

I-129F Package for K-1 Visa Petition

Overview for Filing Form I-129F

ORDER#

PREPARED FOR

PREPARED ON

Contact Us

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What is the Purpose of Form I-129F?

You may use this petition to classify either:

1). Your alien fiancé(e) as a K-1 nonimmigrant to enter the United States and marry you, and then apply for adjustment of status to lawful permanent resident,

2). Or your alien spouse as a K-3 nonimmigrant to enter the United States, await the availability of an immigrant visa, and pursue adjustment of status to lawful permanent resident.

Note: It is possible for a child (who is unmarried and under 21 years of age) of a K-1 or K-3 nonimmigrant to apply for a nonimmigrant visa in order to accompany or follow their K-1 or K-3 parent, and there is no need to file a separate petition to classify the child as a K nonimmigrant. Its worth mentioning that children of K-1s are considered K-2 nonimmigrants, and children of K-3s are classified as K-4 nonimmigrants.

NOTE: A K-4 nonimmigrant can only be eligible to apply for adjustment of status to lawful permanent resident if they are under 18 years of age when you and the K-3 parent get married, and you file Form I-130, Petition for Alien Relative, on the K-4's behalf before they reach 21 years of age.

If you are a U.S. citizen and meet the following requirements, you are eligible to file Form I-129F:

You and your fiancé(s):

A. Have the legal capacity to marry and intend to do so within 90 days of your fiancé(e)s admission to the United States;

B. Have met each other in person at least once within the two years immediately before you filed this petition, unless you can demonstrate that:

(1) If you can establish that the requirement to meet your fiancé(e) in person would be in violation of strict and well-established customs in your fiancé(e)s foreign culture or social practice, and that you have fulfilled or will fulfill all other aspects of the traditional arrangement according to the custom or practice, you may be exempt from this requirement.

(2) If you can show that the requirement to meet your fiancé(e) in person would cause you extreme hardship, you may be exempt from this requirement.

(3) Alternatively, you can file Form I-129F on behalf of your spouse if you have filed or are in the process of filing Form I-130 for your spouse and wish to have them enter the United States as a nonimmigrant while awaiting the immediate availability of an immigrant visa and the ability to file for adjustment of status.

Please note that if you have children with your beneficiary, they may have acquired U.S. citizenship through you, and you can visit the U.S. Department of State (DOS) website at <http://travel.state.gov> for more information.

General Instructions

The USCIS offers forms for free through their website, which can be viewed, printed, or filled out using the latest version of Adobe Reader. This software can be downloaded for free from <http://get.adobe.com/reader/>. If you do not have internet access, you can contact the USCIS Contact Center at 1-800-375-5283 and request that they mail a form to you. For TTY (deaf or hard of hearing), please call 1-800-767-1833.

Signature

To ensure that your petition is properly filed, each signature on the petition must be handwritten, and USCIS will not accept a stamped or typewritten name in place of a signature. If you are under the age of 14, a parent or legal guardian can sign the petition on your behalf. In the case of a mentally incompetent person, a legal guardian may also sign.

Filing Fee

Each petition must be accompanied by the appropriate filing fee, which can be found in the "What Is the Filing Fee" section of these instructions.

Biometric Services Fee

Regarding the Biometric Services Fee, there is no need to include a payment at the time of submitting your petition to USCIS. If you are later notified that you must submit biometrics, you will receive a biometric services appointment notice, which will include instructions on how to pay the additional fee. If you file your 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

When filing, it is important to submit all necessary evidence and supporting documentation listed in the "What Evidence Must You Submit" section of these instructions.

Biometric Services Appointment.

USCIS may require you to provide fingerprints, photograph, and/or signature to verify your identity, obtain additional information, and conduct background and security checks at any time, including before making a decision on your application, petition, or request. This may include a check of criminal history records maintained by the FBI. After USCIS receives your petition and ensures that it is complete, you will be notified in writing if you need to attend a biometric services appointment. If an appointment is necessary, the notice will provide you with the location of your local or designated USCIS Application Support Center (ASC), as well as the date and time of your appointment. If you are currently overseas, the notice will instruct you to contact a U.S. Embassy, U.S. Consulate, or USCIS office outside the United States to schedule an appointment.

