TABLE OF CHANGES – INSTRUCTIONS FORM I-360

Instructions for Form I-360, Petition for Amerasian, Widow(er), or Special Immigrant OMB Number: 1615-0020 Submission Date 10/08/2014

Reason for Revision: Adding a new classification in the form; updating the instructions related to a self-petitioning battered or abused parent of a U.S. citizen pursuant to the Violence Against Women and Department of Justice Reauthorization Act of 2005 (VAWA 2005), Public Law 109-162; clarifying instructions for existing classifications and other clarifying edits throughout the instructions, reformatting for better flow; reorganizing the form questions in a more logical manner; adding a single check box as a means to provide the VAWA self-petitioners to request employment authorization; incorporating a fact sheet for prospective employment-based fourth preference (EB-4) petitioners; and updating the form's certification statement to conform with standard certification language.

Current Section and Page Number	Current Text	Proposed Text
Page 1, What Is the		[Page 1]
Purpose of This Form?	What Is the Purpose of This Form?	What Is the Purpose of This Petition?
	This petition is used to classify an alien as:	This petition is used to classify an alien as:
	An Amerasian; A Widow or Widower;	 An Amerasian; A Widow or Widower of a U.S. citizen;
	3. A Battered or Abused Spouse or Child of a U.S. Citizen or Lawful Permanent Resident; or	[moved below]
	 4. A special immigrant defined as one of the following: A. Religious Worker; B. Panama Canal Company Employee, Canal Zone Government Employee, U.S. Government in the Canal Zone Employee; 	3. A special immigrant is defined as one of the following:A. Special Immigrant Juvenile;B. Religious Worker;
	C. Physician; D. International Organization Employee or	C. Panama Canal Company Employee, Canal Zone Government Employee, U.S. Government in the Canal Zone Employee; D. Physician;
	Family Member; E. Juvenile Court Dependent;	E. G-4 International Organization Employee or Family Member or NATO-6 Employee or Family Member;
	F. Armed Forces Member; G. Afghanistan or Iraq national who supported the U.S. Armed Forces as a translator;	F. U.S. Armed Forces Member; G. Afghanistan or Iraq National who supported the U.S. Armed Forces as a translator;
	H. Iraq national who worked for or on behalf of the U.S. Government in Iraq; or I. Afghan national who worked for or on behalf of the U.S. Government in Afghanistan.	H. Iraq National who worked for or on behalf of the U.S. government in Iraq; or I. Others (including Self-petitioning Parent of an abusive U.S. citizen son or daughter, Afghanistan National who worked for or on

		behalf of the U.S. government in Afghanistan, Broadcasters, and any other classifications not listed on the petition).
		4. A Battered or Abused Spouse or Child of a U.S. citizen or Lawful Permanent Resident
		The persons listed below may also use this petition to file for an EB-4 Fourth Preference (Employment Based) Visa:
		 Religious workers; Afghan/Iraqi translators; Iraqis who have assisted the United States; International organization employees; Physicians; Armed Forces members; Panama Canal Zone employees; Retired G-4 or NATO-6 employees; Spouses and children of deceased G-4 or NATO-6 employees; Special Immigrant Juvenile; Broadcasters; or Spouses and unmarried children of EB-4 visa holders.
Pages 1-7, Who May File		[Page 2]
Pages 1-7, Who May File Form I-360?	Amerasian	[Page 2] Amerasian [subheader]
	Amerasian Any person who is 18 years of age or older, including the alien, or a U.S. corporation may file this petition for a beneficiary who was born in Korea, Vietnam, Laos, Kampuchea, or Thailand after December 31, 1950, and before October 22, 1982, and was fathered by a U.S. citizen.	
	Any person who is 18 years of age or older, including the alien, or a U.S. corporation may file this petition for a beneficiary who was born in Korea, Vietnam, Laos, Kampuchea, or Thailand after December 31, 1950, and before October 22, 1982, and	Amerasian [subheader] If you are 18 years of age or older, you may file this petition for a beneficiary (including yourself) who was born in Korea, Vietnam, Laos, Kampuchea, or Thailand after December 31, 1950, and before October 22, 1982, and was fathered by a U.S. citizen. A U.S. corporation may also file this
	Any person who is 18 years of age or older, including the alien, or a U.S. corporation may file this petition for a beneficiary who was born in Korea, Vietnam, Laos, Kampuchea, or Thailand after December 31, 1950, and before October 22, 1982, and was fathered by a U.S. citizen.	Amerasian [subheader] If you are 18 years of age or older, you may file this petition for a beneficiary (including yourself) who was born in Korea, Vietnam, Laos, Kampuchea, or Thailand after December 31, 1950, and before October 22, 1982, and was fathered by a U.S. citizen. A U.S. corporation may also file this petition for a beneficiary.

biological father was a U.S. citizen. Examples of documents that may be submitted are: birth or baptismal records or other religious documents; local civil records; an affidavit, correspondence, or evidence of financial support from the father; photographs of the father (especially with the child); or, absent other documents, affidavits from knowledgeable witnesses that detail the parentage of the child and how they know such facts;

- 3. Photograph of the person; and
- 4. If the person is married, a copy of the marriage certificate and proof of the termination of any prior marriages.

The sponsorship documents noted below are also required. You may file these documents with the petition or wait until USCIS reviews the petition and requests them. However, not filing them with the petition will add to the overall processing time.

- 1. Form I-361, Affidavit of Financial Support and Intent to Petition for Legal Custody of Public Law 97-359 Amerasian, executed by the sponsor with the evidence of financial ability required by that form. Note that the original sponsor remains financially responsible for the Amerasian if any subsequent sponsor fails in this area;
- 2. Copies of evidence showing that the sponsor is at least 21 years old and is a U.S. citizen or permanent resident.

Widow/Widower of a U.S. Citizen

You may file this petition for yourself if:

- 1. You were married to a U.S. citizen who is now deceased and who was a U.S. citizen at the time of death.
- 2. Your citizen spouse died less than 2 years before the date on which you file this petition.

NOTE: If your spouse died before October

beneficiary's biological father was a U.S. citizen:

Examples of documents that you may submit are: birth or baptismal records or other religious documents; local civil records; an affidavit, correspondence, or evidence of financial support from the father; photographs of the father (especially with the child); or, absent other documents, affidavits from knowledgeable witnesses that detail the parentage of the child and how they know such facts.

- **3.** Photograph of the beneficiary; and
- **4.** If the beneficiary is married, a copy of the marriage certificate and proof of the termination of any prior marriages.

The sponsorship documents noted below are also required. You may file these documents with the petition or wait until U.S. Citizenship and Immigration Services (USCIS) reviews the petition and requests them. However, not filing them with the petition will add to the overall processing time.

- 1. Form I-361, Affidavit of Financial Support and Intent to Petition for Legal Custody of Public Law 97-359 Amerasian, executed by the sponsor with the evidence of financial ability required by that form. Note that the original sponsor remains financially responsible for the Amerasian if any subsequent sponsor fails in this area.
- **2.** Copies of evidence showing that the sponsor is at least 21 years of age and is a U.S. citizen or permanent resident.

Widow or Widower of a U.S. Citizen [subheader]

You may file this petition for yourself if:

- 1. You were married to a U.S. citizen who is now deceased and who was a U.S. citizen at the time of death:
- 2. Your citizen spouse died less than two years before the date on which you filed this petition;

[Delete.]

28, 2009, you may still file this petition if you do so no later than October 28, 2011.

NOTE: If your citizen spouse filed a Form I-130 for you before your citizen spouse died, you do not need to file this petition. Under 8 CFR 204.2(i)(1)(iv), your citizen spouse's Form I-130 was converted to a widow(er)'s Form I-360 when your citizen spouse died.

- 3. You were not legally separated from your citizen spouse at the time of death; and
- 4. You have not remarried.

The petition must be filed with:

- 1. A copy of your marriage certificate to the U.S. citizen and proof of termination of any prior marriages of either of you;
- 2. Copies of evidence that your spouse was a U.S. citizen, such as a birth certificate if born in the United States, Naturalization Certificate or Certificate of Citizenship issued by USCIS; Form FS-240, Report of Birth Abroad of a Citizen of the United States; or a U.S. passport that was valid at the time of the citizen's death; and
- 3. A copy of the death certificate of your U.S. citizen spouse.

