/> Any other worker (requiring less than two years of training or experience)</p> <p>h. <input type="checkbox"/> (Reserved)</p> <p>i. <input type="checkbox"/> An alien applying for a National Interest Waiver (who IS a member of the professions holding an advanced degree or an alien of exceptional ability)</p> <p>Check below if this petition is being filed:</p> <p>1. <input type="checkbox"/> To amend a previously filed petition. Previous petition receipt number: _____</p> <p>2. <input type="checkbox"/> For the Schedule A, Group I or II designation</p>

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Page 1,
Replace the
current right
column with
a new right
column.

<p>Returned</p> <p>Date</p> <p>Resubmitted</p> <p>Date</p> <p>Relocate Sent</p> <p>Date</p> <p>Relocate Rec'd</p> <p>Date</p> <p>Relocate Rec'd</p> <p>Date</p>	<p>Receipt</p>
<p>Classification:</p> <p><input type="checkbox"/> 203(b)(1)(A) Alien of extraordinary ability</p> <p><input type="checkbox"/> 203(b)(1)(B) Outstanding Professor or Researcher</p> <p><input type="checkbox"/> 203(b)(1)(C) Multi-National Executive or Manager</p> <p><input type="checkbox"/> 203(b)(2) Member of Professions w/Adv. Degree or Exceptional Ability</p> <p><input type="checkbox"/> 203(b)(3)(A)(i) Skilled Worker</p> <p><input type="checkbox"/> 203(b)(1)(A)(ii) Professional</p> <p><input type="checkbox"/> 203(b)(1)(A)(iii) Other Worker</p>	
<p>Certification:</p> <p><input type="checkbox"/> National Interest Waiver (NIW)</p> <p><input type="checkbox"/> Schedule A, Group I</p> <p><input type="checkbox"/> Schedule A, Group II</p>	
<p>Priority Date</p>	<p>Consulate</p>
<p>Concurrent Filing:</p> <p><input type="checkbox"/> I-485 filed concurrently</p>	
<p>Remarks</p>	
<p>Action Block</p>	
<p style="text-align: center;">To Be Completed by Attorney or Representative, if any.</p> <p><input type="checkbox"/> Fill in box if G-28 is attached to represent the applicant.</p>	
<p>ATTY State License #</p>	

	<p>Receipt</p>
<p>Classification:</p> <p><input type="checkbox"/> 203(b)(1)(A) Alien of Extraordinary Ability</p> <p><input type="checkbox"/> 203(b)(1)(B) Outstanding Professor or Researcher</p> <p><input type="checkbox"/> 203(b)(1)(C) Multinational Executive or Manager</p> <p><input type="checkbox"/> 203(b)(2) Member of Professions with Advanced Degree or Exceptional Ability</p> <p><input type="checkbox"/> 203(b)(3)(A)(i) Skilled Worker</p> <p><input type="checkbox"/> 203(b)(1)(A)(ii) Professional</p> <p><input type="checkbox"/> 203(b)(1)(A)(iii) Other Worker</p>	
<p>Certification:</p> <p><input type="checkbox"/> National Interest Waiver (NIW)</p> <p><input type="checkbox"/> Schedule A, Group I</p> <p><input type="checkbox"/> Schedule A, Group II</p>	
<p>Priority Date</p>	<p>Consulate</p>
<p>Remarks</p>	
<p>Action Block</p>	