What You Should Know

During your biometric services appointment, if required, you will be asked to sign an oath reaffirming the following:

- 1). You provided or authorized all information in the petition;
- 2). You reviewed and understood all of the information contained in, and submitted with, your petition; and
- 3). All of the information provided was complete, true, and correct at the time of filing.

It is important to attend the biometric services appointment as scheduled. Failure to do so may result in the denial of your petition by USCIS.

Copies. When submitting documents, it is important to provide clear and legible photocopies of the requested items, unless the Instructions state otherwise and require an original document. During processing of your application, petition, or request, USCIS may request an original document from you. If such a request is made, the original document will be returned to you once USCIS no longer needs it.

NOTE: If you submit an original document when it is not required or requested by USCIS, your original documents may be immediately destroyed upon receipt.

Translations. When submitting a document that contains information in a foreign language, you must also provide a full English translation. The translator responsible for the translation must sign a certification indicating that the English language translation is complete and accurate, and that they are qualified to translate from the foreign language into English. The certification should include the date, the translator's signature and printed name, and may include the translator's contact information.

To properly fill out Form I-129F, follow these instructions:

1. Use black ink and print legibly or type.

2. If you need extra space to answer any item within the petition, use the space provided in Part 8: Additional Information, or attach a separate sheet of paper. On each sheet, type or print your name and Alien Registration Number (A-Number) (if applicable) at the top, indicate the page number, part number, and item number to which your answer refers, and sign and date each sheet.

3. Answer all questions completely and accurately. If a question does not apply to you, write "N/A" in the space provided, unless otherwise directed. If a question requires a numeric response, and your answer is zero or none, write "None" in the space provided, unless otherwise directed.

Part 1. Information About You

Item Number 1 on Form I-129F is for your Alien Registration Number (A-Number), if you have one. The A-Number is a unique identifier used for your immigration records. You can locate this number on documents that were issued to you by USCIS, Immigration and Customs Enforcement (ICE), Customs and Border Protection (CBP), the Department of Justice (DOJ), Executive Office for Immigration Review (EOIR), and/or the Department of State (DOS).

Item Number 2 on Form I-129F is for your USCIS Online Account Number, if you have one. If you have previously filed an application, petition, or request using the USCIS online filing system (previously known as USCIS Electronic Immigration System (USCIS ELIS)), you were issued a USCIS Online Account Number by the system. To locate your USCIS Online Account Number, log in to your account and go to the profile page.

If you filed certain applications, petitions, or requests on a paper form via a USCIS Lockbox facility, you may have received a USCIS Online Account Access Notice that issued you a USCIS Online Account Number. If you received such a notice, your USCIS Online Account Number can be found at the top of the notice.

Please note that the USCIS Online Account Number is different from an A-Number. Enter your USCIS Online Account Number, if applicable, in the space provided on the form.

Item Number 3 on Form I-129F is for your U.S. Social Security Number, if you have one. Please provide your U.S. Social Security Number in the space provided.

Item Numbers 4.a. - 5 on the form are for the Classification Requested. Indicate whether you are filing for your fiancé(e) or your spouse, and if you are filing for your spouse, indicate whether you have filed Form I-130 on their behalf. You must provide evidence that you have filed Form I-130, such as a concurrently filed Form I-130, a Form I-797 Receipt or Approval Notice for Form I-130, a printout from the USCIS website showing a pending or approved Form I-130, or the receipt number for your Form I-130.

Item Numbers 6.a. to 6.c. are for your Full Name. Provide your full legal name in the space provided on the form.

Item Numbers 7.a. to 7.c. on Form I-129F are for Other Names Used. This includes any other names you have used, such as aliases, maiden names, and nicknames. If you have used additional names, provide them in Part 8. Additional Information on the form.

Item Numbers 8.a. to 8.j. on the form are for 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. to 12.b. are for Your Address History. Provide the addresses for the places you have resided over the last five years.

Item Numbers 13 to 20.b. on Form I-129F are for Your Employment History. Provide the names and addresses of your employers, your occupations, and the dates of employment for the jobs you have held over the last five years.