Special Immigrant Juvenile

Any person, including the alien, may file this petition for an alien who:

- 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;

NOTE: If your citizen spouse filed Form I-130 for you before his or her death, and it was approved or still pending, you do not need to file this petition. Under 8 CFR 204.2(i)(1)(iv), your citizen spouse's Form I-130 was converted to a widow(er)'s Form I-360 when your citizen spouse died.

- **3.** You were not legally separated from your citizen spouse at the time of his or her death; and
- 4. You have not remarried.

You **must** file the petition with:

- 1. A copy of your marriage certificate to the U.S. citizen and proof of termination of any prior marriages of either of you;
- 2. Copies of evidence that your spouse was a U.S. citizen, such as a birth certificate if he or she was born in the United States or a Naturalization Certificate or Certificate of Citizenship issued by USCIS; Form FS-240, Report of Birth Abroad of a Citizen of the United States; or a U.S. passport that was valid at the time of the citizen's death; and
- **3.** A copy of the death certificate of your U.S. citizen spouse.

[Page 3] Special Immigrant Juvenile [subheader]

You may file this petition for a beneficiary (including yourself) who:

- 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.

The petition must be filed with:

- 1. Copy of the juvenile's birth certificate or other evidence of his or her age; and
- 2. Copies of the court or administrative document(s) upon which the claim to eligibility is based.

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.

Special Immigrant Religious Worker

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 nonprofit religious organization in the United States (or a bona fide organization that is affiliated with the religious denomination in the United States) to work:

1. Solely as a minister of that religious denomination;

- **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 **citizenship** or nationality or last habitual residence.

The petition **must** be filed with:

- 1. A copy of the juvenile's birth certificate or other evidence of his or her age;
- 2. A copy of the court or administrative documents that establishes eligibility for this classification, including the specific findings of fact or other relevant evidence, which establishes the findings; and
- 3. Written consent from the U.S. Department of Health and Human Services (HHS) if the juvenile is in the custody of HHS and the juvenile court order altered the juvenile's HHS custody status or placement.

NOTE: After a special immigrant juvenile becomes a lawful permanent resident, his or her natural or prior adoptive parents may **NOT** receive any immigration benefit based on their relationship to the juvenile.

Special Immigrant Religious Worker [subheader]

- A U.S. employer may file this petition for a beneficiary who seeks to enter the United States to be employed full time by a bona fide nonprofit religious organization in the United States (or a bona fide organization that is affiliated with the religious denomination in the United States) to work:
- **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.

To qualify, the alien must:

- 1. Have been a member of a religious denomination that has a bona fide nonprofit religious organization in the United States for at least the 2 years immediately preceding the filing of the petition; and
- 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 2 years immediately preceding the filing of the petition.

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.

The petition must be filed with:

- 1. Evidence relating to the petitioning organization:
- A. Currently valid determination letter from the Internal Revenue Service (IRS) establishing that the organization is a tax exempt organization; or
- B. For a religious organization that is

- **2.** In a religious vocation either in a professional or non-professional capacity; or
- **3.** In a religious occupation either in a professional or non-professional capacity.

The beneficiary may file this petition on his or her own behalf.

To qualify, the beneficiary **must** have been:

- 1. A member of a religious denomination that has a bona fide nonprofit religious organization in the United States for at least the two years immediately preceding the filing of the petition; and
- 2. Working continuously, after turning 14 years of age, in one of the positions described above, either abroad or in lawful immigration status in the United States, for at least two years immediately preceding the filing of the petition.

NOTE: All religious workers, other than ministers, immigrating to the United States as special immigrant religious workers must immigrate or adjust to lawful permanent resident status before the established sunset (expiration) date. Statutory amendments may extend this date. USCIS will provide information on its Web site at www.uscis.gov/working-united-states/permanent-workers/employment-based-immigration-fourth-preference-eb-4/religious-workers if the date is extended.

You **must** file the petition with evidence relating to the petitioning organization, including;

1. A currently valid determination letter from the Internal Revenue Service (IRS) establishing that the organization is a tax exempt organization;

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2. 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

- 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:
- i. Currently valid determination letter from the IRS establishing that the organization is a tax-exempt organization;
- 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;
- 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
- iv. 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.
- 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;
- 3. Verifiable evidence of how the prospective employer intends to compensate the alien, including salaried or non-salaried compensation;
- 4. Evidence that the alien has been a member of the religious denomination during at least the 2 years immediately preceding the petition;
- 5. Evidence to establish that the alien has

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

- 3. 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, including:
- **A.** A currently valid determination letter from the IRS establishing that the organization is a tax-exempt organization;
- **B.** 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;
- C. 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
- D. 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.
- 4. An employer Attestation (part of Form I-360) and certification completed, signed, and dated by an authorized official of the prospective employer of the beneficiary seeking religious worker status;
- 5. Verifiable evidence of how the prospective employer intends to compensate the beneficiary, including salaried or non- salaried compensation;
- **6.** Evidence that the beneficiary has been a member of the religious denomination during at least the two years immediately preceding the petition;
- 7. Evidence to establish that the

been working in one of the 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 2 years immediately preceding the petition; and

6. Evidence to establish the alien is qualified to perform the duties of the offered position.

Special Immigrant Based on Employment With the Panama Canal Company, Canal Zone Government, or U.S. Government in the Canal Zone

Any person may file this petition for an alien who, at the time the Panama Canal Treaty of 1977 entered into force, either:

- 1. Was a resident in the Canal Zone and had been employed by the Panama Canal Company or Canal Zone Government for at least 1 year; or
- 2. Was a Panamanian national and either honorably retired from U.S. Government employment in the Canal Zone with a total of 15 or more years of faithful service; or
- 3. Was employed for 15 years and honorably retired; or was an employee of the Panama Canal Company or Canal Zone Government, had performed faithful service for 5 years or more as an employee, and whose personal safety, or the personal safety of his or her spouse or child, is in danger as a direct result of the special nature of his or her employment and as a direct result of the Treaty.

The petition must be filed with:

- 1. A letter from the Panama Canal Company, Canal Zone Government, or U.S. Government agency employing the person in the Canal Zone, indicating the length and circumstances of employment and any retirement or termination; and
- 2. Copies of evidence to establish any claim of danger to personal safety.

beneficiary has been working continuously, after turning 14 years of age, in one of the positions listed above, either abroad or in lawful immigration status in the United States, for at least the two years immediately preceding the petition; and

8. Evidence to establish the beneficiary is qualified to perform the duties of the offered position.

Special Immigrant Based on Employment With the Panama Canal Company, Canal Zone Government, or U.S. Government in the Canal Zone [subheader]

You may file this petition for a beneficiary who, at the time the Panama Canal Treaty of 1977 entered into force, was:

- 1. A resident in the Canal Zone and had been employed by the Panama Canal Company or Canal Zone Government for at least one year;
- 2. A Panamanian national and either honorably retired from U.S. government employment in the Canal Zone with a total of 15 or more years of faithful service; or
- 3. Employed for 15 years and honorably retired or was an employee of the Panama Canal Company or Canal Zone Government, had performed faithful service for 5 years or more as an employee, and whose personal safety, or the personal safety of his or her spouse or child, is in danger as a direct result of the special nature of his or her employment and as a direct result of the Treaty.

You **must** file the petition with:

- 1. A letter from the Panama Canal Company, Canal Zone Government, or U.S. government agency employing the beneficiary in the Canal Zone, indicating the length and circumstances of employment and any retirement or termination; and
- **2.** Copies of evidence to establish any claim of danger to personal safety.

Special Immigrant Physician

Any person may file this petition for an alien who:

- 1. Graduated from a medical school or qualified to practice medicine in a foreign state:
- 2. Was fully and permanently licensed to practice medicine in a State of the United States on January 9, 1978, and was practicing medicine in a State on that date;
- 3. Entered the United States as an "H" or "J" nonimmigrant before January 9, 1978; and
- 4. Has been continuously present in the United States and continuously engaged in the practice or study of medicine since the date of such entry.

The petition must be filed with:

- 1. Letters from the person's employers detailing his or her employment since January 8, 1978, including the current employment; and
- 2. Copies of relevant documents that demonstrate that the person for whom the petition is filed meets all the above criteria.