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Page 2, Part 4, New Question 7 & 8, Insert as follows:	<p style="text-align: center;">CURRENT VERSION</p> <p>If you answered yes to any of these questions, please provide the case number, office location, date of decision and disposition of the decision on a separate sheet(s) of paper.</p> <hr/> <p style="text-align: center;">PROPOSED VERSION</p> <p style="color: red;">7. Is the petition being filed without an original labor certification because the original labor certification was previously submitted in support of another Form I-140? <input type="checkbox"/> No <input type="checkbox"/> Yes – Attach an explanation</p> <p style="color: red;">8. Is the petition being filed without an original labor certification because the original labor certification is lost? <input type="checkbox"/> No <input type="checkbox"/> Yes – Attach an explanation</p> <p style="color: red;">If you answered “Yes” to any of questions 4 through 7, provide the case number, office location, date of decision, and disposition of the decision on a separate sheet of paper.</p>																								
Page 2, Part 5, Question 2, Replace as follows:	<p style="text-align: center;">CURRENT VERSION</p> <p>2. If a company, give the following:</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%;">Type of Business</td> <td style="width: 33%;">Date Established (mm/dd/yyyy)</td> <td style="width: 34%;">Current Number of Employees</td> </tr> <tr> <td style="border: 1px solid black; height: 15px;"></td> <td style="border: 1px solid black; height: 15px;"></td> <td style="border: 1px solid black; height: 15px;"></td> </tr> </table> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%;">Gross Annual Income</td> <td style="width: 33%;">Net Annual Income</td> <td style="width: 34%;">NAICS Code</td> </tr> <tr> <td style="border: 1px solid black; height: 15px;"></td> <td style="border: 1px solid black; height: 15px;"></td> <td style="border: 1px solid black; height: 15px; text-align: center;"> <div style="display: flex; justify-content: space-between;"> </div> </td> </tr> </table> <hr style="border: 0; border-top: 1px solid black; margin: 10px 0;"/> <p style="text-align: center;">DOL/ETA Case Number </p> <hr/> <p style="text-align: center;">PROPOSED VERSION</p> <p>2. If a company, give the following:</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%;">Type of Business</td> <td style="width: 33%;">Date Established (mm/dd/yyyy)</td> <td style="width: 34%;">Current Number of U.S. Employees</td> </tr> <tr> <td style="border: 1px solid black; height: 15px;"></td> <td style="border: 1px solid black; height: 15px;"></td> <td style="border: 1px solid black; height: 15px;"></td> </tr> </table> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%;">Gross Annual Income</td> <td style="width: 33%;">Net Annual Income</td> <td style="width: 34%;">NAICS Code</td> </tr> <tr> <td style="border: 1px solid black; height: 15px;"></td> <td style="border: 1px solid black; height: 15px;"></td> <td style="border: 1px solid black; height: 15px; text-align: center;"> <div style="display: flex; justify-content: space-between;"> </div> </td> </tr> </table> <hr style="border: 0; border-top: 1px solid black; margin: 10px 0;"/> <p style="color: red; text-align: center;">Labor Certification DOL/ETA Case Number </p> <p style="color: red; text-align: center;">Labor Certification DOL/ETA Filing Date (mm/dd/yyyy) </p>	Type of Business	Date Established (mm/dd/yyyy)	Current Number of Employees				Gross Annual Income	Net Annual Income	NAICS Code			<div style="display: flex; justify-content: space-between;"> </div>	Type of Business	Date Established (mm/dd/yyyy)	Current Number of U.S. Employees				Gross Annual Income	Net Annual Income	NAICS Code			<div style="display: flex; justify-content: space-between;"> </div>
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Page 2, Part 6, Question 4, Replace as follows:	<div style="text-align: center; border-bottom: 1px solid black; margin-bottom: 10px;">CURRENT VERSION</div> <div style="margin-bottom: 10px;">4. Address where the person will work if different from address in Part 1.</div> <div style="border: 1px solid black; height: 15px; width: 100%;"></div> <div style="text-align: center; border-bottom: 1px solid black; margin-bottom: 10px;">PROPOSED VERSION</div> <div style="margin-bottom: 10px;">4. Address where the person will work if different from address in Part 1.</div> <div style="margin-bottom: 10px;">Street Number and Name</div> <div style="border: 1px solid black; height: 15px; width: 100%;"></div> <div style="margin-bottom: 10px;">City</div> <div style="border: 1px solid black; height: 15px; width: 100%;"></div> <div style="margin-bottom: 10px;">State</div> <div style="border: 1px solid black; height: 15px; width: 100%;"></div> <div style="margin-bottom: 10px;">Zip Code</div> <div style="border: 1px solid black; height: 15px; width: 100%;"></div>
Page 2, Part 6, Question 9	<div style="text-align: center; border-bottom: 1px solid black; margin-bottom: 10px;">CURRENT VERSION</div> <div style="margin-bottom: 10px;">9. Wages per week</div> <div style="border: 1px solid black; padding: 2px;">\$</div> <div style="text-align: center; border-bottom: 1px solid black; margin-bottom: 10px;">PROPOSED VERSION</div> <div style="margin-bottom: 10px;">9. Wages: \$_____ per _____ (specify hour, week, month, or year)</div>

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Page 3,
Part 7

CURRENT VERSION

Part 7. Information on spouse and all children of the person for whom you are filing.

List husband/wife and all children related to the individual for whom the petition is filed. Provide an attachment of additional family members, if needed.

Name (First/Middle/Last)	Relationship	Date of Birth (mm/dd/yyyy)	Country of Birth

PROPOSED VERSION

Part 7. Information on Spouse and All Children of the Person for Whom you are Filing

List husband/wife and all children related to the individual for whom the petition is filed. Also, note if the individual will be applying for a visa abroad or for adjustment of status as the dependent of the individual for whom the petition is filed. Provide an attachment of additional family members, if needed.

Name (Last)	Name (First)	Name (Middle)	Relationship

Date of Birth (mm/dd/yyyy)	Country of Birth	Applying for Adjustment of Status	Applying for a Visa Abroad
		<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No

{ Repeat 5 more times }

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Page 3, Part 8, New Text, Insert as follows on the bottom of Part 8 after “Print Name” & “Date”:	<p style="text-align: center;">CURRENT VERSION</p> <p>I certify, under penalty of perjury under the laws of the United States of America, that this petition and the evidence submitted with it are all true and correct. I authorize U.S. Citizenship and Immigration Services to release to other government agencies any information from my USCIS records, if USCIS determines that such action is necessary to determine eligibility for the benefit sought.</p>
	<p style="text-align: center;">PROPOSED VERSION</p> <p>I certify, under penalty of perjury under the laws of the United States of America, that this petition and the evidence submitted with it are all true and correct. I authorize U.S. Citizenship and Immigration Services (USCIS) to release to other government agencies any information from my USCIS records, if USCIS determines that such action is necessary to determine eligibility for the benefit sought.</p> <p><i>This is a request for new information.</i></p>
	<p><u>New</u></p> <p>Job Title of Position with Petitioning Employer, If the Petition Is Being Filed by an Employer</p> <div style="border: 1px solid black; height: 20px; width: 500px;"></div>