Item Number 21 is for your Gender. Indicate whether you are male or female

Item Number 22 is for your Date of Birth. Provide your date of birth in mm/dd/yyyy format.

Item Number 23 is for your Marital Status. Indicate your current marital status on the form.

Item Numbers 24 to 26 on the form are for your Place of Birth. Provide the name of the city or town, province or state, and country where you were born.

Item Numbers 27.a. to 36.b. on Form I-129F are for Information About Your Parents. Provide each of your parents' full names, dates of birth, places of birth, and current cities/town/villages and countries of residence.

Item Numbers 37 to 39 on the form are for the 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 on the form to respond to these questions for each person.

Item Numbers 40.a. - 42.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 43. - 47. 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 48. - 49.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 50.a. - 51.b. Residency History. List all of the U.S. states and foreign countries where you resided after reaching 18 years of age. Use Part 8. Additional Information for extra space if needed.

Part 2. Information About the Beneficiary

Item Numbers 1.a. - 1.c. Full Name of the Beneficiary. Provide the full legal name of your beneficiary.

Item Number 2. A-Number. Provide the A-Number of your beneficiary. The A-Number is used to identify your beneficiary’s immigration records and can be found on documents from USCIS, ICE, CBP, EOIR, or DOS..

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

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 Number 7. 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 aliases, maiden name, and nicknames. Use Part 8. Additional Information if you need extra space to complete this section.

Item Numbers 11.a. - 11.i. Mailing Address for Your Beneficiary. Provide your beneficiary’s current mailing address, including the mailing address in the United States, if they have one.

Item Numbers 12.a. - 15.b. Your Beneficiary's Address History. Provide the addresses for the places your beneficiary has resided over the last five years.

Item Numbers 16. - 23.b. Your Beneficiary's Employment History. Provide the names and addresses of your beneficiary's employers, occupations, and the dates of employment for the jobs they have held over the last five years.

Item Number 24.a. - 33.b. Information About Your Beneficiary's Parents. Provide each of your beneficiary's parents' full names, dates of birth, places of birth, and current cities and countries of residence.

Item Numbers 34. - 36. 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 37. - 38.h. Form I-94 Arrival-Departure Record. Indicate whether your beneficiary has ever been in the United States by selecting the appropriate box. If your beneficiary has been in the United States, provide the date of his or her most recent entry, as well as the I-94 Arrival-Departure Record Number if available, and his or her immigration status at the time of arrival (such as student, tourist, temporary worker, or without inspection). Additionally, provide the expiration date and identification numbers on the I-94 or I-95 Arrival-Departure Records, travel documents, and/or passports. More information can be found in the "What Evidence Should You Submit" section of these instructions.

Note that 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, and a paper version can be obtained from the CBP website at www.cbp.gov/i94.

Item Numbers 39. - 44.h. Children of Beneficiary. If your beneficiary has any children, indicate "Yes" and provide information about each child, including their full name, country of birth, and date of birth. If a child lives at a different address than your beneficiary, provide the child's current address. If your beneficiary has more than one child, use Part 8. Additional Information to provide the necessary information for each child.

Item Numbers 45.a. - 46. Address in the United States Where Your Beneficiary Intends to Live. Provide the intended address and daytime telephone number where your beneficiary plans to live when they arrive in the United States.

Item Numbers 47.a. - 48. Your Beneficiary's Physical Address Abroad. Provide the current physical address and daytime telephone number where your beneficiary currently resides abroad.

Item Numbers 49.a. - 50.f. Native Alphabet Information. If your beneficiary's native alphabet does not use Roman letters, provide their name and physical address abroad in the native alphabet. If their native alphabet does use Roman letters, skip to the next question (Item Number 51).

Item Numbers 51. - 52. Familial Relationship. Indicate whether you and your beneficiary have a familial relationship, and if so, describe the nature and degree of the relationship (e.g. second cousins, maternal aunt or uncle). Select "N/A" if the beneficiary is your spouse.

Item Numbers 53. - 54. Meeting in Person. Indicate whether you and your fiancé(e) have met in person during the two years immediately before filing this petition. Select "N/A" if the beneficiary is your spouse.