Special Immigrant International Organization Employee or Family Member

Certain long-term "G" and "N" nonimmigrant employees of a qualifying international organization entitled to enjoy privileges, exemptions, and immunities under the International Organizations Immunities Act, and certain relatives of such an employee, may be eligible to apply for classification as a Special Immigrant. To determine eligibility, contact the qualifying international organization or your local USCIS office.

Special Immigrant Physician [subheader]

You may file this petition for a beneficiary who:

- 1. Graduated from a medical school or is qualified to practice medicine in a foreign state:
- 2. Was fully and permanently licensed to practice medicine in the United States on January 9, 1978, and was practicing medicine in a U.S. state on that date;

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- **3.** Entered the United States as an H or J nonimmigrant before January 9, 1978; and
- **4.** Has been continuously present in the United States and continuously engaged in the practice or study of medicine since the date of such entry.

You **must** file the petition with:

- 1. Letters from the beneficiary's employers detailing his or her employment since January 8, 1978, including the current employment; and
- 2. Copies of relevant documents that demonstrate that the beneficiary meets all the above criteria.

Special Immigrant G-4 International Organization Employee or Family Member or NATO-6 Employee or Family Member [subheader]

You may be eligible to apply for classification as a special immigrant if you are a recently-retired, long-term G-4 nonimmigrant employee of a qualifying international organization entitled to enjoy privileges, exemptions, and immunities under the International Organizations Immunities Act, a relative of such an employee, or a long-term civilian employee of NATO (under the NATO-6 classification) or their relative. To determine if you are eligible, contact the

The petition must be filed with:

- 1. A letter from the international organization demonstrating that it is a qualifying organization and explaining the circumstances of qualifying employment and the immigration status held by the person for whom the petition is filed; and
- 2. Copies of evidence documenting the relationship between the person for whom this petition is filed and the employee.

Armed Forces Member

You may file this petition for yourself if:

- 1. You have served honorably on active duty in the U.S. Armed Forces after October 15, 1978;
- 2. You originally lawfully enlisted outside the United States under a treaty or agreement in effect on October 1, 1991, for a period or periods that total:
- A. Twelve years, and were never separated from such service except under honorable conditions; or
- B. Six years, are now on active duty, and have reenlisted to incur a total active duty service obligation of at least 12 years;
- 3. You are a national of an independent state that maintains a treaty or agreement allowing nationals of that state to enlist in the U.S. Armed Forces each year; and
- 4. The executive department under which you have served or are serving has recommended you for this special immigrant status.

The petition must be filed with:

1. Certified proof, issued by the authorizing official of the executive department in which you are serving or

qualifying international organization, the employing NATO office, or your local USCIS office.

You **must** file the petition with:

- 1. A letter from the international organization demonstrating that it is a qualifying organization and explaining the circumstances of qualifying employment and the immigration status held by the beneficiary; and
- **2.** For family members, copies of evidence documenting the familial relationship to the employee.

Armed Forces Member [subheader]

You may file this petition for yourself if:

- 1. You have served honorably on active duty in the U.S. Armed Forces after October 15, 1978;
- 2. You originally lawfully enlisted outside the United States under a treaty or agreement in effect on October 1, 1991, for a period or periods that total:
- **A.** Twelve years, and you were never separated from such service except under honorable conditions; or
- **B.** Six years, and you are now on active duty, and have reenlisted to incur a total active duty service obligation of at least 12 years:
- 3. You are a national of an independent state that maintains a treaty or agreement allowing nationals of that state to enlist in the U.S. Armed Forces each year; and
- **4.** The executive department under which you have served or are serving has recommended you for this special immigrant status.

You **must** file the petition with:

1. Certified proof, issued by the authorizing official of the executive department in which you are serving or

have served, that you have the required honorable active duty service and/or commitment; and

2. Your birth certificate.

Self-Petitioning Battered or Abused Spouse or Child of a U.S. Citizen or Lawful Permanent Resident have served, that you have the required honorable active duty service and/or commitment; and

2. Your birth certificate.

[this section has been moved up]

Self-Petitioning Battered or Abused Spouse or Child of a U.S. Citizen or Lawful Permanent Resident or a Self-Petitioning Parent of an Abusive U.S. Citizen Son or Daughter

NOTE: Since there is not a separate check box on the petition for Parent, select the "Other" category if filing under this classification.

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Alternate and/or Safe Address. Provide your mailing address, if different from your home address. If you do not feel safe in receiving correspondence regarding this petition at your home address, provide an alternate and/or safe mailing address in Part 1. This address may be a post office box, the address of a friend, your attorney, a community-based organization that is helping you, or any other address where you can safely and punctually receive mail.

If you are living abroad at the time of filing your petition, you may file the petition if:

- **1.** The abuser is an employee of the U.S. government;
- **2.** The abuser is a member of the uniformed services; or
- **3.** You were subjected to battery or extreme cruelty in the United States.

You may petition for immediate relative or family-sponsored immigrant classification for yourself (also known as a self-petition) if you:

1. Have a qualifying relationship with an abusive U.S. citizen or lawful permanent resident;

You may self-petition for immediate relative or family- sponsored immigrant classification if you:

1. Are now the spouse or child of an abusive U.S. citizen or lawful permanent resident;

- **A.** Are now or were the spouse of an abusive U.S. citizen or lawful permanent resident;
- **B.** Are the child of an abusive U.S. citizen or lawful permanent resident; or
- **C.** Are the parent of an abusive U.S. citizen son or daughter who is at least 21 years of age when you file this petition.
- on 2. Are eligible for immigrant classification based on that relationship;
 - **3.** Are now residing with or have resided with the U.S. citizen or lawful permanent resident abuser in the past;
 - **4.** Have been battered by or have been the subject of extreme cruelty perpetrated by:
 - **A.** Your U.S. citizen or lawful permanent resident spouse during the marriage, or are the parent of a child who has been battered by or has been the subject of extreme cruelty perpetrated by your abusive U.S. citizen or lawful permanent resident spouse during your marriage;
 - **B.** Your U.S. citizen or lawful permanent resident parent while residing with that parent; or
 - C. Your U.S. citizen son or daughter;
 - **5.** Are a person of good moral character; and

[delete.]

- **6.** Are a spouse, and entered into the marriage to the U.S. citizen or lawful permanent resident abuser in good faith.
- **NOTE:** You may file a self-petition within two years of the date of the abuser's death, the abuser's loss of status as a result of an incident of domestic violence, or the termination of the marriage if there is a connection between the termination of the marriage and the battery or extreme cruelty.

- 2. Are eligible for immigrant classification based on that relationship;
- 3. Are now residing in the United States or have resided in the United States with the U.S. citizen or lawful permanent resident abuser in the past;
- 4. Have been battered by or have been the subject of extreme cruelty perpetrated by:
- A. Your U.S. citizen or lawful permanent resident spouse during the marriage, or are the parent of a child who has been battered by or has been the subject of extreme cruelty perpetrated by your abusive citizen or lawful permanent resident spouse during your marriage;
- B. Your citizen or lawful permanent resident parent while residing with that parent;
- 5. Are a person of good moral character;
- 6. Are a person whose removal or deportation would result in extreme hardship to yourself, or to your child if you are a spouse; and
- 7. Are a spouse, and entered into the marriage to the U.S. citizen or lawful permanent resident abuser in good faith.

NOTE: Divorce or other legal termination of the marriage to the abuser after the self-petition is properly filed with USCIS will not be the sole basis for denial or revocation of an approved self-petition. After the approval of the self-petition by USCIS, remarriage is permitted and will

Comment [U2]: Thank you for your suggested edit of chaging ";" to ".". However, it is not consistent with the overall grammar standards used in all USCIS forms.

NOT affect eligibility to become a lawful permanent resident or be grounds for revocation of the approved self-petition.

Your self-petition may be filed with any credible relevant evidence of eligibility. The determination of what evidence is credible and the weight to be given that evidence is within the sole discretion of USCIS; therefore, you are encouraged to provide the following documentation:

- 1. Evidence of the abuser's U.S. citizenship or lawful permanent resident status:
- 2. Marriage and divorce decrees, birth certificates, or other evidence of your legal relationship to the abuser;
- 3. One or more documents showing that you and the abuser have resided together in the United States in the past, such as employment records, utility receipts, school records, hospital or medical records, birth certificates of children, mortgages, rental records, insurance policies, or affidavits;
- 4. One or more documents showing that you are now residing in the United States, such as the documents listed above;
- 5. Evidence of the abuse, such as reports and affidavits from police, judges and other court officials, medical personnel, school officials, clergy, social workers, and other social service agency personnel. If you have an order of protection, or have taken other legal steps to end the abuse, you should submit copies of those court documents:
- 6. If you are more than 14 years of age, your affidavit of good moral character accompanied by a local police clearance, State-issued criminal background check, or similar report from each locality or State in the United States or abroad in which you have resided for 6 or more months during the 3-year period immediately preceding the filing of your self-petition;

For self-petitioning spouses, you may remarry after USCIS approves your self-petition without affecting your eligibility to become a lawful permanent resident or be grounds for revocation of the approved self-petition.

