



Instructions for Petition for Alien Fiancé(e)

Department of Homeland Security
U.S. Citizenship and Immigration Services

USCIS
Form I-129F
OMB No. 1615-0001
Expires 06/30/2016

What is the Purpose of Form I-129F?

Use this petition to classify:

1. Your alien fiancé(e) as a K-1 nonimmigrant so that he or she may enter the United States to marry you and pursue adjustment of status to lawful permanent resident; or
2. Your alien spouse as a K-3 nonimmigrant, so that he or she may enter the United States to await the availability of an immigrant visa and pursue adjustment of status to lawful permanent resident.

NOTE: A child (unmarried and under 21 years of age) of a K-1 or K-3 nonimmigrant may apply for a nonimmigrant visa to accompany or follow-to-join the K-1 or K-3 parent. You do not need to file a separate petition to classify the child as a K nonimmigrant. Children of K-1s are classified as K-2 nonimmigrants, and children of K-3s are classified as K-4 nonimmigrants.

NOTE: A K-4 nonimmigrant is only eligible to adjust to lawful permanent resident status if he or she is under 18 years of age when you and the K-3 parent marry and you file Form I-130 on the K-4's behalf before the K-4 reaches 21 years of age.

Who May File Form I-129F?

You may file this petition if you are a U.S. citizen and:

1. You and your fiancé(e):
 - A. Are legally free to marry and intend to marry within 90 days of your fiancé(e)'s admission to the United States; and
 - B. Have met each other in person within the two years immediately before you filed this petition, unless you establish that either:
 - (1) The requirement to meet your fiancé(e) in person would violate strict and long-established customs of your fiancé(e)'s foreign culture or social practice, and that any and all aspects of the traditional arrangements have been or will be met in accordance with the custom or practice; or
 - (2) The requirement to meet your fiancé(e) in person would result in extreme hardship to you; or
2. You have filed or are filing Form I-130, Petition for Alien Relative, on behalf of your spouse and wish to have your spouse enter as a nonimmigrant to await the immediate availability of an immigrant visa and to file for adjustment of status.

NOTE: If you have children with your beneficiary, they might have acquired U.S. citizenship through you. Check the U.S. Department of State (DOS) Web site at <http://travel.state.gov> for more information.

General Instructions

U.S. Citizenship and Immigration Services (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 USCIS National Customer Service Center at 1-800-375-5283 and ask that we mail a form to you. For TTY (deaf or hard of hearing) call: 1-800-767-1833.

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 a biometric services fee.

Evidence. At the time of filing, you must submit all evidence and supporting documentation listed in the **What Evidence Should You Submit** section of these instructions.

Biometric Services Appointment. USCIS may require that you appear for an interview or provide fingerprints, photograph, and/or signature at any time to verify your identity, obtain additional information, and conduct background and security checks, including a check of criminal history records maintained by the Federal Bureau of Investigation (FBI), before making a decision on your petition. After USCIS receives your petition and ensures it is complete, we will inform you in writing if you need to attend a biometric services appointment or, if you are currently overseas, instruct you to contact a U.S. Embassy, U.S. Consulate, or USCIS office outside the United States to set up an appointment. If an appointment is necessary, the notice will provide you the location of your local or designated USCIS Application Support Center (ASC) and the date and time of your appointment. If you fail to attend your biometric services appointment, USCIS may deny your petition.

Acknowledgement of Appointment at USCIS Application Support Center. Review the ASC Acknowledgement that appears in **Part 5.** of the petition. The purpose of this ASC Acknowledgement is to confirm that you have completed your petition, reviewed your responses, and affirmed that the information was provided by you and is complete, true, and correct. If someone helped you fill out your petition, the 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 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 certificate that the English language translation is complete and accurate, and that he or she is competent to translate from the foreign language into English.

How To Fill Out Form I-129F

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 8. 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.

Specific Instructions

Part 1. Information About You

Item Number 1. Alien Registration Number (A-Number) (if any). Your A-Number is used to identify your immigration records. You can find this number on documents you received from USCIS, Immigration and Customs Enforcement (ICE), Customs and Border Protection (CBP), the Department of Justice (DOJ), Executive Office for Immigration Review (EOIR), and/or DOS.