If you answer "Yes" to Item Number 53, you will need to provide details of your in-person meeting in Item Number 54 and provide evidence to prove that you met in person during the required two-year period. In case you need additional space to complete this section, you can use the space provided in Part 8. Additional Information.

If you answer "No" to **Item Number 53,** you will need to provide an explanation in Item Number 54 detailing the reasons 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. You must also demonstrate that meeting in person would have created an extreme hardship 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. You will also need to attach evidence to support your claim, which may include medical records, statements from religious leaders, or evidence of immediate danger. If you need additional.

Item Numbers 55. - 61. International Marriage Broker (IMB) Information. Indicate if an International Marriage Broker (IMB) service was used to meet your beneficiary. If you answer "Yes", provide the name, organization name, website, mailing address, and daytime telephone number of the IMB. For more information on what an "international marriage broker" is, please refer to the "What are the Requirements of the International Marriage Broker Regulation Act" section of these instructions.

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

Item Numbers 62.a. - 62.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 their visa.

Item Numbers 62.a. - 62.b. Requested U.S. Embassy or U.S. Consulate. Please provide the name of the city or town and country of the U.S. Embassy or U.S. Consulate where your beneficiary plans to apply for their visa.

Note: Choosing a U.S. Embassy or U.S. Consulate outside of the beneficiary's country of residence does not guarantee acceptance for processing by that post. Approval is at the discretion of the selected U.S. Embassy or U.S. Consulate.

Note: According to 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. If you and your beneficiary were married in the United States, please provide the country of your beneficiary's current residence in Part 2, Item Numbers 47.a. - 47.f.

Part 3. Other Information

Item Numbers 1. - 3.c. Criminal Information. You must indicate if 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 listed below, or if you have been arrested or convicted of any of the crimes specified below. If you have been 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, even if your records were sealed, expunged, or otherwise cleared. This requirement applies regardless of whether anyone, including a judge, law enforcement officer, or attorney, informed you that you no longer have a criminal record.

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 the following crimes: 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 any attempt to commit these crimes.

C. Having at least three convictions for crimes related to controlled substances or alcohol, but not arising from a single act.

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

NOTE: Any individual who has been granted a protection or restraining order against you, or who is a victim of a crime of violence you committed, will have their name and contact information kept confidential. However, your relationship to that person or victim (such as spouse, parent, or former spouse) will be disclosed to the beneficiary by the Department of State.

Item Number 4.a. Criminal Information. You must indicate if you have ever been arrested, cited, charged, indicted, convicted, fined, or imprisoned for breaking or violating any law or ordinance in any country, except for offenses already mentioned in the previous section. Traffic incidents do not need to be reported unless they were alcohol or drug-related, or the fine was \$500 or more.

Item Number 4.b requires you to provide details on any incidents of arrest, citation, charge, indictment, conviction, fine, or imprisonment that you may have had, if you answered "Yes" to Item Number 4.a. You need to furnish information about the circumstances, places, dates, and outcomes of each incident and also provide court-certified copies of the arrest record and/or disposition for each one, unless you can obtain a certified statement from the court that confirms there is no record of the incident. If you require additional space to provide this information, you can use the section provided in Part 8.

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). If you have filed Form I-129Fs on behalf of two or more fiancé(e) beneficiaries in the past and you are now filing a petition on behalf of another fiancé(e).

2). If you have previously had a Form I-129F approved for your fiancé(e), and it has been less than two years since the filing date of your previously approved petition.

In Part 8. Additional Information, you may provide additional information and/or explanation to support your waiver request, or attach a signed and dated letter following the instructions for Part 8.

However, if you are filing for your spouse, you do not need to request any waivers. Simply select the box for Item Number 5.d. and proceed to Part 4.

Types of Waivers

Item Number 5.a. is the General Waiver which applies if you have never been convicted of a violent criminal offense against a person or persons.