EVIDENCE. You may file your self-petition with any credible relevant evidence of your eligibility. The determination of what evidence is credible and the weight to be given that evidence is within the sole discretion of USCIS; therefore, you are encouraged to provide the following documentation:

- 1. Evidence of the abuser's U.S. citizenship or lawful permanent resident status;
- **2.** Marriage and divorce decrees, birth certificates, or other evidence of your legal relationship to the abuser;
- 3. One or more documents showing that you and the abuser have resided together, such as employment records, utility receipts, school records, hospital or medical records, birth certificates of children, mortgages, rental records, insurance policies, or affidavits;

[delete.]

- 4. Evidence of the abuse, such as reports and affidavits from police, judges and other court officials, medical personnel, school officials, clergy, social workers, and other social service agency personnel. If you have an order of protection, or have taken other legal steps to end the abuse, you should submit copies of those court documents:
- 5. If you are 14 years of age or older, your affidavit of good moral character accompanied by a local police clearance, state-issued criminal background check, or similar report from each locality or state in the United States or abroad where you have resided for six or more months during the 3-year period immediately before the filing of your self-petition;

- 7. Affidavits, birth certificates of children, medical reports, and other relevant credible evidence of the extreme hardship that would result if you were to be removed or deported; and
- 8. If you are a spouse, proof that one spouse has been listed as the other's spouse on insurance policies, property leases, income tax forms, or bank accounts; and testimony or other evidence regarding your courtship, wedding ceremony, shared residence, and experiences showing that your marriage was entered in good faith.

NOTE: A self-petitioning battered or abused spouse or child of a U.S. citizen or lawful permanent resident may submit any relevant credible evidence in place of the suggested evidence.

Public Service Information

The National Domestic Violence Hotline provides information, crisis intervention, and referrals to local service providers, including legal assistance organizations, to victims of domestic violence or anyone calling on their behalf at 1-800-799-7233 or TTY 1-800-787-3224.

The hotline services are available 24 hours a day, 7 days a week, toll-free from anywhere in the United States, Puerto Rico, or the U.S. Virgin Islands. The staff and volunteers speak both English and Spanish and have access to translators in 139 languages.

[delete.]

[Page 7]

6. If you are a spouse, submit evidence showing your marriage was entered in good faith, such as proof that one spouse has been listed as the other's spouse on insurance policies, property leases, submitted income tax forms, or bank accounts; and testimony or other evidence regarding your courtship, wedding ceremony, shared residence, and other life experiences.

NOTE: A self-petitioning battered or abused spouse or child of a U.S. citizen or lawful permanent resident, or a self-petitioning parent of a U.S. citizen son or daughter may submit any relevant credible evidence in place of the suggested evidence.

Public Service Information

The National Domestic Violence Hotline provides information, crisis intervention, and referrals to local service providers, including legal assistance organizations, to victims of domestic violence or anyone calling on their behalf at 1-800-799-7233. For TTY (deaf or hard of hearing) call: 1-800-787-3224.

The Hotline services are available 24 hours a day, 7 days a week, toll-free from anywhere in the United States, Puerto Rico, or the U.S. Virgin Islands. The staff and volunteers speak both English and Spanish and have access to translators in 139 languages.

Employment Authorization. If USCIS approves your self-petition, you will also receive employment authorization. USCIS will issue your Employment Authorization Document (EAD) with eligibility category (c)(31). Select "Yes" if you want USCIS to send you a (c)(31) EAD as evidence of that authorization. Select "No" if you wish to request employment authorization separate from this self-petition (for example, an

Afghanistan or Iraq National Supporting U.S. Armed Forces as a Translator

You may file this petition for yourself if:

- 1. You are a national of Afghanistan or Iraq;
- 2. You worked directly with the U.S. Armed Forces as a translator for a period of at least 12 months;
- 3. You have obtained a favorable written recommendation from a general or flag officer in the chain of command of the U.S. Armed Forces unit that you supported; and
- 4. Before filing this petition, you were cleared by a background check and screening, as determined by a general or flag officer in the chain of command of the U.S. Armed Forces unit that you supported.

The petition must be filed with:

- 1. A copy of your passport or birth certificate showing that you are a national of Afghanistan or Iraq;
- 2. A favorable written recommendation from a general or flag officer in the chain of command of the U.S. Armed Forces unit that you supported.

EAD with eligibility category (c)(14) based on deferred action).

Afghanistan or Iraq National Supporting U.S. Armed Forces as a Translator [subheader]

You may file this petition for yourself if:

- **1.** You are a national of Afghanistan or Iraq;
- 2. You worked directly with the U.S. Armed Forces or the Chief of Mission as a translator for a period of at least 12 months;
- 3. You have obtained a favorable written recommendation from a general or flag officer in the chain of command of the U.S. Armed Forces unit that you supported; and
- **4.** Before filing this petition, you were cleared by a background check and screening, as determined by the Chief of Mission or a general or flag officer in the chain of command of the U.S. Armed Forces unit that you supported.

The petition **must** be filed with:

- **1.** A copy of your passport or birth certificate showing that you are a national of Afghanistan or Iraq;
- 2. A favorable written recommendation from the Chief of Mission or a general or flag officer in the chain of command of the U.S. Armed Forces unit that you supported;
- 3. Evidence you worked directly with the U.S. Armed Forces or under Chief of Mission authority, as a translator or interpreter for a period of at least 12 months; and
- **4.** Evidence that you cleared a background check and screening as determined by the Chief of Mission or general or flag officer in the chain of command of the U.S. Armed Forces unit that you supported.

Iraq National Who Was Employed by or on Behalf of the U.S. Government in

Iraq National Who Was Employed by or on Behalf of the U.S. Government in Iraq

Iraq

- 1. You may file this petition for yourself if:
- A. You are a national of Iraq;
- B. You have established to the satisfaction of the Chief of Mission, Embassy Kabul, or the designee of the Chief of Mission, that you were or are employed by or on behalf of the U.S. Government in Iraq on or after October 7, 2001, for a period of not less than 1 year;
- C. You have established to the satisfaction of the Chief of Mission, or the designee of the Chief of Mission, that you provided faithful and valuable service to the U.S. Government. Your senior supervisor must submit a recommendation to the U.S. Government or, if your senior supervisor has left the employer or left Iraq, either the person who is currently occupying that position or someone in a more senior position with the employing entity;
- D. You have established to the satisfaction of the Chief of Mission, or the designee of the Chief of Mission, that you have experienced or are experiencing an ongoing serious threat as a consequence of the employment by or on behalf of the U.S. Government;
- E. You have or will have cleared a background check and appropriate screening as determined by the Secretary of Homeland Security; and
- F. You are otherwise eligible to receive an immigrant visa and are admissible to the United States for permanent residence, excluding the grounds of inadmissibility specified in section 212(a)(4) of the Immigration and Nationality Act (INA).
- 2. Entitlement to status of surviving spouse or child:

You are also classifiable as a special immigrant described in section 1244 of Pub. L. 110-181 if you are the spouse or child of a principal alien who had a petition approved by USCIS, but the petition was

[subheader]

You may file this petition for yourself if:

- 1. You are a national of Iraq;
- 2. You have established to the satisfaction of the Chief of Mission, Embassy Baghdad, or the designee of the Chief of Mission, that you were or are employed by or on behalf of the U.S. government in Iraq between March 20, 2003 and September 30, 2013, for a period of at least one year;

[Page 8]

- 3. You have established to the satisfaction of the Chief of Mission, or the designee of the Chief of Mission, that you provided faithful and valuable service to the U.S. government. Your senior supervisor must submit a recommendation to the U.S. government or, if your senior supervisor has left the employer or left Iraq, either the person who is currently occupying that position or someone in a more senior position with the employing entity;
- 4. You have established to the satisfaction of the Chief of Mission, or the designee of the Chief of Mission, that you have experienced or are experiencing an ongoing serious threat as a consequence of being employed by or on behalf of the U.S. government;
- 5. You have or will have cleared a background check and appropriate screening as determined by the Secretary of Homeland Security; and
- 6. You are otherwise eligible to receive an immigrant visa and are admissible to the United States for permanent residence, excluding the grounds of inadmissibility specified in section 212(a)(4) of the Immigration and Nationality Act (INA).