Item Number 2. USCIS ELIS Account Number (if any). If you have previously filed an application, petition, or request using the USCIS Electronic Immigration System (USCIS ELIS), provide the USCIS ELIS Account Number you were issued by the system. The USCIS ELIS Account Number is not the same as an A-Number. If you were issued a USCIS ELIS Account Number, enter it in the space provided.

Item Number 3. U.S. Social Security Number (if any). Provide your U.S. Social Security Number.

Item Numbers 4.a. - 5. Classification Requested. Select the box that indicates whether you are filing for your fiancé(e) or your spouse. If you are filing for your spouse, indicate whether you have filed Form I-130 on that beneficiary's behalf. You must include evidence that you filed Form I-130. Evidence may include a concurrently filed Form I-130, a Form I-797 Receipt or Approval Notice for Form I-130, a printout from the USCIS Web site showing a pending or approved Form I-130, or the receipt number for your Form I-130.

Item Numbers 6.a. - 6.c. Your Full Name. Provide your full legal name.

Item Numbers 7.a. - 7.c. Other Names Used. Provide any other names you have used including your maiden name and nicknames. If you have used additional names, provide them in **Part 8. Additional Information**.

Item Numbers 8.a. - 8.j. Your Mailing Address. Provide the address where you would like to receive written correspondence regarding this petition. Indicate whether your mailing address is the same as the place you reside (physical address).

Item Numbers 9.a. - 9.h. Your Physical Address. If the place where you reside is different from your mailing address, provide the address where you currently reside.

Item Number 10. Gender. Indicate whether you are male or female.

Item Number 11. Date of Birth. Provide your date of birth in mm/dd/yyyy format.

Item Number 12. Marital Status. Indicate your current marital status.

Item Numbers 13. - 15. Place of Birth. Provide the name of the city or town, province or state, and country where you were born.

Item Numbers 16. - 18. Name of Previous Spouse. Indicate whether you have been previously married. If you answered "Yes," provide the full names of each previous spouse and the date that each marriage ended. If you have more than one previous spouse, use **Part 8. Additional Information** to respond to these questions for each person.

Item Numbers 19.a. - 21.c. Your Citizenship Information. Select the box that describes how you obtained your U.S. citizenship. Indicate whether you obtained a Certificate of Naturalization or a Certificate of Citizenship and provide the date and place the document was issued.

Item Numbers 22. - 26. Previous filings. Indicate whether you have ever filed another Form I-129F for any other spouse or fiancé(e). If you respond "Yes," provide that person's full name and the person's A-Number (if any). Provide the date you filed the petition and the final action taken (for example, petition approved, denied, revoked, or withdrawn). If you have filed for more than one previous spouse or fiancé(e), use **Part 8. Additional Information** to respond to these questions for each beneficiary.

Item Numbers 27. - 28.b. Ages of Children. Indicate whether you have any children under 18 years of age. If you answered "Yes," provide the age for each of your children under 18 years of age. If you need extra space to complete this section, use the space provided in **Part 8. Additional Information**.

Item Numbers 29.a. - 30.b. Places You Have Resided. Provide all of the U.S. states and foreign countries in which you have resided since you reached 18 years of age. If you need extra space to complete this section, use the space provided in **Part 8. Additional Information**.

Part 2. Information About Your Beneficiary

Item Numbers 1.a. - 1.c. Your Beneficiary's Full Name. Provide your beneficiary's full legal name.

Item Number 2. A-Number (if any). Provide your beneficiary's A-Number. Your beneficiary may have an A-Number which is used to identify his or her immigration records. Your beneficiary can find this number on documents he or she received from USCIS, ICE, CBP, EOIR, or DOS.

Item Number 3. U.S. Social Security Number (if any). Provide your beneficiary's U.S. Social Security Number.

Item Number 4. Date of Birth. Provide your beneficiary's date of birth in mm/dd/yyyy format.

Item Number 5. Gender. Indicate whether your beneficiary is male or female.