To get a waiver, you must provide evidence to demonstrate that extraordinary circumstances exist. You must provide evidence explaining the reasons for your multiple filings, along with evidence of extraordinary circumstances. This evidence can include police reports, court records, news articles, trial transcripts that reflect 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 have committed violent criminal offenses against a person or persons but were subjected to extreme cruelty or battered by a family member or intimate partner at the time of the offense, you may be eligible for a mandatory waiver. This is applicable if USCIS determines that you were not the primary perpetrator of violence in the relationship; you violated a protection order intended for your protection; you acted in self-defense; or you committed a crime that did not result in serious bodily injury, and there was a connection between the crime and you being subjected to battery or extreme cruelty. To qualify for a mandatory waiver, you must provide evidence explaining your multiple filings and supporting your eligibility.

USCIS cannot approve your petition unless a waiver of the multiple-filing limitation is granted. It is important to provide all necessary evidence and documentation to support your request for a waiver, including any evidence of abuse or battery if applicable. This may include police reports, court records, news articles, and trial transcripts, as well as any other relevant evidence that supports your request for a waiver. Be sure to follow all instructions and guidelines provided by USCIS to ensure that your petition is processed efficiently and accurately.

Was this response better or worse?

- Better
- Worse
- Same

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. Please choose the appropriate options that match your height in feet and inches. For instance, if you are five feet and nine inches tall, select “5” for feet and “09” for inches. It is important to note that you should not enter your height in meters or centimeters.

Item Number 4. Weight. Enter your weight in pounds. If you are unaware of your weight or if your weight is below 30 pounds or above 699 pounds, enter “000”. Please do not enter your weight in kilograms.

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

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

Part 5. Petitioner’s Statement, Contact Information, Declaration, Certification, and Signature

Item Numbers 1.a. - 6.b. The petitioner must select the appropriate box indicating whether they read the petition themselves or had an interpreter assist them. If the petitioner used a preparer to complete the petition, they must select the box indicating so. Additionally, the petitioner must sign and date the petition and provide their daytime telephone number, mobile telephone number (if available), and email address (if available). The signature of the petitioner (or parent or legal guardian, if applicable) is required on every petition, and a stamped or typewritten name cannot be used in place of a signature.

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

Item Numbers 1.a. - 7.b. If you had an interpreter read the Instructions and questions on this petition to you in a language you are fluent in, the interpreter must complete this section. The interpreter should provide their name, the name and address of their business or organization (if applicable), their daytime telephone number, mobile telephone number (if any), and email address (if any). Additionally, the interpreter must sign and date the petition.

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

Item Numbers 1.a. - 8.b. Please select the appropriate box in Item Numbers 1.a. - 8.b. to indicate if someone other than you, the petitioner, completed the form and provide their name, business or organization (if any), daytime telephone number, mobile telephone number (if any), and email address (if any) in this section.

The person who helped you complete the form must sign and date the petition, and if they are associated with a business or organization, they should provide its name and address. If the person who assisted you is an attorney or accredited representative, they may need to submit a completed Form G-28 or Form G-28I along with your petition. Note that a stamped or typewritten name cannot replace a signature. If the same person acted as your interpreter and preparer, they should complete both Part 6 and Part 7.

Part 8. Additional Information

Item Numbers 1.a. - 7.d. If you require additional space to include any extra information in this petition, you should utilize the space given in Part 8. Additional Information. In case you need more space than what is already given in Part 8., you can either make copies of Part 8. to fill in and file with your petition, or you can attach a separate sheet of paper. Ensure that you type or write your name and A-Number (if any) at the top of each sheet, mention the Page Number, Part Number, and Item Number to which your answer pertains, and sign and date each sheet.

What are the Requirements of the International Marriage Broker Regulation Act?

It is recommended that you save or print a copy of your petition for future reference and record-keeping purposes. Before your biometric services appointment at a USCIS ASC, it is suggested that you review your copy of the completed petition. USCIS will only permit you to complete the petition process during your appointment if you can confirm under penalty of perjury that all the information provided in your petition is complete, true, and accurate. If you are unable to make this confirmation in good faith during your appointment, USCIS will require you to reschedule for another appointment.