You are entitled to claim status as a surviving spouse or child if you are also classifiable as a special immigrant described in section 1244 of Pub. L. 110-181 if you are the spouse or child of a principal beneficiary who had a petition approved by USCIS, but the petition was terminated after its approval due to the

terminated after its approval due to the death of the principal alien.

- 3. The petition must be filed with:
- A. Copy of your passport, birth certificate, or national identification card showing that you are a national of Iraq. If the document is in a foreign language, a certified English translation must be provided;
- B. A positive recommendation from your senior supervisor or the person currently occupying that position, or a more senior person if your senior supervisor has left the employer or has left Iraq, confirming employment of not less than 1 year on or after March 20, 2003;
- C. Proof of risk assessment conducted by the Chief of Mission, or the designee of the Chief of Mission:
- D. Proof of independent review conducted by the Chief of Mission, or the designee of the Chief of Mission, of records maintained by the U.S. Government or hiring organization or entity to confirm employment and faithful and valuable service to the U.S. Government; and
- E. If you are physically present in the United States, a copy of the front and back of your Form I-94, Arrival- Departure Record.

Afghan National Who Was Employed by or on Behalf of the U.S. Government in Afghanistan

- 1. You may file this petition for yourself if the appropriate Chief of Mission or the designee of the appropriate Chief of Mission has approved your filing of this petition and you:
- A. Are a national of Afghanistan;
- B. Were or are employed by or on behalf of the U.S. Government in Afghanistan on or after October 7, 2001, for a period not

death of the principal beneficiary.

You **must** file the petition with:

- 1. A copy of your passport, birth certificate, or national identification card showing that you are a national of Iraq. If the document is in a foreign language, you must provide a certified English translation:
- 2. A positive recommendation from your senior supervisor or the person currently occupying that position, or a more senior person if your senior supervisor has left the employer or has left Iraq, confirming employment of at least one year between March 20, 2003 to September 30, 2013;
- **3.** Proof of risk assessment conducted by the Chief of Mission or the designee of the Chief of Mission:
- **4.** Proof of independent review conducted by the Chief of Mission or the designee of the Chief of Mission of records maintained by the U.S. government or hiring organization or entity to confirm employment and faithful and valuable service to the U.S. government; and
- 5. A copy of the front and back of your Form I-94 Arrival-Departure Record Number, if you are physically present in the United States.

Afghan National Who Was Employed by or on Behalf of the U.S. Government in Afghanistan (Select the "Other" category if filing under this classification)
[subheader]

You may file this petition for yourself if:

- 1. You are a national of Afghanistan;
- 2. You have established to the satisfaction of the Chief of Mission, Embassy Kabul, or the designee of the Chief of Mission that

less than 1 year;

- C. Have provided faithful and valuable service to the U.S. Government. Your senior supervisor must submit a recommendation to the U.S. Government or, if your senior supervisor has left the employer or left Afghanistan, either the person who is currently occupying that position or someone in a more senior position with the employing entity;
- D. Have experienced or are experiencing an ongoing serious threat as a consequence of the employment by or on behalf of the U.S. Government;
- E. Have or will have cleared a background check and appropriate screening as determined by the Secretary of Homeland Security; and
- F. Are otherwise eligible to receive an immigrant visa and are admissible to the United States for permanent residence, excluding the grounds of inadmissibility specified in section 212(a)(4) (8 U.S.C. 1182(a)(4)) of the Immigration and Nationality Act (INA).
- 2. Entitlement to apply for status of a surviving spouse or child: You are also classifiable as a special immigrant described in Section 602(b) of Pub. L. 111-8 if you are the spouse or child of a principal alien who had a petition approved by USCIS, but the petition was terminated after its approval due to the death of the principal alien.
- 3. The petition must be filed with:
- A. A copy of your passport, birth certificate, or national identification card showing that you are a national of Afghanistan. If the document is in a foreign language, a certified English translation must be provided;
- B. A positive recommendation from your senior supervisor or the person currently

you were employed by or on behalf of the U.S. government in Afghanistan between October 7, 2001 and December 31, 2014, for a period not less than one year.

- 3. You have provided faithful and valuable service to the U.S. government. Your senior supervisor must submit a recommendation to the U.S. government or, if your senior supervisor has left the employer or left Afghanistan, either the person who is currently occupying that position or someone in a more senior position with the employing entity;
- **4.** You have experienced or are experiencing an ongoing serious threat as a consequence of being employed by or on behalf of the U.S. government;
- 5. You have or will have cleared a background check and appropriate screening as determined by the Secretary of Homeland Security; and
- **6.** You are otherwise eligible to receive an immigrant visa and are admissible to the United States for permanent residence, excluding the grounds of inadmissibility specified in section 212(a)(4) (8 U.S.C. 1182(a)(4)) of the INA.

[Page 9]

You are entitled to apply for status of a surviving spouse or child if you are also classifiable as a special immigrant described in Section 602(b) of Pub. L. 111-8 if you are the spouse or child of a principal beneficiary who had a petition approved by USCIS, but the petition was terminated after its approval due to the death of the principal beneficiary.

You **must** file the petition with:

- 1. A copy of your passport, birth certificate, or national identification card showing that you are a national of Afghanistan. If the document is in a foreign language, you must provide a certified English translation;
- **2.** A positive recommendation from your senior supervisor or the person currently

Comment [U3]: Thank you for your suggested edit adding ",", however, it is not consistent with the overall grammar standards used in all USCIS forms.

occupying that position, or a more senior person if your senior supervisor has left the employer or has left Afghanistan, confirming employment of not less than 1 year on or after October 7, 2001;

- C. Approval of your submission of this petition from the appropriate Chief of Mission or designee of the appropriate Chief of Mission;
- D. Proof of risk assessment conducted by the Chief of Mission, or the designee of the Chief of Mission;
- E. Proof of independent review conducted by the Chief of Mission, or the designee of the Chief of Mission, of records maintained by the U.S. Government or hiring organization or entity to confirm employment and faithful and valuable service to the U.S. Government: and
- F. If you are physically present in the United States, a copy of the front and back of your Form I-94, Arrival- Departure Record.

Self-Petitioning Battered or Abused Spouse or Child of a U.S. Citizen or Lawful Permanent Resident occupying that position, or a more senior person if your senior supervisor has left the employer or has left Afghanistan, confirming employment of at least one year between October 7, 2001 and December 31, 2014;

- **3.** Approval of your submission of this petition from the appropriate Chief of Mission or the designee of the Chief of Mission:
- **4.** Proof of risk assessment conducted by the Chief of Mission or the designee of the Chief of Mission;
- 5. Proof of independent review conducted by the Chief of Mission or the designee of the Chief of Mission of records maintained by the U.S. government or hiring organization or entity to confirm employment and faithful and valuable service to the U.S. government; and
- **6.** A copy of the front and back of your Form I-94 Arrival-Departure Record, if you are physically present in the United States.