Item Number 6. Marital Status. Indicate your beneficiary's current marital status.

Item Numbers 7. - 9. Place of Birth. Provide the name of the city or town and country where your beneficiary was born.

Item Numbers 10.a - 10.c. Other Names Used. Provide any other names your beneficiary may have used including their maiden name and nicknames. If you need extra space to complete this section, use the space provided in **Part 8. Additional Information.**

Item Numbers 11.a. - 11.i. Mailing Address for Your Beneficiary. Provide your beneficiary's current mailing address. Provide the mailing address in the United States, if he or she has one.

Item Numbers 12. - 14. Name of Previous Spouse. Indicate whether your beneficiary has ever been previously married. If you answered "Yes," provide the full name of your beneficiary's previous spouse and the date that each marriage ended. If your beneficiary has more than one previous spouse, use the space provided in **Part 8. Additional Information** to respond to these questions for each spouse.

Item Numbers 15. - 16.h. Form I-94 Arrival-Departure Record. Select the box to indicate whether your beneficiary has ever been in the United States. Provide the date of your beneficiary's **most recent entry** in the United States, his or her I-94 Arrival-Departure Record Number, if available, and his or her immigration status at the time of arrival (for example, student, tourist, temporary worker, without inspection). Provide the expiration date and identification numbers on the I-94 or I-95 Arrival-Departure Records, travel document, and/or passports. See the **What Evidence Should You Submit** section of these instructions for additional information.

If your beneficiary was admitted to the United States by CBP at an airport or seaport after April 30, 2013, **he or she** 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.

Item Numbers 17. - 22.h. Children of Beneficiary. Indicate whether your beneficiary has any children. If you answered "Yes," provide information about each child of your beneficiary. Include the child's full name, country of birth, and date of birth. If the child resides at a different address than your beneficiary, provide the address where the child currently resides. If your beneficiary has more than one child, use **Part 8. Additional Information** to respond to **Item Numbers 17. - 22.h.** for each child.

Item Numbers 23.a. - 24. Address in the United States Where Your Beneficiary Intends to Live. Provide the address and daytime telephone number where your beneficiary intends to live when he/she arrives in the United States.

Item Numbers 25.a. - 26. Your Beneficiary's Physical Address Abroad. Provide the address and daytime telephone number where your beneficiary currently resides abroad.

Item Numbers 27.a. - 28.f. Your Beneficiary's Name and Address in His or Her Native Alphabet. If your beneficiary's native alphabet does not use Roman letters, provide his or her name and physical address abroad in the native alphabet. Otherwise, skip to the next question (**Item Number 29.**).

Item Numbers 29. - 30. Is Your Beneficiary Related to You? Indicate whether you and your beneficiary have a familial relationship and if so, describe the nature and degree of relationship (for example, second cousins, maternal aunt or uncle). Select "N/A" if the beneficiary is your spouse.

Item Numbers 31. - 32. Have you and your fiancé(e) met in person during the two years immediately before filing this petition? Indicate whether you and your fiancé(e) have seen each other in person during the two year period immediately **before** to filing your petition. Select "N/A" if the beneficiary is your spouse.

If you respond "Yes" to **Item Number 31.**, use **Item Number 32.** to describe the circumstances of your in-person meeting. Attach evidence to demonstrate that you were in each other's physical presence during the required two year period. If you need extra space to complete this section, use the space provided in **Part 8. Additional Information.**

If you respond “No” to **Item Number 31.**, explain in detail any reasons you may have for requesting an exemption from the requirement that you and your fiancé(e) must have met in person during **the two** years immediately before **filing this** petition in **Item Number 32.** You must request a waiver and demonstrate that meeting in person would have posed an extreme hardship on you or violated strict and long-established customs of your fiancé(e)’s foreign culture or social practice, and that any and all aspects of the traditional arrangements have been or will be met in accordance with the custom or practice. Include evidence to support your claim. Evidence may include things like medical records, statements from religious leaders, or evidence of immediate danger. If you need extra space to complete this section, use the space provided in **Part 8. Additional Information.**

Select “N/A” in **Item Number 31.** if the beneficiary is your spouse.

