

TABLE OF CHANGES
FORM I-360
JUNE 17, 2009

Location	Current Version	Proposed Version
Who May File this Form? Special Immigrant Juvenile (page 2)	<p>Any person, including the alien, may file this petition for an alien who:</p> <ol style="list-style-type: none"> 1. Is unmarried and less than 21 years old; 2. Has been declared dependent upon a juvenile court in the United States, or who such a court has legally committed to, or placed under the custody of an agency or department of a State, and who has been found eligible for long-term foster care; and 3. Has been the subject of administrative or judicial proceedings in which it was determined that it would not be in the juvenile's best interests to be returned to the juvenile's or his or her parent's country of nationality or last habitual residence. <p>The petition must be filed with:</p> <ol style="list-style-type: none"> 1. A copy of the juvenile's birth certificate or other evidence of his or her age; 2. Copies of the court or administrative document(s) upon which the claim to eligibility is based. <p>NOTE: After a special</p>	<p>Any person, including the alien, may file this petition for an alien who:</p> <ol style="list-style-type: none"> 1. Is present in the United States; 2. Is unmarried and less than 21 years of age; 3. Has been declared dependent upon a juvenile court in the United States, or who such a court has legally committed to or placed under the custody of an agency or department of a State, or an individual or entity appointed by a State or juvenile court; 4. Has been the subject of a determination by a juvenile court in the United States that reunification with one or both of the juvenile's parents is not viable due to abuse, neglect, abandonment, or a similar basis under State law; and 5. Has been the subject of administrative or judicial proceedings that determined that it would not be in the juvenile's best interest to be returned to the juvenile's or his or her parent's country of nationality or last habitual residence. <p>The petition must be filed</p>

TABLE OF CHANGES
FORM I-360
JUNE 17, 2009

	<p>immigrant juvenile becomes a permanent resident, his or her parent(s) may not receive any immigration benefit based on the relationship to the juvenile.</p>	<p>with:</p> <ol style="list-style-type: none"> 1. A copy of the juvenile's birth certificate or other evidence of his or her age; 2. Copies of the court or administrative document(s) upon which the claim to eligibility is based. <p>NOTE: After a special immigrant juvenile becomes a permanent resident, his or her parent(s) may not receive any immigration benefit based on the relationship to the juvenile.</p>
<p>Page 2</p> <p>Special Immigrant Religious Worker</p>	<p>Special Immigrant Religious Worker</p> <p>Basic Requirements. A U.S. employer or an alien may file a special immigrant religious worker petition. In either case, the U.S. employer must submit certain evidence and an attestation in support of the petition.</p> <p>If applicable, the U.S. employer must submit a Religious Denomination Certification. The terms used in the basic requirements are defined below. The alien must be coming to the United States to work:</p> <ol style="list-style-type: none"> 1. Solely as a minister of the U.S. employer's denomination; 	<p>Special Immigrant Religious Worker</p> <p>A U.S. employer or an alien may file this petition for an alien who seeks to enter the United States to be employed full time by a bona fide non profit religious organization in the United States (or a bona fide organization that is affiliated with the religious denomination in the United States) to work:</p> <ol style="list-style-type: none"> 1. Solely as a minister of that religious denomination; 2. In a religious vocation either in a professional or nonprofessional capacity; or 3. In a religious occupation either in a professional or nonprofessional capacity.

TABLE OF CHANGES
FORM I-360
JUNE 17, 2009

	<p>2. In a religious vocation either in a professional or nonprofessional capacity; or</p> <p>3. In a religious occupation either in a professional or nonprofessional capacity.</p> <p>NOTE: All religious workers, other than ministers, immigrating to the United States as special immigrant religious workers must have immigrate or adjust status to permanent residence before March 6, 2009. Statutory amendments may extend this date. USCIS will provide information if the date is extended.</p> <p>Immigrate means to enter the United States with a valid immigrant visa. Adjust status to permanent residence means having Form I-485 approved.</p> <p>Definitions</p> <p>There are definitions that apply specifically to special immigrant religious worker petitions. Detailed explanations of the definitions may be found at 8 CFR 204.5(m). The evidence that must be submitted refers to the following definitions:</p> <p>1. Bona Fide Nonprofit Religious Organization in</p>	<p>To qualify, the alien must:</p> <p>1. Have been a member of a religious denomination that has a bona fide nonprofit religious organization in the United States for at least two years immediately preceding the filing of the petition; and</p> <p>2. Have been working in one of the positions described above, either abroad or in lawful immigration status in the United States, and after the age of 14 years continuously for at least the two years immediately preceding the filing of the petition.</p> <p>Note: All religious workers, other than ministers, immigrating to the United States as special immigrant religious workers must immigrate or adjust to permanent resident status before the established sunset date. Statutory amendments may extend this date. USCIS will provide information on its Web site at www.uscis.gov if the date is extended.</p> <p>The petition must be filed with:</p> <p>1. Evidence relating to the petitioning organization:</p>
--	---	--