According to the International Marriage Broker Regulation Act (IMBRA), U.S. citizens who file a Form I-129F must disclose any permanent protection or restraining order related to crimes specified in **Part 3.** of these instructions, as well as any convictions for those crimes. Additionally, USCIS must keep a database to track multiple Form I-129Fs filed by the same petitioner, and will notify the petitioner upon approval of a second Form I-129F and entering their information into the database. All subsequent Form I-129Fs filed by the petitioner will be entered into the database. If a petitioner has had two Form I-129Fs approved and files another within 10 years of the first, USCIS will notify both the petitioner and beneficiary of the number of previously approved petitions listed in the database.

IMBRA also has provisions for international marriage brokers (IMBs) who are required to conduct background checks on their U.S. clients and disclose the results of these checks to foreign national clients before obtaining their consent to disclose their personal contact information to a U.S. client. NOTE: The terms "international marriage broker" and "IMB" refer to any legal entity, whether or not organized under U.S. law, that charges fees for providing dating, matrimonial or matchmaking services, or social referrals between U.S. citizens/lawful permanent residents and foreign national clients by facilitating communication or providing personal contact information.

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 Must You Submit?

If you do not submit all the evidence requested in these Instructions along with your petition, USCIS may reject or deny it due to failure to comply with 8 CFR part 103.2(b)(1) and these Instructions. To support your petition, you must provide the primary evidence listed below. In the event that a primary evidence document is not available, you must obtain a statement from the appropriate civil authority certifying its unavailability.

In case primary evidence is not available, you are required to submit secondary evidence like church or school records, U.S. census records, or baptismal certificates to support your claim. If you are unable to provide secondary evidence, you may submit two or more sworn affidavits from individuals who were living at the time of the event, have direct personal knowledge of the event, and are not parties to your petition.

For more information regarding the required documentation, please visit the USCIS website at www.uscis.gov/I-129F or refer to 8 CFR 214.2(k) regulations governing petitions for nonimmigrant alien fiancé(e)s and spouses.

3. Please provide evidence of your 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 or passport card 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.

4. Proof of Ending Prior Marriages. In case you or your beneficiary have been previously married, provide proof of legal termination of all previous marriages. This evidence can be in the form of a divorce decree, annulment, or death certificate issued by a civil authority.

5. Photographs. You are required to include a passport-style photograph of yourself and the beneficiary in color, which should be taken no earlier than 30 days prior to filing the petition. The photos must have a white or off-white background, be printed on glossy thin paper, and remain unmounted and unaltered.

The photographs should be in a color passport-style and measure 2 by 2 inches. They must exhibit a full face, frontal view against a white to off-white background. The head height must be between 1 to 1 3/8 inches from the top of hair to the bottom of the chin, and the eye height must be between 1 1/8 to 1 3/8 inches from the bottom of the photo. Unless required by your religious denomination, your head must be uncovered. Lightly print your name and A-Number (if any) on the back of the photo using a pencil or felt pen.

6. Evidence of Legal Name Change. In the event that either you or your beneficiary use a name different from the one demonstrated on the evidence provided in support of your petition, you must provide copies of legal documents such as a marriage certificate, adoption decree, or court order that confirm the legal name change.

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

Note that if your beneficiary entered the United States after April 30, 2013, and was admitted by CBP at an airport or seaport, they may have received an electronic Form I-94 instead of a paper version. To acquire a paper version of an electronic Form I-94, you may go to the CBP website at www.cbp.gov/i94. There is no 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 given a paper Form I-94 by CBP, may also be able to obtain a replacement Form I-94 from the CBP website for free. However, if the Form I-94 cannot be acquired from the CBP website, it can be obtained by submitting Form I-102, Application for Replacement/Initial Nonimmigrant Arrival-Departure Record, to USCIS, but USCIS charges a fee for this service.

Passport and Travel Document Numbers. Even if the passport or travel document has expired, if your beneficiary traveled to the United States using a passport or travel document, please provide the passport or travel document information in the designated section of the petition.

8. Evidence Required for Petitions to Classify a Fiancé(e) as a K-1 Nonimmigrant
Apart from the evidence stated earlier, you must also provide evidence that:

A. A. You Intend to Get Married Within 90 Days of Entry. You must provide proof that you and your fiancé(e) plan to get married within 90 days of your fiancé(e)s entry as a K-1 nonimmigrant. Evidence of your intention to marry could include signed statements of intent to marry from both you and your fiancé(e) or any other proof that establishes, by a preponderance of the evidence, your mutual intention.