Item Numbers 33. - 36. International Marriage Broker (IMB) Information. Indicate whether you met your beneficiary through the service of an IMB. If you respond “Yes,” provide the IMB’s name, organization name, Web site, mailing address, and daytime telephone number. For more information, including the definition of “international marriage broker,” refer to the **What are the Requirements of the International Marriage Broker Regulation Act** section of these instructions.

NOTE: You must also provide **a copy** of the signed, written consent form that the IMB obtained from your beneficiary that authorized the release of the beneficiary’s personal contact information to you. If the consent form is written in any language other than English, you must provide a certified English translation with **the form.**

Item Numbers 37.a. - 37.b. U.S. Embassy or U.S. Consulate Requested. Provide the city or town and country of the U.S. Embassy or U.S. Consulate where your beneficiary will apply for his or her visa.

NOTE: Designation of a U.S. Embassy or U.S. Consulate outside the country in which your beneficiary resides does not guarantee acceptance for processing by that foreign post. Acceptance is at the discretion of the designated U.S. Embassy or U.S. Consulate.

NOTE: Under U.S. immigration law, a foreign national who marries a U.S. citizen outside the United States and seeks a K-3 visa must apply for the K-3 visa in the country where the marriage took place. In the event you and your spouse were married in the United States, you must list the country of your spouse’s (beneficiary’s) current residence in **Part 2., Item Numbers 25.a. - 25.e.**

Part 3. Other Information

Item Numbers 1. - 3.c. Criminal Information. Indicate whether you have ever been the subject of a temporary or permanent protection order or restraining order (either civil or criminal) related to any of the crimes specified below, or arrested, or convicted of any of the crimes specified below. If you were ever arrested or convicted of any of the specified crimes, you must submit certified copies of all court and police records showing the charges and disposition for every arrest or conviction. You must do so even if your records were sealed, expunged, or otherwise cleared, and regardless of whether anyone, including a judge, law enforcement officer, or attorney, informed you that you no longer have a criminal record.

1. Specified Crimes

- A.** Convictions for domestic violence, sexual assault, child abuse or child neglect, dating violence, elder abuse, and stalking or an attempt to commit any such crime:

NOTE: The term “domestic violence” includes felony or misdemeanor crime of violence committed by a person.

- (1) Who is a current or former spouse of the victim;
- (2) With whom the victim shares a child in common;
- (3) Who is cohabitating with or has cohabitated with the victim;
- (4) Who is similarly situated to a spouse of the victim under the domestic or family violence laws of the relevant jurisdiction; or
- (5) Against whom the victim is protected under the jurisdiction’s domestic or family violence laws.

- B.** Convictions for homicide, murder, manslaughter, rape, abusive sexual contact, sexual exploitation, incest, torture, trafficking, peonage, holding hostage, involuntary servitude, slave trade, kidnapping, abduction, unlawful criminal restraint, false imprisonment, or an attempt to commit any of these crimes.

- C.** At least three convictions for crimes relating to a controlled substance or alcohol not arising from a single act.

D. Disclosure of criminal history to beneficiary. If your petition is approved, USCIS will provide a copy of your petition, including the information you submit regarding any protection or restraining orders **or criminal history** to DOS for distribution to the beneficiary of your petition. USCIS also will provide to DOS any criminal background information discovered independently while adjudicating this petition for disclosure to your beneficiary.

NOTE: The name and contact information of any person who was granted a protection or restraining order against you, or of any victim of a crime of violence you perpetrated, will remain confidential. However, DOS will disclose your relationship to this person or victim (for example, spouse, parent, former spouse) to the beneficiary.

Item Number 4.a. Criminal Information. Indicate whether you have ever been arrested, cited, charged, indicted, convicted, fined, or imprisoned for breaking or violating any law or ordinance in any country, for any offenses other than those you have already outlined in the previous section. Unless a traffic incident was alcohol- or drug-related or involved a fine of \$500 or more, you do not need to provide information on it.