TABLE OF CHANGES
FORM I-360
JUNE 17, 2009

	<p>the United States means a religious organization exempt from taxation 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. The organization must have a currently valid determination letter from the Internal Revenue Service confirming the tax exemption. Tax-exempt organization is defined below.</p> <p>2. Bona Fide Organization That Is Affiliated with the Religious Denomination means an organization that is closely associated with a religious denomination. Religious denomination is defined below. The affiliated organization must be exempt from taxation 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. The organization must have a currently valid determination letter from the Internal Revenue Service confirming the tax exemption. Tax-exempt organization is defined in below.</p>	<p>A. A currently valid determination letter from the Internal Revenue Service (IRS) establishing that the organization is a tax-exempt organization; or</p> <p>B. For a religious organization that is recognized as tax-exempt under a group tax-exemption, a currently valid determination letter from the IRS establishing that the group is tax-exempt; or</p> <p>C. For a bona fide organization that is affiliated with the religious denomination, if the organization was granted tax-exempt status under section 501(c)(3) of the Internal Revenue Code (IRC) of 1986, or subsequent amendment or equivalent sections of prior enactments of the IRC, as something other than a religious organization:</p> <p>i. A currently valid determination letter from the IRS establishing that the organization is a tax-exempt organization;</p> <p>ii. Documentation that establishes the religious nature and purpose of the organization, such as a copy of the organizing instrument that specifies the purposes of the organization;</p>
--	---	--

TABLE OF CHANGES
FORM I-360
JUNE 17, 2009

	<p>3. Religious Denomination means a religious group or community of believers that is governed or administered under a common type of ecclesiastical government with:</p> <p>A. A recognized common creed or statement of faith shared among the denomination's members;</p> <p>B. A common form of worship;</p> <p>C. A common formal code of doctrine and discipline;</p> <p>D. Common religious service, and ceremonies;</p> <p>E. Common established places of religious worship, religious congregations; or</p> <p>F. Comparable evidence of a bona fide religious denomination.</p> <p>If there is no hierarchical ecclesiastical government, an individual church may qualify as a religious denomination by submitting a description of its internal governing structure.</p> <p>4. Denominational Membership means membership during at least the two-year period immediately preceding the</p>	<p>iii. Organizational literature, such as books, articles, brochures, calendars, flyers, and other literature describing the religious purpose and nature of the activities of the organization; and</p> <p>iv. A Religious Denomination Certification, (part of Form I-360) completed, signed, and dated by the religious organization certifying that the petitioning organization is affiliated with the religious denomination.</p> <p>2. Employer Attestation (part of Form I-360) completed, signed, and dated by an authorized official of the prospective employer of an alien seeking religious worker status;</p> <p>3. Verifiable evidence of how the prospective employer intends to compensate the alien, including salaried or non-salaried compensation;</p> <p>4. Evidence that the alien has been a member of the religious denomination during at least the two years immediately preceding the petition;</p> <p>5. Evidence to establish that the alien has been working in one of the</p>
--	--	--

TABLE OF CHANGES
FORM I-360
JUNE 17, 2009

	<p>filing date of the petition, in the same type of religious denomination as the United States religious organization where the alien will work.</p> <p>5. Minister means an individual who:</p> <p>A. Is fully authorized by a religious denomination, and fully trained according to the denomination's standards, to conduct religious worship and perform other duties usually performed by authorized members of the clergy of that denomination;</p> <p>B. Is not a lay preacher or a person not authorized to perform duties usually performed by clergy;</p> <p>C. Performs activities with a rational relationship to the religious calling of the minister; and</p> <p>D. Works solely as a minister in the United States, which may include administrative duties incidental to the duties of a minister.</p> <p>6. Religious Occupation means an occupation which meets all of the following requirements:</p> <p>A. The duties must primarily relate to a traditional religious</p>	<p>positions listed above, either abroad or in lawful immigration status in the United States, and after the age of 14 years continuously for at least the two years immediately preceding the petition; and</p> <p>6. Evidence to establish the alien is qualified to perform the duties of the offered position.</p>
--	--	---