[moved above]

Broadcasters (Select the "Other" category if filing under this classification.) [subheader]

Under section 203(b)(4) of the INA, the International Broadcasting Bureau of the United States Broadcasting Board of Governors (BBG), or a grantee of the BBG, may petition for a beneficiary (and the beneficiary's accompanying spouse and children) to work as a broadcaster for the BBG or a grantee of the BBG in the United States. For the purposes of this section, the terms:

- 1. BBG grantee means Radio Free Asia, Inc. (RFA), Radio Free Europe/Radio Liberty, Inc. (RFE/RL), or the Middle East Broadcasting Network (MBN); and
- **2. Broadcaster** means a reporter, writer, translator, editor, producer, or announcer

Comment [U4]: Thank you for your suggested edit of adding ",", however, it is not consistent with the overall grammar standards used in all USCIS forms.

	for news broadcasts; hosts for news broadcasts, news analysis, editorial and other broadcast features; or a news analysis specialist. The term broadcaster does not include individuals performing purely technical or support services for the BBG or a BBG grantee.
	All Form I-360 petitions submitted by the BBG or a BBG grantee on behalf of a beneficiary for a broadcaster position with the BBG or BBG grantee must be accompanied by a signed and dated supplemental attestation that contains the following information about the beneficiary:
	1. The job title and a full description of the job to be performed; and
	2. The broadcasting expertise held by the beneficiary, including how long the beneficiary has been performing duties that relate to the prospective position or a statement as to how the beneficiary possesses the necessary skills that make him or her qualified for the broadcasting-related position within the BBG or BBG grantee.
	Follow the instructions on Form I-360 on where to file your petition.
	Petitioning for Employment-Based Fourth Preference (EB-4) Special Immigrant Status [subheader]
	To petition for an EB-4 special immigrant, your employer must file Form I-360. However, there are certain situations where you, the employee, may self-petition on your own behalf. Review the petition instructions to see if you are eligible to self-petition and what required supporting evidence needs to be included.
Page 7, General Instructions	[Page 10] USCIS provides forms free of charge through the USCIS Web site. In order to view, print, or fill out our forms, you should use the latest version of Adobe Reader, which you can download for free at http://get.adobe.com/reader/ . If you do not have Internet access, you may call the

Each petition must be accompanied by the appropriate filing fee.

If you are under 14 years of age, your parent or legal guardian may sign the petition on your behalf.

Evidence. You must submit all required initial evidence along with all the supporting documentation with your application at the time of filing.

Copies. Unless specifically required that an original document be filed with an application or petition, an ordinary legible

USCIS National Customer Service Center at **1-800-375-5283** and ask that we mail a form to you.

Signature. Each petition must be properly signed and filed. For all signatures on this petition, USCIS will not accept a stamped or typewritten name in place of a signature. If you are under 14 years of age, your parent or legal guardian may sign the petition on your behalf. A legal guardian may also sign for a mentally incompetent person.

Filing Fee. Each petition must be accompanied by the appropriate filing fee. (See the **What Is the Filing Fee** section of these instructions.)

Biometric Services Fee. If you file this petition with USCIS, you do not need to include a biometric services fee at the time you submit it. If you are later notified that you must submit biometrics, you will receive a biometric services appointment notice with instructions on how to submit the additional biometric services fee. If you file this petition with an agency other than USCIS, please check with that agency to determine if and when you must submit biometric services fees.

Evidence. At the time of filing, you must submit all evidence and supporting documentation listed in these instructions.

Acknowledgement of Appointment at USCIS Application Support Center. Review the Application Support Center (ASC) Acknowledgement that appears in Part 11. of the petition. The purpose of this acknowledgement is to confirm that you have completed your petition, reviewed your responses, and verified that the information was provided by you and is complete, true, and correct. If someone helped you fill out your petition, that person must review the ASC Acknowledgement with you to make sure you understand it.

Copies. You may submit legible photocopies of documents requested, unless the instructions specifically state that you

photocopy may be submitted. Original documents submitted when not required will remain a part of the record, even if submission was not required.

Translations. Any document containing foreign language submitted to USCIS must be accompanied by a full English language translation which the translator has certified as complete and accurate, and by the translator's certification that he or she is competent to translate from the foreign language into English.

How to Fill Out Form I-360

- 1. Type or print legibly in black ink.
- 2. If extra space is needed to complete any item, attach a continuation sheet, write your name and Alien Registration Number (A-Number) (if any), at the top of each sheet of paper, indicate the Part and item number to which your answer refers, and date and sign each sheet.
- **3.** Answer all questions fully and accurately. If an item is not applicable or the answer is "none," leave the space blank.

- **4.** Every petition must be properly signed and filed. A photocopy of a signed petition or a typewritten name in place of a signature is not acceptable.
- 5. Regarding the I-94 or travel document: Provide the I-94 number which may have been received from U.S. Customs and Border Protection upon arrival and

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, petition, or request. If you submit original documents when not required, the documents may remain a part of the record, and USCIS will not automatically return them to you.

Translations. If you submit a document with information in a foreign language, you must also submit a full English translation. The translator must sign a certification that the English language translation is complete and accurate, and that the translator is competent to translate from the foreign language into English.

How to Fill Out Form I-360

- 1. Type or print legibly in black ink.
- 2. If you need extra space to complete any item within this petition, use the space provided in Part 14. Additional Information or attach a separate sheet of paper; type or print your name and Alien Registration Number (A-Number) (if any) at the top of each sheet; indicate the Page Number, Part Number, and Item Number to which your answer refers; and sign and date each sheet.
- **3.** Answer all questions fully and accurately. If a question does not apply to you (for example, if you have never been married and the question asks "Provide the name of your current spouse"), type or print "N/A," unless otherwise directed. If your answer to a question which requires a numeric response is zero or none (for example, "How many children do you have?" or "How many times have you departed the United States?"), type or print "None," unless otherwise directed.

[Delete.]

4. Part 3. Information About the Person Whom This Petition Is Being Filed, Item Numbers 9. - 15. Form I-94 Arrival-Departure Record. If U.S. Customs and admission to the United States, or from U.S. Citizenship and Immigration Services if immigration status was granted within the United States. The I-94 number is on the Form I-94 Arrival-Departure Record, which may be noted as the Departure Number on some versions. If CBP did not provide a Form I-94 upon arrival/admission to the United States, a print out of the Form I-94 may be obtained according to the instructions provided by CBP. Also, provide the date of arrival and the date that the current nonimmigrant status expired or will expire.

Border Protection (CBP) or USCIS issued you a Form I-94, Arrival-Departure Record, provide your I-94 admission number and date that your authorized period of stay expires or expired (as shown on the Form I-94). The I-94 admission number also is known as the Departure Number on some versions of Form I-94.

If a passport was used upon the last admission to the United States, enter that passport number in the space provided even if the passport is now expired. Also provide the country of issuance and expiration date. If a travel document other than a passport was used to enter the United States, enter this information in the spaces where "Travel Document" data is requested.

[Page 11]

NOTE: If you were admitted to the United States by CBP at an airport or seaport after April 30, 2013, you may have been issued an electronic Form I-94 by CBP, instead of a paper Form I-94. You may visit the CBP Web site at www.cbp.gov/i94 to obtain a paper version of an electronic Form I-94. CBP does not charge a fee for this service. Some travelers admitted to the United States at a land border, airport, or seaport, after April 30, 2013, with a passport or travel document, who were issued a paper Form I-94 by CBP, may also be able to obtain a replacement Form I-94 from the CBP Web site without charge. If your Form I-94 cannot be obtained from the CBP Web site, it may be obtained by filing Form I-102, Application for Replacement/Initial Nonimmigrant Arrival-Departure Record, with USCIS. USCIS does charge a fee for this service.

A travel document is an identity document issued by a government or an international treat organization to facilitate the movement of individuals or small groups of persons across international boundaries. This may include, but is not limited to, laissez-passer and emergency passports, United Nations travel documents, and refugee travel documents.

Passport and Travel Document Numbers. If you used a passport or travel document to travel to the United States, enter either the passport or travel document information in the appropriate space on the petition, even if the passport or travel document is currently expired.

5. Part 11. Petitioner's Statement, Contact Information, Acknowledgement of Appointment at USCIS Application Support Center, Certification, and Signature. Select the appropriate box to indicate that you either read this petition yourself or someone interpreted this

petition for you from English to a language in which you are fluent. If applicable, select the box to indicate if someone prepared this petition for you. You must also affirm that you have read and understand (or that an interpreter or preparer read to you, and you understand) the Acknowledgement of Appointment at **USCIS Application Support Center** in Part 11. Further, you must sign and date your petition and provide your daytime telephone number, mobile telephone number (if any), and email address (if any). Every petition MUST contain the signature of the petitioner (or parent or legal guardian, if applicable). A typewritten name in place of a signature is not acceptable.

6. Part 12. Interpreter's Contact Information, Certification, and **Signature.** If you used an interpreter to read the instructions and questions on this petition to you in a language in which you are fluent, the interpreter must fill out this section, provide his or her name, the name and address of his or her business or organization (if any), his or her daytime telephone number, and his or her email address (if any). The interpreter must also certify that he or she has read Part 11. **Acknowledgement of Appointment at USCIS Application Support Center** to you in the same language in which you are fluent. The interpreter must sign and date the petition.