Item Number 4.b. Criminal History Documents. If you indicated “Yes” in **Item Number 4.a.**, provide information that explains the circumstances, places, dates, and outcomes for each incident of arrest, citation, charge, indictment, conviction, fine, or imprisonment. You must submit court certified copies of the arrest record and/or disposition for each incident unless you submit a certified statement from the court indicating that no record exists of your arrest, citation, charge, indictment, conviction, fine, or imprisonment.

If you need extra space to complete this section, use the space provided in **Part 8. Additional Information.**

Item Numbers 5.a. - 5.d. Multiple Filer Waiver Request. You must request a waiver of the International Marriage Broker Regulation Act (IMBRA) filing limitations if:

1. You are filing this petition on behalf of your fiancé(e) and you previously filed Form I-129Fs on behalf of two or more fiancé(e) beneficiaries; or
2. You are filing this petition on behalf of your fiancé(e), you have previously had a Form I-129F approved, and less than two years have passed since the filing date of your previously approved petition.

Select the box that indicates the waiver you are requesting. You may request and support your waiver with additional information and/or explanation in **Part 8. Additional Information**, or by attaching a signed and dated letter according to the instructions for **Part 8.**

If you are filing for your spouse, waivers are not required. Select the box for **Item Number 5.d.** and skip to **Part 4.**

Types of Waivers

Item Number 5.a. General Waiver. If you have never been convicted of a violent criminal offense against a person or persons, submit evidence to show why a waiver is appropriate in your case.

Examples of such evidence may include, but are not limited to: a death certificate, police reports, news articles, or medical reports from a licensed medical professional regarding the death or incapacity of your previous fiancé(e) who was the beneficiary of a fiancé(e) petition you filed.

Item Number 5.b. Extraordinary Circumstances Waiver. If you have ever been convicted of a violent criminal offense against a person or persons, USCIS will not grant a filing limitations waiver unless you submit evidence to demonstrate that extraordinary circumstances exist. In addition to evidence explaining the reasons for your multiple filings, you must also submit evidence of extraordinary circumstances.

Examples of such evidence may include, but are not limited to: police reports, court records, news articles, trial transcripts reflecting the nature and circumstances surrounding your violent criminal offenses, your rehabilitation, ties to the community, or records demonstrating good conduct and exemplary service in the uniformed services.

Item Number 5.c. Mandatory Waiver. If you committed a violent criminal offense against a person or persons, but were battered or subjected to extreme cruelty **by** a family member or intimate partner at the time you committed your violent offenses, and you were not the primary perpetrator of violence in the **relationship, you** violated a protection order intended for your protection; or you committed, were arrested for, were convicted of, or pleaded guilty to committing a crime that did not result in serious bodily injury and there was a connection between the crime committed and you having been battered or subjected to extreme **cruelty, then you must submit evidence explaining the reasons for your multiple filings, as well as evidence that you were acting in self-defense.**

Examples of such evidence may include, but are not limited to: police reports, court records, news articles, trial transcripts, *evidence* you acted in self-defense, evidence you were a victim of abuse or battery, evidence you violated a protection order intended for your protection, and any credible evidence that is relevant to your request for a waiver.

USCIS cannot approve your petition **unless** a waiver of the multiple-filing limitation is granted.

Part 4. Biographic Information

Provide the biographic information requested in **Part 4., Item Numbers 1. - 6.** Providing this information as part of your petition may reduce the time you spend at your USCIS ASC appointment as described in the **Biometric Services Appointment** section of these instructions.

Item Numbers 1. - 2. Ethnicity and Race. Select the boxes that best describe your ethnicity and race.

Categories and Definitions for Ethnicity and Race

- 1. Hispanic or Latino.** A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race. (**NOTE:** This category is only included under Ethnicity in **Part 4., Item Number 1.**)
- 2. White.** A person having origins in any of the original peoples of Europe, the Middle East, or North Africa.
- 3. Asian.** A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.
- 4. Black or African American.** A person having origins in any of the black racial groups of Africa.
- 5. American Indian or Alaska Native.** A person having origins in any of the original peoples of North and South America (including Central America), and who maintains tribal affiliation or community attachment.
- 6. Native Hawaiian or Other Pacific Islander.** A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.