TABLE OF CHANGES
FORM I-360
JUNE 17, 2009

	<p>function and be recognized as a religious occupation within the denomination;</p> <p>B. The duties must be primarily related to, and must clearly involve, inculcating or carrying out the religious creed and beliefs of the denomination;</p> <p>C. The duties do not include positions that are primarily administrative or support such as janitors, maintenance workers, clerical employees, fund raisers, persons solely involved in the solicitation of donations, or similar positions, although limited administrative duties that are only incidental to religious functions are permissible; and</p> <p>D. Religious study or training for religious work does not constitute a religious occupation, but a religious worker may pursue study or training incident to status.</p> <p>7. Religious Vocation means a formal lifetime commitment, through vows, investitures, ceremonies, or similar indicia, to a religious way of life. The religious denomination must have a class of individuals whose lives are dedicated to religious practices and functions, as</p>	
--	---	--

TABLE OF CHANGES
FORM I-360
JUNE 17, 2009

	<p>distinguished from the secular members of the religion. Examples of religious vocations include nuns, monks, and religious brothers and sisters.</p> <p>8. Religious Worker means an individual engaged in and, according to the denomination's standards, qualified for a religious occupation or vocation, whether or not in a professional capacity, or as a minister.</p> <p>9. Tax Exempt Organization means an organization exempt from taxation under section 501(c)(3) of the Internal Revenue Code of 1986, subsequent amendment, or equivalent sections of prior enactments of the Internal Revenue Code.</p> <p>A. The organization must demonstrate tax-exempt status by submitting a currently valid determination letter from the Internal Revenue Service.</p> <p>B. A determination letter may be currently valid regardless of whether it is issued under 501(c)(3) of the Internal Revenue Code of 1986, subsequent amendment, or equivalent sections of prior enactments of the Internal Revenue</p>	
--	--	--

TABLE OF CHANGES
FORM I-360
JUNE 17, 2009

	<p>Code.</p> <p>C. These requirements also apply to religious organizations that are recognized as tax exempt under a group tax exemption;</p> <p>D. Additional documentation is required in instances where the organization is affiliated with the religious denomination and was granted tax-exempt status under section 501(c)(3) of the Internal Revenue Code of 1986, subsequent amendment, or equivalent sections of prior enactments of the Internal Revenue Code, as something other than a religious organization, additional documentation is required.</p> <p>Compensation Requirements</p> <p>A religious worker may be salaried or non-salaried. Salaried means receiving a traditional paycheck. Non-salaried means receiving support such as room, board, medical care, or transportation instead of a paycheck. The attestation section below lists the evidence that the U.S. employer must submit regarding compensation.</p> <p>Attestation Requirements</p>	
--	--	--

TABLE OF CHANGES
FORM I-360
JUNE 17, 2009

	<p>In addition to completing Form I-360, the prospective employer must complete an Employer Attestation and complete a Religious Denomination Certification. Prospective employer means the U.S. employer that will be employing the alien.</p> <p>If the alien is a self-petitioner and is also an authorized official of the prospective employer, the self-petitioner may sign the attestation.</p> <p>An authorized official of the prospective employer must complete, sign, and date the Employer Attestation and complete the Religious Denomination Certification. The authorizing official must sign the attestation, certifying under penalty of perjury that the attestation is true and correct.</p> <p>On the Employer Attestation form, the prospective employer must specifically attest to the following:</p> <p>1. The prospective employer's status as a:</p> <p>A. Bona fide nonprofit organization; or</p> <p>B. Bona fide organization that is affiliated with a</p>	
--	--	--

TABLE OF CHANGES
FORM I-360
JUNE 17, 2009

	<p>religious denomination and is exempt from taxation.</p> <p>2. The number of members of the prospective employer's organization.</p> <p>3. The number of employees who work at the same location where the alien will be employed and a summary of those employees' responsibilities.</p> <p>4. Number of aliens holding special immigrant or nonimmigrant religious worker status currently employed or employed within the past five years.</p> <p>5. Number of Special Immigrant Religious Worker Form I-360 and Nonimmigrant Religious Worker Form I-129 petitions submitted by the prospective employer within the past five years.</p> <p>6. The title of the position offered to the alien.</p> <p>7. The complete package of salaried or non-salaried compensation being offered.</p> <p>8. A detailed description of the alien's proposed daily duties.</p> <p>9. The position being offered to the alien requires at least 35 hours per week</p>	
--	--	--