7. Part 13. Contact Information, Statement, Certification, and Signature of the Person Preparing this Petition, If Other Than the Petitioner. This section must contain the signature of the person who completed your petition, if other than you, the petitioner. If the same individual acted as your interpreter and your preparer, that person should complete both Part 12. and **Part 13.** If the person who completed this petition is associated with a business or organization, that person should complete the business or organization name and address information. Anyone who helped you prepare this petition MUST sign and date the petition. A stamped or typewritten name in place of a signature is not acceptable. Anyone who helped you

		prepare your petition must also certify that he or she has read the Acknowledgement of Appointment at USCIS Application Support Center to you, and that you informed him or her that you understood the ASC Acknowledgement. If the person who helped you prepare your petition is an attorney or accredited representative, he or she must also submit a completed Form G-28, Notice of Entry of Appearance as Attorney or Accredited Representative, along with your petition.
		We recommend that you print or save a copy of your completed petition to review in the future and for your records. If you must appear for a biometric services appointment at a USCIS ASC, we recommend that you review your copy of your completed petition before you come to your appointment. At your appointment, USCIS will permit you to complete the application process only if you are able to confirm, under penalty of perjury, that all of the information in your petition is complete, true, and correct. If you are not able to make that attestation in good faith at that time, USCIS will require you to return for another appointment.
Pages 7 and 8, What Is the Filing Fee?	The filing fee for Form I-360 is \$405, except there is no fee if filing for an Amerasian; a Special Immigrant Juvenile; as a self-petitioning battered or abused spouse or child of a U.S. citizen or lawful permanent resident; an Iraqi national who worked for or on behalf of the U.S. Government in Iraq; or an Afghan national who worked for or on behalf of the U.S. Government in Afghanistan.	The filing fee for Form I-360 is \$405, except there is no filing fee if filing for: 1. An Amerasian; 2. A Special Immigrant Juvenile; 3. A self-petitioning battered or abused spouse or child of an abusive U.S. citizen or lawful permanent resident; [Page 12] 4. A self-petitioning battered or abused parent of an abusive U.S. citizen son or daughter; 5. An Iraq National who worked for or on behalf of the U.S. government in Iraq; or 6. An Afghanistan National who worked for or on behalf of the U.S. government in Afghanistan.

Use the following guidelines when you

Use the following guidelines when you

prepare your check or money order for Form I-360 fee:

- 1. The check or money order must be drawn on a bank or other financial institution located in the United States, and must be payable in U.S. currency; and
- 2. Make the check or money order payable to U.S. Department of Homeland Security.

NOTE: Spell out U.S. Department of Homeland Security; do not use the initials "USDHS" or "DHS."

Notice to Those Making Payment by Check. If you send us a check, it will be converted into an electronic funds transfer (EFT). This means we will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will usually take 24 hours and will be shown on your regular account statement.

You will not receive your original check back. We will destroy your original check, but we will keep a copy of it. If the EFT cannot be processed for technical reasons, you authorize us to process the copy in place of your original check. If the EFT cannot be completed because of insufficient funds, we may try to make the transfer up to two times.

How to Check If the Fees Are Correct

The fee on this form is current as of the edition date appearing in the lower right corner of this page. However, because USCIS fees change periodically, you can verify if the fees are correct by following one of the steps below:

1. Visit the USCIS Web site at www.uscis.gov, select "FORMS," and check the appropriate fee; or

prepare your check or money order for the Form I-360 filing fee:

- 1. The check or money order must be drawn on a bank or other financial institution located in the United States and must be payable in U.S. currency; and
- 2. Make the check or money order payable to U.S. Department of Homeland Security.

NOTE: Spell out U.S. Department of Homeland Security; do not use the initials "USDHS" or "DHS."

3. If you live outside the United States, contact the nearest U.S. Embassy or U.S. Consulate for instructions on the method of payment.

Notice to Those Making Payment by Check. If you send us a check, USCIS will convert it into an electronic funds transfer (EFT). This means we will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will usually take 24 hours and your bank will show it on your regular account statement.

You will not receive your original check back. We will destroy your original check, but will keep a copy of it. If USCIS cannot process the EFT for technical reasons, you authorize us to process the copy in place of your original check. If USCIS cannot complete the EFT because of insufficient funds, we may try to make the two additional times.

How to Check If The Fees Are Correct

Form I-360 filing fee is current as of the edition date appearing in the lower left corner of this page. However, because USCIS fees change periodically, you can verify that the fees are correct by following one of the steps below.

1. Visit the USCIS Web site at www.uscis.gov, select "FORMS," and check the appropriate fee; or

Comment [U5]: Thank you for your suggested edit ("U.S. Department of Homeland Security". However, it is not consistent with the overall standards used in all USCIS forms.

OIDP's Forms Management Branch (FMB) and OCC and have worked for several months with DOJ, ICE, CBP, and OGC-Immigration to obtain their review, suggestions, and concurrence on new applicant, preparer, and interpreter statements. It was also reviewed by the USCIS desk officer at OMB. The language in standard sections that the Front Office wants to revise is part of the product from that effort. The language may not be perfect, but if we revise it we must obtain agreement from the outside stakeholders who have previously concurred with the language. For that reason, we would prefer to maintain it as is, as noted in the comment bubbles below.

If you feel strongly that the language is deficient and the edits are required, we will revise it as you suggest and work with OCC again to send it to DOJ, ICE, CBP, and OGC for their agreement. Please understand that the changes you request here affect every other USCIS collection for public use. Currently, these changes would impact more than 25 collections in various stages of revision (public comment, DHS review, OMB review, etc).

	2. Telephone the USCIS National	2. Call the USCIS National Customer
	Customer Service Center at 1-800-375-	Service Center at 1-800-375-5283 and ask
	5283 and ask for the fee information. For	for the fee information. For TTY (hearing
	TDD (hearing impaired) call 1-800-767-	impaired) call: 1-800-767-1833.
	1833.	1
	1000	
Page 8, Where to File?	Please see our Web site at	Please see our Web site at
rage o, where to rue.	www.uscis.gov/I-360 or call the USCIS	www.uscis.gov/I-360 or call our National
	National Customer Service Center at 1-	Customer Service Center at 1-800-375-
	800-375-5283 for the most current	5283 for the most current information about
	information about where to file this benefit	where to file this petition. For TTY (deaf
	request. For TDD (hearing impaired) call:	or hard of hearing) call: 1-800-767-1833.
	1-800-767-1833.	
Page 8, Address Changes	Address Changes	Address Change
	If you have changed your address, you	You must notify USCIS of your new
	must inform USCIS of your new address.	address within 10 days of moving from
	For information on filing a change of	your previous residence. For information
	address go to the USCIS Web site at	on filing a change of address go to the
	www.uscis.gov/ addresschange or contact	USCIS Web site at
	the USCIS National Customer Service	www.uscis.gov/addresschange or contact
	Center at 1-800-375-5283.	the USCIS National Customer Service
		Center at 1-800-375-5283 . For TTY (deaf
		or hard of hearing) call: 1-800-767-1833 .
	NOTE: Do not submit a change of address	NOTE: Do not submit a change of address
	request to USCIS Lockbox facilities	request to USCIS Lockbox facilities
	because USCIS Lockbox facilities do not	because these facilities do not process
	process change of address requests.	change of address requests.
Page 8, Processing	Processing Information	Processing Information
Information	Trocessing information	1 Tocossing Information
Intol mation	Any Form I-360 that is not signed or	USCIS will reject any Form I-360 that is
	accompanied by the correct fee will be	not signed or accompanied by the correct
	rejected with a notice that Form I-360 is	filing fee and send you a notice that
	deficient. You may correct the deficiency	Form I-360 is deficient. You may correct
	and resubmit Form I-360. An application or	the deficiency and resubmit Form I-360. A
	petition is not considered properly filed	petition is not considered properly filed
	until accepted by USCIS.	until accepted by USCIS.
	Initial processing Once Form I 240 has	Initial Processing Once LICCIS accepts
	Initial processing. Once Form I-360 has	Initial Processing. Once USCIS accepts
	been accepted, it will be checked for	your petition, we will check it for
	completeness, including submission of the	completeness. If you do not completely fill
	required initial evidence. If you do not	out this petition, you will not establish a
	completely fill out the form, or file it	basis for your eligibility and USCIS may
	without required initial evidence, you will	reject or deny your petition.
	not establish a basis for eligibility, and we	
	may deny your petition.	
		[Page 13]
	Request for more information or	Request for More Information. We may
	interview . We may request more	request that you provide more information
	information or evidence, or we may request	or evidence to support your petition. We
	that you appear at a USCIS office for an	may also request that you provide the
	J Tr	1 2 2 2 1 1 1 2 2 2 2 2 2 2 2 2 2 2 2 2