Item Number 3. Height. Select the values that best match your height in feet and inches. For example, if you are five feet and nine inches, select “5” for feet and “09” for inches. Do not enter your height in meters or centimeters.

Item Number 4. Weight. Enter your weight in pounds. If you do not know your weight, or need to enter a weight under 30 pounds or over 699 pounds, enter “000.” Do not enter your weight in kilograms.

Item Number 5. Eye Color. Select the box that best describes the color of your eyes.

Item Number 6. Hair Color. Select the box that best describes the color of your hair.

Part 5. Petitioner’s Statement, Contact Information, Acknowledgement of Appointment at USCIS Application Support Center, Certification, and Signature

Item Numbers 1.a. - 6.b. 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 5.** 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 stamped or typewritten name in place of a signature is not acceptable.

Part 6. Interpreter’s Contact Information, Certification, and Signature

Item Numbers 1.a. - 6.b. If you used anyone as 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 the **Acknowledgement of Appointment at USCIS Application Support Center** in **Part 5.** to you in the same language in which you are fluent. The interpreter must sign and date the petition.

Part 7. Contact Information, Certification, and Signature of the Person Preparing this Petition, If Other Than the Petitioner

Item Numbers 1.a. - 8.b. 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 6.** and **Part 7.** 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** in **Part 5.** 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 or Form G-28I, Notice of Entry of Appearance as Attorney In Matters Outside the Geographical Confines of the United States, along with your petition.

Part 8. Additional Information

Item Numbers 1.a. - 7.b. If you need extra space to provide any additional information within this petition, use the space provided in **Part 8. Additional Information.** If you need more space than what is provided in **Part 8.**, you may make copies of **Part 8.** to complete and file with your petition, or attach a separate sheet of paper. Include your name and 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.

We recommend that you print or save a copy of your completed petition to review in the future and for your records. We recommend that you review your copy of your completed petition before you come to your biometric services appointment at a USCIS ASC. 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.

What Are The Requirements of the International Marriage Broker Regulation Act?

Under the International Marriage Broker Regulation Act (IMBRA), U.S. citizen petitioners are required to disclose information on any permanent protection or restraining order (civil or criminal) related to any specified crime described in **Part 3.** of these instructions, and information on any convictions for any specified crime described in **Part 3.** of these instructions. In addition, IMBRA requires USCIS to maintain a database to track multiple Form I-129Fs filed by the same petitioner. USCIS will notify petitioners upon approval of a second Form I-129F petition they filed and that their information has been entered into a multiple-visa petition tracking database. USCIS will enter into this database all additional Form I-129Fs that the petitioner files.

Once a petitioner has had two Form I-129Fs approved, and if an additional Form I-129F is filed less than 10 years after the date the first Form I-129F was filed, USCIS will notify both the petitioner and the beneficiary of the number of previously approved petitions listed in the database.

IMBRA also imposes requirements on IMBs. IMBs are required to obtain background checks on their U.S. clients and disclose the results of those checks to the foreign national clients before obtaining a foreign national's consent to disclose his or her personal contact information to a U.S. client.

NOTE: The term "international marriage broker" and "IMB" refer to a corporation, partnership, business, individual, or other legal entity, whether or not organized under any law of the United States, that charges fees to provide dating, matrimonial or matchmaking services, or provide social referrals between U.S. citizens/lawful permanent residents and foreign national clients by providing personal contact information or otherwise facilitating communication between individuals.

The term is not used to refer to:

1. Traditional matchmaking organizations of a cultural or religious nature that operate on a non-profit basis and in compliance with the laws of the countries in which they operate, including the laws of the United States; or
2. Entities that provide dating services, but only if:

- A. Their principal business does not provide international dating services between U.S. citizens or lawful permanent residents and foreign nationals; and
- B. They charge comparable rates and offer comparable services to all individuals served regardless of gender or country of citizenship or nationality.

What Evidence Should You Submit?