TABLE OF CHANGES
FORM I-360
JUNE 17, 2009

	<p>of compensated service.</p> <p>10. The specific location(s) of the proposed employment.</p> <p>11. The alien is qualified to perform the duties of the offered position.</p> <p>12. The alien's membership in the prospective employer's denomination for at least two years prior to admission to the United States.</p> <p>13. That, if the position is not a religious vocation, the alien will not be engaged in secular employment, and any compensation for religious work will be paid to the alien by the attesting employer.</p> <p>14. The prospective employer's ability and intention to compensate and otherwise support (through housing, for example) the alien at a level at which the alien and accompanying family members will not become public charges.</p> <p>Initial Evidence Relating to the Prospective Employer</p> <p>The prospective employer must submit the following initial evidence relating to the prospective employer:</p>	
--	---	--

TABLE OF CHANGES
FORM I-360
JUNE 17, 2009

	<p>1. A currently valid determination letter from the Internal Revenue Service establishing that the organization is a tax exempt organization as defined in part 9 above;</p> <p>2. Documentation that establishes the religious nature and purpose of the organization, such as a copy of the organizing instrument of the organization that specifies the purposes of the organization;</p> <p>3. Organizational literature, such as brochures, calendars, flyers, and other literature describing the religious purpose and nature of the organization's activities; and</p> <p>4. A completed Religious Denomination Certification signed and dated by an authorizing official, certifying under penalty of perjury that the certification is true and correct.</p> <p>Initial Evidence Related to Compensation</p> <p>The prospective U.S. employer must submit verifiable evidence of how the petitioner intends to compensate the alien. The evidence may include:</p>	
--	---	--

TABLE OF CHANGES
FORM I-360
JUNE 17, 2009

	<p>1. Past evidence of compensation for similar positions; budgets showing monies set aside for salaries, leases, etc.; documentation that food, housing, medical care, or transportation will be provided; or other similar evidence.</p> <p>2. If Internal Revenue Service (IRS) documentation, such as IRS Form W-2 or certified tax returns, is available it must be provided. If IRS documentation is unavailable, the prospective employer must explain why it is unavailable and submit comparable verifiable documentation.</p> <p>3. Specific evidence must be provided if the alien worked in the United States during the two years immediately before the petition was filed. If the alien:</p> <p>A. Received salaried compensation, the prospective employer must submit IRS documentation that the alien received a salary, such as an IRS Form W-2 or certified copies of income tax returns.</p> <p>B. Received non-salaried compensation, the prospective employer must</p>	
--	--	--

TABLE OF CHANGES
FORM I-360
JUNE 17, 2009

	<p>submit IRS documentation of the non-salaried compensation if available.</p> <p>C. Received no salary but provided for his or her own support and for any dependents, the prospective employer must show how support was maintained by submitting documents such as audited financial statements, financial institution records, brokerage account statements, trust documents signed by an attorney, or other verifiable evidence acceptable to USCIS.</p> <p>Initial Evidence Related to the Alien's Prior Employment</p> <p>1. Evidence relating to the alien's prior employment. Qualifying prior experience during the two years immediately preceding the petition or preceding any acceptable break in the continuity of the religious work, must have occurred after the age of 14, and if acquired in the United States, must have been authorized under United States immigration law. If the alien was employed in the United States during the two years immediately preceding the filing of the application and:</p> <p>A. Received salaried</p>	
--	---	--

TABLE OF CHANGES
FORM I-360
JUNE 17, 2009

	<p>compensation, the petitioner must submit IRS documentation that the alien received a salary, such as an IRS Form W-2 or certified copies of income tax returns.</p> <p>B. Received non-salaried compensation, the petitioner must submit IRS documentation of the non-salaried compensation if available.</p> <p>C. Received no salary but provided for his or her own support, and provided support for any dependents, the petitioner must show how support was maintained by submitting with the petition additional documents such as audited financial statements, financial institution records, brokerage account statements, trust documents signed by an attorney, or other verifiable evidence acceptable to USCIS.</p> <p>2. If the alien was employed outside the United States during such two years, the petitioner must submit comparable evidence of the religious work.</p> <p>3. The prior religious work need not correspond precisely to the type of work to be performed.</p>	
--	---	--