	interview. We may also request that you submit the originals of any copy. We will return these originals when they are no longer required. Decision. If you establish that the person this petition is for is eligible for the requested classification, we will approved the petition. We will send it to the U.S. Embassy or consulate for visa issuance, unless he or she is in the United States and appears eligible and intends to apply for adjustment to Permanent resident status while here. If you do not establish eligibility, we will deny the petition. We will notify you in writing of our decision.	originals of any copies you submit. USCIS will return any requested originals when they are no longer needed. Decision. The decision on Form I-360 involves a determination of whether you have established eligibility for the immigration benefit you are seeking. USCIS will notify you of the decision in writing.
Page 8, USCIS Forms and Information	To ensure you are using the latest version of this form, visit the USCIS Web site at www.uscis.gov where you can obtain the latest USCIS forms and immigration-related information. If you do not have internet access, you may order USCIS forms by calling our toll-free number at 1-800-870-3676. You may also obtain forms and information by telephoning our USCIS National Customer Service Center at 1-800-375-5283. For TDD (hearing impaired) call: 1-800-767-1833. As an alternative to waiting in line for assistance at your local USCIS office, you can now schedule an appointment through USCIS Intenet-based system, InfoPass. To access the system, visit USCIS Web site. Use the InfoPass appointment scheduler and follow the screen prompts to set up your appointment. InfoPass generates an electronic appointment notice that appears on the screen.	To ensure you are using the latest version of this petition, visit the USCIS Web site at www.uscis.gov where you can obtain the latest USCIS forms and immigration-related information. If you do not have Internet access, you may order USCIS forms by calling our toll-free number at 1-800-870-3676. You may also obtain forms and information by calling the USCIS National Customer Service Center at 1-800-375-5283. For TTY (deaf or hard of hearing) call: 1-800-767-1833. Instead of waiting in line for assistance at your local USCIS office, you can now schedule an appointment through our online system, InfoPass, at infoPass , as infoPass appointment scheduler and follow the screen prompts to set up your appointment. InfoPass generates an electronic appointment notice that appears on the screen.
Page 8, Penalties	If you knowingly and willfully falsify or conceal a material fact or submit a false document with your Form I-360, we will deny Form I-360 and may deny any other immigration benefit. In addition, you will face severe penalties provided by law and may be subject to criminal prosecution.	If you knowingly and willfully falsify or conceal a material fact or submit a false document with your Form I-360, we will deny your Form I-360 and may deny any other immigration benefit. In addition, you will face severe penalties provided by law and may be subject to criminal prosecution.
Page 9, USCIS Compliance Review and Monitoring	By signing this form, you have stated under penalty of perjury (28 U.S.C.1746) that all	[moved from below.] By signing this petition, you have stated under penalty of perjury (28 U.S.C. section

information and documentation submitted with this form is true and correct. You also have authorized the release of any information from your records that USCIS may need to determine eligibility for the benefit you are seeking and consented to USCIS' verification of such information.

1746) that all information and documentation submitted with this petition is complete, true, and correct. You also authorize the release of any information from your records that USCIS may need to determine eligibility for the immigration benefit you are seeking and consent to USCIS verifying such information.

The Department of Homeland Security has the right to verify any information you submit to establish eligibility for the immigration benefit you are seeking at any time. Our legal right to verify this information is in 8 U.S.C. 1103, 1155, 1184, and 8 CFR parts 103, 204, 205, and 214. To ensure compliance with applicable laws and authorities, USCIS may verify information before or after your case has been decided. Agency verification methods may include but are not limited to: review of public records and information; contact via written correspondence, the Internet, facsimile or other electronic transmission, or telephone; unannounced physical site inspections of residences and places of employment; and interviews. Information obtained through verification will be used to assess your compliance with the laws and to determine your eligibility for the benefit sought.

DHS has the authority to verify any information you submit to establish eligibility for the immigration benefit you are seeking at any time. USCIS' legal authority to verify this information is in 8 U.S.C. sections 1103, 1155, and 1184 and 8 CFR Parts 103, 204, 205, and 214. To ensure compliance with applicable laws and authorities, USCIS may verify information before or after your case is decided.

Agency verification methods may include, but are not limited to: review of public records and information; contact via written correspondence, the Internet, facsimile, other electronic transmission, or telephone; unannounced physical site inspections of residences and locations of employment; and interviews. USCIS will use information obtained through verification to assess your compliance with the laws and to determine your eligibility for an immigration benefit.

Subject to the restrictions under 8 CFR part 103.2(b)(16), you will be provided an opportunity to address any adverse or derogatory information that may result from a USCIS compliance review, verification, or site visit after a formal decision is made on your case or after the agency has initiated an adverse action which may result in revocation or termination of an approval.

Subject to the restrictions under 8 CFR 103.2(b)(16), USCIS will provide you with an opportunity to address any adverse or derogatory information that may result from a USCIS compliance review, verification, or site visit after a formal decision is made on your case or after the agency has initiated an adverse action which may result in revocation or termination of an approval.

Page 9, USCIS Privacy Act Statement

AUTHORITIES: The information requested on this form, and the associated evidence, is collected under the Immigration and Nationality Act section 222, 8 U.S.C. sections 1107(a)(27), 1103, 1153(b), and 1202, and 8 CFR parts 103 and 204.

AUTHORITIES: The information requested on this petition, and the associated evidence, is collected under the Immigration and Nationality Act section 222, 8 U.S.C. sections 1107(a)(27), 1103, 1153(b), and 1202, and 8 CFR parts 103 and 204.

PURPOSE: The primary purpose for

[Page 14]

PURPOSE: The primary purpose for

providing the requested information on this form is to petition for an immigrant visa for certain special immigrants. The information you provide will be used to grant or deny the benefit.

providing the requested information on this petition is to determine if you have established eligibility for the immigration benefit for which you are filing. 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, and any requested evidence, may delay a final decision or result in denial of your form.

DISCLOSURE: The information you provide is voluntary. However, failure to provide the requested information, and any requested evidence, may delay a final decision in your case or result in denial of your petition.

ROUTINE USES: The information you provide on this benefit petition may be shared with other federal, state, local, and foreign government agencies and authorized organizations in accordance with approved routine uses, as described in the associated published system of records notices [DHS-USCIS-007 - Benefits Information System and DHS/USCIS/ICE/CBP-001 - Alien File, Index, and National File Tracking System, which can be found at www.dhs.gov/privacy]. The information may also be made available, as appropriate, for law enforcement purposes or in the interest of national security.

ROUTINE USES: DHS may share the information you provide on this petition 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-007 - Benefits Information System and DHS-USCIS-001 - Alien File, Index, and National File Tracking System of Records], which you can find at www.dhs.gov/privacy. DHS may also share the information be made available, as appropriate, for law enforcement purposes or in the interest of national security.

Page 9, Paperwork Reduction Act

An agency may not conduct or sponsor an information collection and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. The public reporting burden for this collection of information is estimated at 2 hours and 5 minutes per response (except 3 hours and 5 minutes per response for Iraqi Nationals who were employed by or on behalf of the U.S. Government in Iraq, and 2 hours and 20 minutes per response for Religious Workers), including the time for reviewing instructions and completing and submitting the form. 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 Control No. 1615-0020. Do not mail your completed Form I-360 to this

An agency may not conduct or sponsor an information collection, and a person is not required to respond to a collection of information, unless it displays a currently valid OMB control number. The public reporting burden for this collection of information is estimated at 2 hours and 5 minutes per response (except 3 hours and 5 minutes per response for Iraqi or Afghan Nationals who were employed by or on behalf of the U.S. government in Iraq or Afghanistan, and 2 hours and 20 minutes per response for Religious Workers), including the time for reviewing instructions, gathering the required documentation and information, completing the petition, preparing statement, 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