You must submit all evidence requested in these instructions with your petition. If you fail to submit required evidence, USCIS may reject or deny your petition for failure to submit requested evidence or supporting documents in accordance with 8 CFR 103.2(b)(1) and these instructions.

Submit the primary evidence listed below to support your petition. If a primary evidence document is not available, you must submit a statement from the appropriate civil authority certifying that the primary evidence is not available.

You must **then** submit secondary evidence such as church or school records, baptismal certificates, U.S. census records, or other evidence to support your claim. **If you can establish that secondary evidence is not available, you may** submit two or more sworn affidavits by persons who are not parties to your petition, who were living at the time of the event, and who have direct personal knowledge of the event.

For additional information on required documentation, see the USCIS Web site at www.uscis.gov/I-129F or refer to the regulations in 8 CFR 214.2(k) that governs petitions for nonimmigrant alien fiancé(e)s and spouses.

1. Evidence of U.S. citizenship which may include any of the following:

- A. A copy of your birth certificate issued by a U.S. civil authority;
- B. A copy of your original Certificate of Naturalization;
- C. A copy of your original Certificate of Citizenship;
- D. A copy of your Form FS-240, Report of Birth Abroad of a Citizen of the United States;
- E. A copy of your valid, unexpired U.S. passport issued with a validity period of at least five years; **or**
- F. A statement executed by a U.S. consular officer certifying that you are a U.S. citizen and the bearer of a currently valid U.S. passport.

2. Termination of Previous Marriages

If either you or your beneficiary were married before, submit evidence that all previous marriages were legally terminated. Evidence of termination of previous marriages may include a divorce decree, annulment, or death certificate issued by a civil authority.

3. Photographs

You **must** submit **one color photograph of yourself and one color photograph of the beneficiary** taken within 30 days of filing this petition. The photos must have a white to off-white background, be printed on thin paper with a glossy finish, and be unmounted and unretouched.

Passport-style photos must be 2" by 2". The photos must be in color **with full face**, frontal view on a white to off-white background. Head height should measure 1" to 1-3/8" from top of hair to bottom of chin, and eye height is between 1 1/8" to 1 3/8" from bottom of photo. Your head must be bare unless you are wearing headwear as required by a religious denomination of which you are a member. Using a pencil or felt pen, lightly print your name and A-Number (if any) on the back of the photo.

4. Evidence of Legal Name Change

If either you or your beneficiary use a name other than the one shown on evidence submitted in support of your petition, you must submit copies of the legal documents (such as a marriage certificate, adoption decree, or court order) reflecting the legal name change.

5. Form I-94 Arrival-Departure Record

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

NOTE: If your beneficiary was admitted to the United States by CBP at an airport or seaport after April 30, 2013, he or she 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 beneficiary's 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.

Passport and Travel Document Numbers. If your beneficiary 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.

6. Evidence for Petitions to Classify a Fiancé(e) as a K-1 Nonimmigrant

In addition to the evidence described above, you must submit evidence of:

- A. Intention to Marry Within 90 Days of Entry.** Submit evidence that you and your fiancé(e) intend to marry within 90 days of your fiancé(e)'s entry as a K-1 nonimmigrant. Evidence of your intention to marry may include statements of intent to marry signed by both you and your fiancé(e) or any other evidence that establishes, by a preponderance of the evidence, your mutual intention; and
- B. In-Person Meeting.** Submit evidence that you and your fiancé(e) met in person during the 2-year period immediately before you filed this petition. Evidence of this meeting may include, but is not limited to, a written statement from you and/or your fiancé(e) stating the circumstances of your meeting, a copy of airline tickets, passport pages, or other evidence. If you believe you qualify for an exception to the in-person meeting requirement, submit evidence in support of the exception.

If you claim that the in-person meeting requirement would result in extreme hardship to you, submit evidence to support your claim.

If you claim that the in-person meeting requirement would violate strict and long-established customs of your fiancé(e)'s foreign culture or social practice, include evidence that any and all aspects of the traditional arrangements have been or will be met in accordance with the custom or practice.