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I-140 Instructions	CURRENT VERSION	PROPOSED VERSION
Page 1 – “Who May File Form I-140?”	<p>An alien who, in the three years preceding the filing of this petition, has been employed for at least one year by a firm or corporation or other legal entity and who seeks to enter the United States to continue to render services to the same employer, or to a subsidiary or affiliate, in a capacity that is managerial or executive.</p> <p>...</p> <p>In addition, a person may file this petition on his or her own behalf if he or she:</p> <ol style="list-style-type: none"> 1. Has extraordinary ability in the sciences, arts, education, business, or athletics demonstrated by sustained national or international acclaim, whose achievements have been recognized in the field; or 2. Is a member of the profession holding an advanced degree or is claiming exceptional ability in the sciences, arts, or business, and is seeking an exemption of the requirement of a job offer in the national interest (NIW). 	<p>A multinational executive or manager, who in the three years preceding the filing of this petition, has been employed in a primarily managerial or executive capacity for at least one year by a firm or corporation or other legal entity and who seeks to enter the United States to continue to render services to the same employer, or to a subsidiary or affiliate, in a capacity that is managerial or executive.</p> <p>...</p> <p>In addition, any employer, person, or third party may file this petition, including the alien beneficiary of the petition if the petition is being filed for:</p> <ol style="list-style-type: none"> 1. An alien of extraordinary ability in the sciences, arts, education, business, or athletics demonstrated by sustained national or international acclaim and whose achievements have been recognized in the field; or 2. A member of the profession holding an advanced degree or is claiming exceptional ability in the sciences, arts, or business, and is

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		seeking an exemption of the requirement of a job offer in the national interest, generally known as a “national interest waiver” or “NIW.”
Page 2 – 2. A U.S. employer filing for an outstanding professor or researcher must the petition with:	<p>C. If you are a university or other institution of higher education, a letter indicating that you intend to employ the beneficiary in a tenured or tenure-track position as a teacher or in a permanent position as a researcher in the academic field; or</p> <p>D. If you are a private employer, a letter indicating that you intend to employ the beneficiary in a permanent research position in the academic field, and evidence that you employ at least three full-time researchers and have achieved documented accomplishments in the field.</p>	<p>C. If you are a university or other institution of higher education, an offer of employment in the form of a letter indicating that you intend to employ the beneficiary in a tenured or tenure-track position as a teacher or in a permanent position as a researcher in the academic field; or</p> <p>D. If you are a private employer, an offer of employment in the form of a letter indicating that you intend to employ the beneficiary in a permanent research position in the academic field, and evidence that you employ at least three full-time researchers and have achieved documented accomplishments in the field.</p>
Page 3 – 4. A U.S. employer filing for a member of the professions with an advanced degree...	4. A U.S. employer filing for a member of the professions with an advanced degree or a person with exceptional ability in the sciences, arts, or business must file the petition with:	4. A U.S. employer (or any person, employer, or third party requesting a national interest waiver) who is filing for a member of the professions with an advanced degree or a person with exceptional ability in the sciences, arts, or business must file the petition with:
Page 4 under the General Evidence	<u>New Text</u>	IRS Tax or Social Security Numbers

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<p>section, directly after “2. Ability to pay wage”.</p>		<p>With the exception of the Alien of Extraordinary Ability (Part 2.a.) and National Interest Waiver (Part 2.i.) categories, all Form I-140 visa preference categories require a permanent job offer from a U.S. employer and Form I-140 must be filed by the U.S. employer. All U.S. employers filing petitions in which a permanent job offer is required must have either an IRS Tax Number or a Social Security Number and must provide that 9 digit number in Part 1 of Form I-140, or Form I-140 will be rejected with a notice that Form I-140 is deficient.</p>
<p>Page 6 under “Processing Information; first paragraph</p>	<p>Any Form I-140 that is not signed or accompanied by the correct fee will be rejected with a notice that the Form I-140 is deficient. You may correct the deficiency and resubmit the Form I-140. An application or petition is not considered properly filed until accepted by USCIS.</p>	<p>Any Form I-140 that is not signed or accompanied by the correct fee will be rejected with a notice that Form I-140 is deficient. You may correct the deficiency and resubmit Form I-140. An application or petition is not considered properly filed until accepted by USCIS.</p> <p>Note: If the petitioner is an individual, then that individual, or that individual’s legal guardian if he or she is incompetent or under 14 years of age, must personally sign the petition. If the petitioner is a corporation or other legal entity, only an individual who is</p>

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		an officer or employee of the entity who has knowledge of the facts alleged in the petition, and who has executive or managerial authority to sign documents on behalf of the entity, may sign the petition.
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