Proof of In-Person Meeting. You must provide evidence that you and your fiancé(e) met in person during the two-year period immediately before filing this petition. Evidence of this meeting could include a written statement from you and/or your fiancé(e) detailing the circumstances of your meeting, copies of airline tickets, passport pages, or any other supporting documents. If you believe you are eligible for an exception to the in-person meeting requirement, provide evidence to support your claim.

In case you claim that the in-person meeting requirement would cause extreme hardship to you, provide evidence to support your claim.

If you assert that the in-person meeting requirement would breach strict and long-standing customs of your fiancé(e)s foreign culture or social practice, present proof that all aspects of the traditional arrangements have been or will be satisfied in accordance with the custom or practice.

9. Evidence Required for Petitions to Classify a Spouse as a K-3 Nonimmigrant In addition to the evidence stated in Items 1 to 5 above, you must provide:

A. Form I-130. Proof that you have filed Form I-130 on behalf of your beneficiary; and

B. Marriage Certificate. You must provide a marriage certificate, issued by the appropriate civil authority, demonstrating your valid marriage to the beneficiary. **NOTE:** You are not required to submit Form I-130 on behalf of a K-3 beneficiary's child to obtain a K-4 visa. However, a K-4 nonimmigrant can only apply for lawful permanent resident status if they are under 18 years old when you and the K-3 parent get married, and you file a Form I-130 petition on behalf of the K-4 before they reach the age of 21.

What Is the Filing Fee?

A. The filing fee for Form I-129F is \$535.

NOTE: The filing fee is non-refundable, regardless of any action taken by USCIS on this petition. DO NOT SEND CASH. You must provide all fees in the exact amount.

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

Please follow these instructions when preparing your check or money order for the Form I-129F filing fee:

How to Check If the Fees Are Correct

filing fee for Form I-129F mentioned on this page is current as of the edition date printed in the lower left corner of this page. However, because USCIS fees are updated regularly, you can confirm that the fees are accurate by doing one of the following:

1. Go to the USCIS website at www.uscis.gov, click on "FORMS," and check the appropriate fee; or
2. Contact the USCIS Contact Center at 1-800-375-5283 and request fee information. If you are deaf or hard of hearing, use TTY by calling: 1-800-767-1833.

Where to Submit?

For the latest information on where to file your petition, please visit our website at www.uscis.gov/i-129f or contact our USCIS Contact Center at 1-800-375-5283. If you are deaf or hard of hearing, please use TTY by calling: 1-800-767-1833.

Change of Address

A petitioner who is not a U.S. citizen must inform USCIS of their new address within 10 days of moving from their previous residence. To file a change of address request, please visit the USCIS website at www.uscis.gov/addresschange or contact the USCIS Contact Center at 1-800-375-5283.

For TTY (deaf or hard of hearing) call: 1-800-767-1833. NOTE: Please do not send a change of address request to the USCIS Lockbox facilities as they do not handle change of address requests.

Processing Information

Initial Processing: Once USCIS receives your petition, we will review it for completeness. Incomplete petitions may not establish the basis of your eligibility, which may lead to the rejection or denial of your petition.

Requests for More Information: USCIS may ask you to provide additional information or evidence to support your petition. Additionally, we may ask you to submit the originals of any copies you have provided. If USCIS requires an original document, it will be returned to you once it is no longer needed.

Decision: The decision on Form I-129F is based on an evaluation of whether you have established eligibility for the immigration benefit you are seeking. USCIS will notify you of the decision in writing.

1.The check or money order must be issued by a bank or other financial institution based in the United States and must be payable in U.S. currency.

2.Make the check or money order payable to the "U.S. Department of Homeland Security." Please note that you should spell out "U.S. Department of Homeland Security" and not use the abbreviations "USDHS" or "DHS."

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

Notice for Payment by Check. If you choose to pay by check, please be aware that USCIS will convert it into an electronic funds transfer (EFT). This process involves copying your check and using the account information to electronically debit your account for the amount of the check. The debit will usually appear on your bank statement within 24 hours.