7. Evidence for Petitions to Classify a Spouse as a K-3 Nonimmigrant

In addition to the evidence described in **Items 1. - 5.** above, you must submit:

- A. Form I-130.** Submit evidence that you filed Form I-130 on behalf of your beneficiary; and
- B. Marriage Certificate.** Submit a marriage certificate, issued by a civil authority, showing your valid marriage to the beneficiary.

NOTE: You do not need to file Form I-130 on behalf of the child of a K-3 beneficiary in order for the child to obtain a K-4 visa. However, a K-4 nonimmigrant is only eligible to adjust to lawful permanent resident status if he or she is under 18 years of age when you and the K-3 parent marry and you file Form I-130 petition on the K-4's behalf before the K-4 reaches 21 years of age.

What Is the Filing Fee?

The filing fee for Form I-129F is **\$340**.

There is no fee for Form I-129F petitions for classification of an alien as a spouse of a United States citizen.

NOTE: The filing fee is not refundable, regardless of any action USCIS takes on this petition. **DO NOT MAIL CASH.** You must submit all fees in the exact amount.

Use the following guidelines when you prepare your check or money order for the Form I-129F 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 transfer two additional times.

How to Check If the Fees Are Correct

Form I-129F filing fee is current as of the edition date 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
2. Call the USCIS National Customer Service Center at **1-800-375-5283** and ask for fee information. For TTY (deaf or hard of hearing) call: **1-800-767-1833**.

NOTE: If your Form I-129F requires payment of a biometric services fee for USCIS to take your fingerprints, photograph, and/or signature, you can use the same procedure to obtain the correct biometric services fee.

Where To File?

Please see our Web site at www.uscis.gov/I-129F or call our National Customer Service Center at **1-800-375-5283** for the most current information about where to file this petition. For TTY (deaf or hard of hearing) call: **1-800-767-1833**.

Address Change

You must notify USCIS of your new address within 10 days of moving from your previous residence. For information on filing a change of address go to the USCIS Web site at www.uscis.gov/addresschange or contact 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 request to USCIS Lockbox facilities because these facilities do not process change of address requests.

Processing Information

Initial Processing. Once USCIS accepts your petition we will check it for completeness. If you do not completely fill out this petition, you will not establish a basis for your eligibility and USCIS may reject or deny your petition.

Requests for More Information. We may request that you provide more information or evidence to support your petition. We may also request that you provide the originals of any copies you submit. USCIS will return any requested originals when they are no longer needed.

Requests for Interview. We may request that you appear at a USCIS office for an interview based on **your** petition. At the time of any interview or other appearance at a USCIS office, we may require that you provide your fingerprints, photograph, and/or signature to verify your identity and/or update background and security checks.

Decision. The decision on Form I-129F 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.

USCIS Forms and Information

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.uscis.gov. 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.

Penalties

If you knowingly and willfully falsify or conceal a material fact or submit a false document with your Form I-129F, we will deny your Form I-129F and may deny any other immigration benefit. In addition, you will face severe penalties provided by law and may be subject to criminal prosecution.

USCIS Compliance Review and Monitoring

By signing this petition, you have stated under penalty of perjury (28 U.S.C. section 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 (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 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.

USCIS Privacy Act Statement

AUTHORITIES: The information requested on this petition, and the associated evidence, is collected under the Immigration and Nationality Act section 214(d) and 8 CFR 214.2(k).

PURPOSE: The primary purpose for providing the requested information on this petition is for your fiancé(e)/spouse and that person's children to enter the United States. 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 in your case or result in denial of your petition.

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 can be found at www.dhs.gov/privacy. DHS may also share the information, as appropriate, for law enforcement purposes or in the interest of national security.

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 **3 hours per** response, including the time for reviewing instructions, gathering the required documentation and information, completing the petition, preparing statements, attaching necessary documentation, and submitting the petition. The collection of biometrics is estimated to require **1 hour** and **10** minutes. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to: U.S. Citizenship and Immigration Services, Regulatory Coordination Division, Office of Policy and Strategy, 20 Massachusetts Ave NW, Washington, DC 20529-2140; OMB No. 1615-0001. **Do not mail your completed Form I-129F to this address.**

03/25/2015