TABLE OF CHANGES
FORM I-360
JUNE 17, 2009

	<p>4. A break in the continuity of the work during the preceding two years will not affect eligibility so long as:</p> <p>A. The alien was still employed as a religious worker;</p> <p>B. The break did not exceed two years; and</p> <p>C. The nature of the break was for further religious training or for sabbatical that did not involve unauthorized work in the United States. However, the alien must have been a member of the petitioner's denomination throughout the two years of qualifying employment.</p> <p>Initial Evidence Related to a Minister</p> <p>If filing in behalf of a minister, the petitioner must submit the following additional initial evidence:</p> <p>1. A copy of the alien's certificate of ordination or similar documents reflecting acceptance of the alien's qualifications as a minister in the religious denomination; and</p> <p>2. Documents reflecting:</p>	
--	--	--

TABLE OF CHANGES
FORM I-360
JUNE 17, 2009

	<p>A. Acceptance of the alien's qualifications as a minister in the religious denomination;</p> <p>B. The alien's completion of any course of prescribed theological education at an accredited theological institution normally required or recognized by that religious denomination, including transcripts, curriculum, and documentation that establishes that the theological institution is accredited by the denomination.</p> <p>3. For denominations that do not require a prescribed theological education, evidence of:</p> <p>A. The denomination's requirements for ordination to minister;</p> <p>B. The duties allowed to be performed by virtue of ordination;</p> <p>C. The denomination's levels of ordination, if any; and</p> <p>D. The alien's completion of the denomination's requirements for ordination.</p> <p>Verification of Evidence</p> <p>USCIS may verify the</p>	
--	---	--

TABLE OF CHANGES
FORM I-360
JUNE 17, 2009

	<p>submitted evidence through any means that USCIS determines appropriate, up to and including an on-site inspection. If USCIS decides to conduct a pre-approval inspection, satisfactory completion of such inspection will be a condition for approval of any petition. The inspection may include:</p> <ol style="list-style-type: none"> 1. A tour of the organization's facilities and, if appropriate, the organization's headquarters or satellite locations; 2. An interview with the organization's officials; 3. A review of the organization's records related to compliance with immigration laws and regulations; or 4. A visit to the locations where the alien will work or live. 	
Page 7	<p>Religious Worker or Minister</p> <p>Form I-360 must be filed at the California Service Center. Regardless of where you live or work. It cannot be filed concurrently with Form I-485.</p>	<p>Religious Worker</p> <p>Form I-360 must be filed at the California Service Center, regardless of where you live or work.</p>

TABLE OF CHANGES
FORM I-360
JUNE 17, 2009

<p>FORM</p> <p>Part 6. Complete Only if Filing for a Special Immigrant Juvenile Court Dependent (page 3)</p>	<p>Section A. Information about the Juvenile</p> <p>List any other names used.</p> <p>Answer the following questions regarding the person this petition is for. If you answer “No,” explain on a separate sheet of paper.</p> <p>Is he or she still dependent upon the juvenile court or still legally committed to or under the custody of an agency or department of a state? No Yes</p> <p>Does he or she continue to be eligible for long-term foster care? No Yes</p>	<p>Section A. Information about the juvenile</p> <p>List any other names used.</p> <p>Answer the following questions regarding the person for whom the petition is being filed. If you answer “No,” explain on a separate sheet of paper.</p> <p>a. Have you been declared dependent upon a juvenile court in the United States, or have you been legally committed to, or placed under the custody of, an agency or department of a State, or an individual or entity appointed by a State or juvenile court? No Yes</p> <p>b. Has a juvenile court declared that reunification with one or both of your parents is not viable due to abuse, neglect, abandonment, or a similar basis under State law? No Yes</p> <p>c. Have you been the subject of proceedings in which it was determined that it would not b in your best interest to be returned to your or your parent’s country of nationality or last habitual residence? No Yes</p>
<p>Page 6</p>	<p>6. The prospective</p>	<p>6. The prospective</p>

TABLE OF CHANGES
FORM I-360
JUNE 17, 2009

Does the prospective employer attest to all of the requirements described in statements 6 through 12 below?	employer is a bona fide non-profit 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 prospective employer is affiliated with the religious denomination, complete the Religious Denomination Certification below.	employer 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 prospective employer is affiliated with the religious denomination, complete the Religious Denomination Certification included in this form.
---	---	---