You will not receive your original check back as we will destroy it but keep a copy for our records. If USCIS is unable to process the EFT for technical reasons, we will use the copy of your check to complete the transaction. If your check is returned as unpayable, USCIS will attempt to resubmit the payment to your financial institution once. If it is returned as unpayable a second time, we will reject your petition and impose a returned check fee.

USCIS Forms and Information

To ensure that you are using the most recent version of this petition, please visit the USCIS website at www.uscis.gov. On the website, you can obtain the most up-to-date USCIS forms and immigration-related information. If you do not have internet access, you can order USCIS forms by calling the USCIS Contact Center at 1-800-375-5283. The USCIS Contact Center provides information in both English and Spanish. For TTY (deaf or hard of hearing) call: 1-800-767-1833.

To avoid waiting in line for assistance at your local USCIS office, you can make an appointment online at www.uscis.gov. Choose "Schedule an appointment online" and follow the prompts to set up your appointment. Once you have scheduled your appointment, the system will create an appointment notice for you.

Penalties

If you intentionally and knowingly falsify or hide a material fact or submit a false document with your Form I-129F, your Form I-129F may be denied, and you may be denied any other immigration benefits. Furthermore, you may face severe penalties under the law, and you may also face criminal prosecution.

USCIS Compliance Review and Monitoring

By signing this petition, you confirm under penalty of perjury (28 USC section 1746) that all the information and documents submitted with this petition are complete, truthful, and accurate. Furthermore, you authorize the release of any information from your records that USCIS may require to determine your eligibility for the immigration benefit you are seeking, and you consent to USCIS verifying such information.

The Department of Homeland Security (DHS) possesses the authority to validate any information you submit to establish eligibility for the immigration benefit you are seeking at any time. USCIS has the legal power to verify this information in 8 USC sections 1103, 1155, and 1184, as well as 8 CFR Parts 103, 204, 205, and 214. USCIS may validate information before or after your case is decided to ensure compliance with relevant laws and authorities.

The methods that USCIS uses to verify information may include, but are not limited to, review of public records and information, communication via written correspondence, the Internet, fax, other electronic transmission, or phone, unannounced physical site inspections of residences and locations of employment, and interviews. USCIS will utilize information obtained through verification to determine your eligibility for an immigration benefit and assess your compliance with the laws.

Subject to the restrictions outlined in 8 CFR 103.2(b)(16), USCIS will give you 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 that may result in revocation or termination of an approval.

DHS Privacy Notice

DISCLOSURE: The provision of the requested information, including your Social Security number and any relevant evidence, is voluntary. However, failure to do so may result in delays or denial of your petition.

ROUTINE USES: The information you provide on this petition and any additional evidence may be shared by DHS with other authorized government agencies and organizations, both domestic and foreign. The routine uses of this information are described in the published system of records notices, such as DHS/USCIS/ICE/CBP-001 - Alien File, Index, and National File Tracking System, DHS/USCIS-007 - Benefits Information System, and DHS/USCIS-018 Immigration Biometric and Background Check, as well as the published privacy impact assessment, such as DHS/USCIS/PIA016(a) Computer Linked Application Information Management System and Associated Systems. These can be found at www.dhs.gov/privacy. In addition, DHS may disclose this information for law enforcement purposes or national security reasons.

Paperwork Reduction Act

An information collection cannot be conducted or sponsored by an agency, and an individual is not obligated to respond to an information collection, unless an Office of Management and Budget (OMB) control number that is presently valid is displayed. The estimated public reporting burden for this information collection is 3 hours and 15 minutes per response, which includes the time needed to review instructions, gather required documentation and information, complete the petition, prepare statements, attach necessary documentation, and submit the petition. The collection of biometric data is expected to take 1 hour and 10 minutes. To U.S. Citizenship and Immigration Services, Office of Policy and Strategy, Regulatory Coordination Division, 5900 Capital Gateway Drive, Mail Stop #2140, Camp Springs, MD 20588-0009; OMB No. 1615-0001, comments concerning this burden estimate or any other aspect of this information collection, including proposals for reducing this burden, may be submitted. Do not send your completed Form I-129F to this address.